

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

Ameren Transmission Company of Illinois }
 }
Petition for a Certificate of Public Convenience }
and Necessity, pursuant to Section 8-406.1 of }
the Illinois Public Utilities Act, and an Order }
pursuant to Section 8-503 of the Public Utilities }
Act, to Construct, Operate and Maintain a New }
High Voltage Electric Service Line and Related }
Facilities in the Counties of Adams, Brown, Cass, }
Champaign, Christian, Clark, Coles, Edgar, }
Fulton, Macon, Montgomery, Morgan, Moultrie, }
Pike, Sangamon, Schuyler, Scott, and Shelby, }
Illinois. }

Case No.: 12-0598

DIRECT TESTIMONY

OF

JOHN F. BOLAND

Intervenor CSLPG Exhibit 2.0

1 DIRECT TESTIMONY OF JOHN F. BOLAND

2 Q. PLEASE STATE YOUR NAME AND CURRENT RESIDENTIAL ADDRESS.

3 A. John F. Boland. 829 CR 300 East, Sadorus, Illinois 61872.

4 Q. ARE YOU FAMILIAR WITH THE PROCEEDING IN WHICH YOU ARE
5 SUBMITTING THIS TESTIMONY?

6 A. Yes, I am.

7 Q. CAN YOU BRIEFLY DESCRIBE YOUR FAMILIARITY WITH THE
8 PROCEEDING IN WHICH YOU ARE SUBMITTING THIS TESTIMONY?

9 A. Yes, I can. Illinois Commerce Commission Docket No.: 12-0598 is a proceeding initiated
10 by Ameren Transmission Company of Illinois ("ATXI"), seeking a Certificate of Public
11 Convenience and Necessity and an Order from the Commission to construct, operate, and
12 maintain a new high voltage electric service line and related facilities in the Illinois counties
13 of Adams, Brown, Cass, Champaign, Christian, Clark, Coles, Edgar, Fulton, Macon,
14 Montgomery, Morgan, Moultrie, Pike, Sangamon, Schuyler, Scott, and Shelby. The original
15 Petition in this matter was filed on November 7, 2012. Because of some amendments to the
16 original Petition, the Administrative Law Judges in this matter ruled that the Petition should
17 be treated as if it were filed in total on January 7, 2013. I am a part of a group of intervenors
18 to this petition, collectively known as the Colfax-Scott Land Preservation Group. Our group
19 filed a Petition to Intervene in this matter which was granted on December 31, 2012, and a
20 Second Amended Petition to Intervene which was granted on February 6, 2013 and reflects
21 the composition of our group as it now exists. Our group is represented by counsel and we
22 are participating as an active party to this proceeding. I am filing this testimony as a

23 representative of the group and in accordance with the current Case Management Order.

24 **Q. ARE YOU AUTHORIZED TO TESTIFY ON BEHALF OF, AND AS A**
25 **REPRESENTATIVE OF, THE COLFAX-SCOTT LAND PRESERVATION GROUP?**

26 A. Yes, I am.

27 **Q. BRIEFLY DESCRIBE THE COMPOSITION OF THE COLFAX-SCOTT LAND**
28 **PRESERVATION GROUP.**

29 A. The Colfax-Scott Land Preservation Group is a collective of twenty-one (21) intervening
30 interests to this proceeding. Each intervening interest represents more than simply an
31 individual or single parcel of land. We are a collective of what we believe would otherwise
32 represent 21 unique Petitions to Intervene in this proceeding. Our group is made up of
33 individuals, residents, landowners, farmers, and otherwise interested parties, all with an
34 interest in land along and/or upon the general path of the Project which is the subject of this
35 proceeding, and within Champaign County, Illinois.

36 **Q. CAN YOU STATE AS SUCCINCTLY AS POSSIBLE WHAT OUTCOME THE**
37 **COLFAX-SCOTT LAND PRESERVATION GROUP ADVOCATES IN THIS**
38 **PROCEEDING?**

39 A. Yes, I can. Quite simply, the Colfax-Scott Land Preservation Group advocates approval of
40 the Petition as filed with approval given to ATXI's proposed Primary Route. The Colfax-
41 Scott Land Preservation Group opposes approval of ATXI's proposed Alternate Route.

42 **Q. CAN YOU ELABORATE AS TO THE COLFAX-SCOTT LAND PRESERVATION**
43 **GROUP'S OPPOSITION OF THE PROPOSED ALTERNATE ROUTE?**

44 A. Yes, I can. The Colfax-Scott Land Preservation Group opposes the Alternate Route segment

45 starting at the Rising power station and going west, turning south, and continuing until
46 Section 14 of Colfax Township, then east until crossing the Primary Route. The basis for the
47 opposition by the Colfax-Scott Land Preservation Group is a desire to maintain the integrity
48 of the primarily farmland which comprises the various land parcels in which we have an
49 interest. The proposed Alternate Route would compromise not only the integrity and viability
50 of the land itself, but also jeopardize existing methods of irrigation and subsurface tilling,
51 as well as present environmental and safety concerns to the area. Farmland located in Scott
52 and Colfax Townships, Illinois, is recognized worldwide as some of the best in the world,
53 as it is flat, black, high in organic matter, and located over water aquifers, with shared
54 drainage in place. This is a limited resource and more cannot be produced.

55 **Q. CAN YOU INDICATE GEOGRAPHICALLY WHERE THE LAND WHICH IS THE**
56 **INTEREST OF THE COLFAX-SCOTT LAND PRESERVATION GROUP EXISTS**
57 **IN RELATION TO THE PROPOSED ALTERNATE ROUTE?**

58 A. Yes, I can. I can best do this by referring you to Intervenor CSLPG Exhibit 1.1, an
59 attachment to the Direct Testimony of Deborah E. Klein, which consists of a list of all
60 affected property owners with corresponding numbers (1-21) and a map of the affected area,
61 labeled with the respective corresponding number (1-21).

62 **Q. CAN YOU GIVE A BIT OF YOUR OWN UNDERSTANDING AS IT RELATES TO**
63 **THE PROCEEDING IN WHICH YOU ARE SUBMITTING THIS TESTIMONY**
64 **AND THE LAND WHICH IS THE BASIS FOR THE INTERVENTION OF THE**
65 **COLFAX-SCOTT LAND PRESERVATION GROUP?**

66 A. Yes, I can. My wife Julia and I oppose the proposed Alternate Route for the reasons stated

67 above. In addition thereto, my wife and I had been led to believe, after speaking with City
68 of Champaign officials, that an agreement was nearly in place to double hang the 345 kV line
69 utilizing the right-of-way being provided through the area by the 138 kV line for which
70 approval was previously sought and granted by the Illinois Commerce Commission, and
71 which generally mimics the route of the proposed Primary Route through the area. If an
72 agreement is reached to double hang the 345 kV line, it is my belief that this would be a
73 better fit economically (lower cost), environmentally (less pristine farmland impacted), and
74 would affect fewer people. It is also my understanding that a portion of the right-of-way
75 which will be required for the proposed Primary Route was already purchased by Ameren
76 sometime in the 1970s. All of these factors would seem to indicate that the proposed
77 Primary Route is clearly the favorable alternative and there should be no real consideration
78 given to the proposed Alternate Route. If a decision were made to construct the line along
79 the proposed Alternate Route, the land which is the interest of the Colfax-Scott Land
80 Preservation Group would be negatively impacted in many ways: Spraying, planting, and
81 harvesting techniques would be made much more difficult. Construction equipment used
82 would be detrimental to the pattern tile system that was installed in 2009. Such systems are
83 not designed for heavy wheel loads in a confined area. Compaction of the soil during
84 construction would be extreme. Aerial application of insecticide and fungicide would be
85 prohibited under a 345 kV line. My property is used for a nursery for AgReliant Seed
86 Company. AgReliant would have serious reservations about the potential liability of
87 allowing their employees to work under and around a 345 kV line. AgReliant would also be
88 concerned with the fact that their plots are currently sprayed by air, which would prove

89 impossible with the presence of a 345 kV line. The fact is, the land which is of interest to
90 the Colfax-Scott Land Preservation Group is absolutely pristine in terms of not being
91 encumbered in any way by any obstructions to production agriculture. To destroy the pristine
92 agricultural nature of the land, when a more cost effective, and lower impact route exists
93 would be nothing short of a travesty.

94 **Q. CAN YOU DESCRIBE THE RELATIONSHIP YOU AND YOUR WIFE HAVE TO**
95 **PARCELS OF LAND THAT HAVE BEEN IDENTIFIED AS OF INTEREST TO THE**
96 **COLFAX-SCOTT LAND PRESERVATION GROUP?**

97 A. Yes, I can. My wife Julia and I are owner tenants of Parcel No.: 05-25-14-400-004, 120
98 Acres located in Sec. 14 Twp. 18, Range 7.

99 **Q. CAN YOU IDENTIFY BY NAME(S) AND ASSOCIATED PHYSICAL ADDRESS(ES)**
100 **AND/OR PARCEL NUMBER(S) THE OTHER MEMBERS OF THE COLFAX-**
101 **SCOTT LAND PRESERVATION GROUP?**

102 A. Yes, I can. William & Deborah Klein: Joint Owners of the "Chesser Farm." Co-Farm
103 Tenants and Members of St. Boniface Catholic Church. Co-Farm Tenants of the Bitler
104 Investment Partnership. Co-Farm Tenants of the Sholem Farm Partnership. Co-Farm
105 Tenants for Barb and Jim O'Connell. Co-Farm Tenants and Powers of Attorney for Mary
106 Klein. Joint Owners of the "Syngenta Building Site." Co-Farm Tenants of the "Syngenta
107 Farm." Stanford H. Sholem Farm Partnership: Parcel No. 05-25-11-400-001. Richard N.
108 DeLong, Parcel No. 23-19-26-100-007. Douglas A. DeLong, Parcel No. 23-19-26-300-005.
109 Richard N. & Douglas A. DeLong as trustees of The Helen N. and C.C. DeLong Trust,
110 Parcel No. 23-19-26-200-001. Gary L. Hixson, 4107 W. Hensley Rd., Champaign, IL,

111 Owner and Tenant of Parcel No. 23-19-23-400-001 Porter Family Farms LLC, Parcel Nos.
112 23-19-26-100-008 and 23-19-23-300-004. AgReliant Genetics, LLC, Owner, 972 County
113 Road 500 East, Ivesdale, IL 61851. James E. Hixson, Owner, Parcel No. 23-19-23-400-
114 002. Marilee Hixson, Owner, Parcel No. 23-19-23-300-005. Gregory G. & Sally A.
115 Magsamen, Joint Owners, 40 acre tract on 1200 North, ½ mile West of 500 East in
116 Champaign County, Scott Township. The west half of the west half of the SE quarter of
117 Section 35. Hal & Ann Barnhart, Parcel No. 23-19-23-200-001. Boland Farms L.P., Owner,
118 "Driscoll Farm," Parcel No. 5-25-14-100-003, and "Rock Road Farm," Parcel No. 5-25-14-
119 300-004. James & Barbara O'Connell, Owner, Sec. 35, Scott 19N. R7E; Sec. 13, Colfax
120 T18N, R7E Stanford H. Sholem, Susan G. Sholem, Amalie Frankle Sholem, Hilda Jane
121 Sholem, Daniel Robert Sholem, Andrew G. Frankel, Thomas G. Frankel, Elizabeth G.
122 Frankel, Ryan Grace Sholem, Brooke C. Sholem. Solon-Drenckhahn Farms, LLC: Parcel
123 No.: 05-25-11-100-001, Frances E. Frost, Managing Member, Nicholas R. Frost, Jr., Thomas
124 C. Frost, Brian S. Frost (owners). In addition thereto, the following individuals claim an
125 interest in one or more of the listed properties: M. Nolan, Bill Wood, Josephine Ferris,
126 Harvey Barnhart, Barbara A. Bozeman, Paul G. Boland, Margaret C. Boland, Frank D.
127 Boland, and Marilyn A. Boland.

128 **Q. HAVE YOU HAD AN OPPORTUNITY TO REVIEW THE DIRECT TESTIMONY**
129 **BEING FILED CONTEMPORANEOUSLY WITH YOUR OWN, ON BEHALF OF**
130 **DEBORAH E. KLEIN AND CARL BITLER, AND IF SO, DO YOU HAVE ANY**
131 **PARTICULAR OPINION ABOUT THE SAME?**

132 **A.** Yes, I have and I do. I have reviewed in detail the Direct Testimony of both Deborah E.
133 Klein and Carl Bitler. In fact, all members of our group have reviewed all of the Direct

134 Testimony that is being filed on March 29, 2013 on behalf of the Colfax-Scott Land
135 Preservation Group. Our group represents a unified front and we all agree completely with,
136 and support, the Direct Testimony being filed on behalf of our group. In fact, if called to
137 testify, any member of our group could attest to the Direct Testimony as filed or, in the
138 alternative, could testify in substantially the same material fashion.

139 **Q. DOES THIS CONCLUDE YOUR TESTIMONY?**

140 **A.** Yes, it does.