

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

Ameren Transmission Company of Illinois)
)
Petition for 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) No. 12-0598
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.)

**RESPONSE OF ADAMS COUNTY PROPERTY OWNERS AND
TENANT FARMERS STUART KAISER, DAVID LEWIS,
MELIVN LOOS AND BRENT MAST TO ATXI'S MOTION TO
STRIKE PORTIONS OF CERTAIN INTERVENORS' DIRECT TESTIMONY**

COME NOW BRENT MAST, DAVID G. LEWIS, MELVIN LOOS, and STUART KAISER, all members of the Adams County Property Owners and Tenant Farmers Group (“ACPO”), by their attorneys, Byron Carlson Petri & Kalb, LLC, and in support of their Response to ATXI’s Motion to Strike Portions of Certain Intervenors’ Direct Testimony state as follows:

I. TESTIMONY NOT IN DISPUTE

ATXI has moved to strike portions of testimony of Stuart Kaiser, David Lewis, Melvin Loos and Brent Mast, all of who are members of the ACPO group. These gentlemen agree to remove from the record the following excerpts of their direct testimony:

A. Stuart Kaiser – pg. 3, beginning with the question “If there is an individual...” and the answer thereto. In addition, the question at the top of pg. 4 beginning with “Does the individual or party...” and the answer thereto. For the

convenience of the Administrative Law Judge, the relevant section of the Direct Testimony to be stricken is attached hereto as **Exhibit A**.

B. Melvin Loos – pg. 3: 87- 4: 96. For the convenience of the Administrative Law Judge, the relevant section of the direct testimony to be stricken is attached hereto as **Exhibit B**.

C. Brent Mast – pg. 4: 95-102. For the convenience of the Administrative Law Judge, the relevant section of the direct testimony to be stricken is attached hereto as **Exhibit C**.

D. David Lewis – pg. 3: 74-81. For the convenience of the Administrative Law Judge, the relevant section of the direct testimony to be stricken is attached hereto as **Exhibit D**.

II. TESTIMONY IN DISPUTE

Stuart Kaiser, Melvin Loos and David Lewis contest the remainder of ATXI's motion to strike their testimony.

A. Stuart Kaiser: pg. 3

Q: Please identify any other party or individual who may have an interest in the property, and explain the nature of such interest?

A: Michael Perkins has interest in the property because of the use of his internet tower. Along with Stanley Brinkman who puts horses in the pasture.

ATXI erroneously objects to the forgoing testimony because it is testimony purporting to represent the interest of, and to testify on behalf of, others. ATXI argues that Mr. Kaiser is offering testimony on behalf of Michael Perkins and Stanley Brinkman. ATXI's argument does not make any sense. Mr. Kaiser owns property in Adams County, Illinois. The property is used for agriculture and for raising livestock. Moreover, Mr. Kaiser rents his property to Airwave Communications for the purpose of the use of an internet transmitter. The question at issue asks Mr. Kaiser to identify the names of the individual who have an interest in Mr. Kaiser's land. Mr.

Kaiser specified that the Airwave Communication's lease is with Michael Perkins, as well as Stanley Brinkman who pastures horses in a field on Mr. Kaiser's property. The mere description of his tenants is not hearsay. Indeed, Mr. Kaiser does not offer an out of court statement on the part of Airwave Communications, Michael Perkins or Stanley Brickman. Moreover, Mr. Kaiser does not offer testimony purporting to represent the interest of Airwave Communications, Michael Perkin's and Stanley Brinkman. Mr. Kaiser simply identifies these individuals as having an interest in Mr. Kaiser's property as tenants. Mr. Kaiser does not testify regarding the position of these individuals regarding ATXI's Petition or the transmission line route in general. Since Mr. Kaiser's testimony is not hearsay and since he is not representing Michael Perkins or Stanley Brinkman, the Administrative Law Judge must deny ATXI's motion to strike such testimony.

B. Melvin Loos: pg. 3: 83-86

Q: Please identify any other party or individual who may have an interest in the property, and explain the nature of such interest?

A: Loos Farm Supply is a tenant on the property. Melvin Loos also leases the property to outfitters who use the property to hunt deer.

Mr. Loos owns several parcels of property in Adams County. He testified that he uses his property to grow corn and soybeans. He also uses the property to lease to private outfitters who use the property for hunting. In the above testimony, Mr. Loos was asked about the name of the individual who has an interest in Mr. Loos' property. Mr. Loos identified Loos Farm Supply and an unidentified outfitter. ATXI argues that this testimony should be stricken because Mr. Loos is "purporting to testify on behalf of a tenant on the property". ATXI's argument begs the question: What testimony is Mr. Loos offering on behalf of his tenant? The answer is none. Mr.

Loos only identifies the entities who use Mr. Loos' land. He does not purport to speak for Loos Farm Supply or the unidentified outfitter. Since Mr. Loos does not offer an out of court statement for the truth of the matter asserted, it cannot be hearsay. Moreover, Mr. Loos does not purport to represent, or speak on behalf of, anyone else. Thus, the Administrative Law Judge must deny ATXI's motion to strike the above-referenced testimony.

C. David Lewis – pg. 3: 70-73

Q: Please identify any other party or individual who may have an interest in the Property, and explain the nature of such interest?

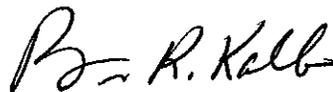
A: I have a tenant farmer, Keith Flesner, and the items listed in this testimony I believe would affect his ability to farm the land.

Mr. Lewis owns several parcels of land in Adams County. Mr. Lewis testifies the ground is used for agriculture. He testifies that he opposed ATXI's primary route because it would make it more difficult to farm his property, reduce the amount of land available to farm and it would devalue the land. The above question requests Mr. Lewis identify anyone else who may have an interest in his property. Mr. Lewis identified Keith Flesner as a tenant farmer and opined that the issues Mr. Lewis identified with the transmission line would affect his tenant's ability to farm the land. ATXI argues that the testimony must be stricken because Mr. Lewis purports to testify on behalf of tenant farmer Keith Flesner. Mr. Lewis does not purport to testify on behalf of Mr. Flesner. Indeed, Mr. Lewis goes out of his way not to testify on behalf of Mr. Flesner. Mr. Lewis describes the difficulty the transmission line will pose in the farming operations and opines that those same issues will impact his tenant farmer, Keith Flesner.

Mr. Lewis does not state what Mr. Flesner's position is regarding ATXI's Petition or the transmission line generally. Mr. Lewis does not state what Mr. Flesner's position is regarding

the farming operations. Instead, Mr. Lewis opined that his tenant farmer would be negatively effected based on the issues Mr. Lewis describes in his Direct Testimony. Certainly a property owner can testify regarding the impact of the proposed transmission lines on his property, including the impact on the farming operations thereon.

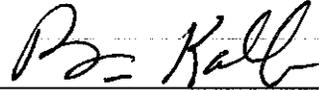
RESPECTFULLY SUBMITTED



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was sent via electronic mail on the 19th day of April, 2013, electronically file with the Illinois Commerce Commission, the above Notice, together with copies of the documents referred to therein, and electronically served the same upon the persons identified on the Commission's official service list.



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ILLINOIS COMMERCE COMMISSION

DOCKET NUMBER 12-0598

DIRECT TESTIMONY

OF

Intervener, Stuart Kaiser

Q: Please state your name?

A: **Stuart Kaiser**

Q: Please state your current residence?

A: **1025 N. 550th Ave., Quincy, IL 62305**

Q: Please identify by street address and parcel number any real property in which you claim an interest that will be affected by the proposed electric transmission line and related facilities that are subject of Ameren Transmission Company of Illinois' ("ATXI) Petition currently before the Illinois Commerce Commission?

A: **1173 N 450th Ave., Payson IL 62360, PIN: 21-0-0037-000-00 a true, accurate, and correct map of this parcel is attached hereto as Exhibit 1.**

PIN: 21-0-0032-002-00 a true, accurate, and correct map of this parcel is attached hereto as Exhibit 2.

PIN: 21-0-0032-003-00 a true, accurate, and correct map of this parcel is attached hereto as Exhibit 3.

Q: Please identify the nature of your interest in the property?

A: **The property is owned half by Stuart Kaiser and half by Steve Kaiser and Carolyn Kaiser. The ground is primarily used for agriculture in the farming of corn and beans. I also rent my grain leg to Airwave Communications for purposes of an internet transmitter, and rent the property for raising of livestock. The ponds located on the property are used for recreational fishing.**

Q: Are there any building(s) and/or structure(s) on the property?

A: **Yes. There are currently buildings on the property such as grain bins, grain leg, residential home, barns and hog sheds.**

Q: Is there any revenue that is earned from the property, if so what is the revenue?



A: Yes. Revenue is earned from agriculture use, and leasing the property for livestock and internet transmissions.

Q: What is the quality of the soil on the property?

A: Good.

Q: Is the property encumbered by any existing utility easement(s)?

A: Rural Electrical Association has a power line that crosses over the property.

Q: Do you oppose the primary route proposed by ATXI?

A: Yes.

Q: Do you oppose the entire length of the primary route?

A: Yes.

Q: What is the basis of your opposition to the primary route?

A: It is going to disturb our farm operation in numerous ways. First, in our farming we utilize aerial spray applications such as fungicide. The proposed transmission line will impact the ability to conduct effective aerial spray applications. Additionally, the placement of the poles will decrease farming efficiency because we will be required operating the machinery around them, which will decrease efficiency.

Another concern is soil compaction which will disrupt the soil and reduce the yield. I also have concerns about the affect on the drainage tile on the Property. The construction process may damage or destroy the drainage tile causing damage to the property. Finally, I the placement of the transmission line on the Property will diminish the value of the Property.

Q: What is the quality of your soil?

A: I have high quality soil. The Property at NE SEC 04 3S8W-EX 3.67A-E 1/2 NE SEC 4 consists of Downs South Silt Loam and Menfro Silt Loam. The Property at NW SEC 03 3S8W -EX 20A SW COR & 29.49A HWY & 25.96A S LN-NW SEC 3 consists of Edwardsville Silt Loam, Downs Silt Loam, and Wakenda Silt Loam. Attached hereto as Exhibit 4 is a true and correct copy of KSI Laboratories Soil Test Results.

Q: What is the expected financial loss from the use of the property as a result of the primary route?

A: The financial losses will result from the loss of yield due to soil compaction and the loss of tenant income.

Q: What is the proximity of the building(s) and/or structure(s) on the property to the primary route proposed by ATXI?

A: There are two buildings less than 100 yards away.

Q: What interference will the primary route have with the current use of the property?

A: The primary route will interfere with the aerial spraying, ground spraying, tillage, planting, and harvesting.

Q: Are you in favor of ATXI utilizing existing right of ways for the ATXI transmission line?

A: Yes.

Q: Do you oppose the alternative route proposed by ATXI?

A: Yes.

Q: Do you oppose the entire length of the alternative route?

A: Yes.

Q: What is the basis of your opposition to the alternative route?

A: It will affect my property line, and would decimate the people at the dairy farm and along their property.

Q: What is the expected financial loss from the use of the property as a result of the alternative route?

A: The financial loss will be the same as identified above.

Q: What is the proximity of the building(s) and/or structure(s) on the property to the alternative route proposed by ATXI?

A: They are approximately a half mile away.

Q: What interference will the alternative route have with the current use of the property?

A: It will make it more difficult to farm around especially with the aerial and ground spraying. Additionally, it will interfere with all farming practices and damage the soil.

Q: Please identify any other party or individual who may have an interest in the property, and explain the nature of such interest?

A: Michael Perkins has interest in the property because of the use of his internet tower. Along with Stanley Brinkman who puts his horses in the pasture.

Q: If there is an individual or party who has interest in the property, does that party or individual oppose the primary route proposed by ATXI?

A: As I understand it everybody involved opposes the route.

strike

strike

Q: Does the individual or party oppose the entire length of the primary route?
A: Yes

Q: Does this conclude your direct testimony?
A: Yes.

Stuart Kaiser

STUART KAISER

STATE OF ILLINOIS)
) SS
COUNTY OF ADAMS)

Signed and Sworn to before me, a Notary in the County and State aforesaid by
Stuart Kaiser on this 26th day of March, 2013



Judith A. Chapman
NOTARY PUBLIC

1 **ILLINOIS COMMERCE COMMISSION**

2 **DOCKET NUMBER 12-0598**

3 **DIRECT TESTIMONY**

4 **OF**

5 **Intervener, Melvin Loos**

6 **Q:** Please state your name?

7 **A:** **Melvin Loos**

8 **Q:** Please state your current residence?

9 **A:** **1222 N. 350 Ave**

10 **Payson, IL 62360**

11 **Q:** Please identify by street address and parcel number any real property in which you claim
12 an interest that will be affected by the proposed electric transmission line and related facilities
13 that are subject of Ameren Transmission Company of Illinois' ("ATXI) Petition currently before
14 the Illinois Commerce Commission?

15 **A:** **PIN: 21-0-0160-000-00 attached hereto as Exhibit 1.**

16 **PIN 21-0-0160-001-00 attached hereto as Exhibit 2.**

17 **PIN 21-0-0161-000-00 attached hereto as Exhibit 3.**

18 **PIN 21-0-0263-000-00 attached hereto as Exhibit 4.**

19 **PIN 21-0-0174-001-00 attached hereto as Exhibit 5.**

20 **Collectively referred to herein as (the "Property")**

21 **Q:** Please identify the nature of your interest in the property?

22 **A:** **Melvin Loos is the property owner for all of the above-referenced parcel numbers.**

23 **Q:** How is the property currently used?

24 **A:** **Agriculture: corn and soybeans.**

25 **Hunting: Melvin Loos leases the property to private outfitters who use the property**
26 **to hunt deer.**

27 **Q:** Are there any building(s) and/or structure(s) on the property?

28 **A:** **There are no buildings on the structure that may be affected by the proposed**
29 **primary transmission line route.**

30 **Q:** Is there any revenue that is earned from the property, if so what is the revenue?



31 A: Yes. Melvin Loos has a landlord/tenant relationship with Loos Farm Supply. The
32 revenue generated from the land is through the landlord/tenant relationship. Melvin
33 Loos also uses the property to lease to private outfitters to hunt deer. The proposed
34 transmission line cuts through the middle of the wooded area that is used for
35 hunting. Melvin Loos will lose approximately \$3,000 to \$4,000 per year in hunting
36 leases.

37 Q: What is the quality of the soil on the property?

38 A: See Exhibit A attached hereto for a description of the quality of the soil.

39 Q: Is the property encumbered by any existing utility easement(s)?

40 A: No.

41 Q: Do you oppose the primary route proposed by ATXI?

42 A: Yes.

43 Q: Do you oppose the entire length of the primary route?

44 A: Melvin Loos opposes the entire length of the primary route.

45 Q: What is the basis of your opposition to the primary route?

46 A: Melvin Loos objects to the primary route for the following reasons:

- 47 1. **Soil Compaction:** The transmission line towers will involve disrupting the soil.
48 Based on my personal experience I know that when you continually run
49 construction equipment over farm ground, there is a loss of yield at the location
50 of the construction. Based on my personal experience, the operation of normal
51 tractors over soil may disrupt the average yield for two years, at a minimum.
- 52 2. **Drainage:** Melvin Loos has drainage tiles in the vicinity of the proposed primary
53 route. The construction of the lines will likely disrupt or destroy the drainage
54 tiles. The construction will also involve the destruction of trees and timber that is
55 currently used to prevent erosion. The ATXI information submitted in support
56 of the Petition does not address the negative impact the transmission line will
57 have on drainage and soil erosion on the properties.
- 58 3. **Aerial Spraying:** Melvin Loos has used aerial spraying for her property in the
59 past. The proposed placement for the primary transmission line route will split
60 the property in half. Both sides of the property is used for agricultural purposes.

61 The transmission line will make it difficult or impossible to conduct effective
62 aerial spray applications.

63 4. GPS Navigation: Melvin Loos objects to the proposed transmission line to the
64 extent it will have a negative impact on the GPS navigation systems on the
65 farming equipment, such as auto-steering technology and swath control
66 technology.

67 5. Field Efficiency: The possible placement of transmission line towers on the
68 property will have a negative impact on field efficiency.

69 6. Hunting Lease: Melvin Loos uses the property to lease to outfitters to hunt deer.

70 7. Land Value: The installation of the transmission line will have a permanent,
71 negative impact on value of the Property.

72 Q: What is the expected financial loss from the use of the property as a result of the primary
73 route?

74 A: Melvin Loos will suffer a loss resulting from the decreased yield through the soil
75 compaction. If they are unable to conduct aerial spray applications, then there will
76 be a financial loss through decreased yield. Moreover, there may be a financial loss
77 because of the negative impact on drainage and soil impaction.

78 Q: What is the proximity of the building(s) and/or structure(s) on the property to the primary
79 route proposed by ATXI?

80 A: There are no buildings nearby that are impacted by the transmission route.

81 Q: Are you in favor of ATXI utilizing existing right of ways for the ATXI transmission line?

82 A: Yes.

83 Q: Please identify any other party or individual who may have an interest in the property,
84 and explain the nature of such interest?

85 A: Loos Farm Supply is a tenant on the property. Melvin Loos also leases the property
86 to outfitters who use the property to hunt deer.

87 Q: If there is an individual or party who has interest in the property, does that party or
88 individual oppose the primary route proposed by ATXI?

89 A: Melvin Loos' tenant, Loos Farm Supply, objects to the proposed primary route of
90 ATXI.

91 Q: Does the individual or party oppose the entire length of the primary route?

Strike

1 **ILLINOIS COMMERCE COMMISSION**

2 **DOCKET NUMBER 12-0598**

3 **DIRECT TESTIMONY**

4 **OF**

5 **Intervener, Brent Mast**

6 **Q: Please state your name?**

7 **A: Brent Mast**

8 **Q: Please state your current residence?**

9 **A: 310 North Public Street Payson, IL 62360**

10 **Q: Please identify by street address and parcel number any real property in which you claim**
11 **an interest that will be affected by the proposed electric transmission line and related facilities**
12 **that are subject of Ameren Transmission Company of Illinois' ("ATXI) Petition currently before**
13 **the Illinois Commerce Commission?**

14 **A: PIN: 18-0-0199-000-00 a true, accurate, and correct map of this parcel is attached**
15 **hereto as Exhibit 1.**

16 **PIN: 18-0-0203-000-00 a true, accurate, and correct map of this parcel is attached**
17 **hereto as Exhibit 2.**

18 **PIN: 20-0-1837-000-00 a true, accurate, and correct map of this parcel is attached**
19 **hereto as Exhibit 3.**

20 **PIN: 20-0-1838-000-00 a true, accurate, and correct map of this parcel is attached**
21 **hereto as Exhibit 4.**

22 **PIN: 20-0-1840-000-00 a true, accurate, and correct map of this parcel is attached**
23 **hereto as Exhibit 5.**

24 **PIN: 21-0-0173-000-00 a true, accurate, and correct map of this parcel is attached**
25 **hereto as Exhibit 6.**

26 **Hereinafter collectively referred to as the "Property."**

27 **Q: Please identify the nature of your interest in the Property?**

28 **A: The parcels reflected in Exhibits 3 through 5 are owned by my brother, Steve Mast,**
29 **and I as joint tenants. The parcels reflected in Exhibits 2 is being purchased contract for**



30 deed from Estelle Rici by my brother and me. Exhibit 6 is being purchased equally by my
31 brother and me.

32 Q: How is the Property currently used?

33 A: The Property is currently used for farming and agriculture to produce corn and
34 beans.

35 Q: Are there any building(s) and/or structure(s) on the Property?

36 A: No

37 Q: Is there any revenue that is earned from the Property, if so what is the revenue?

38 A: Approximately \$291,316.00

39 Q: What is the quality of the soil on the Property?

40 A: The parcels reflected in Exhibit 2 and Exhibit 1 contains some of the prime soil in
41 the area. The parcels reflected in Exhibits 3 through 5 contain soil that is above average.
42 Exhibit 6 contains soil that is above average.

43 Q: Is the Property encumbered by any existing utility easement(s)?

44 A: No

45 Q: Do you oppose the primary route proposed by ATXI?

46 A: Yes

47 Q: Do you oppose the entire length of the primary route?

48 A: Yes

49 Q: What is the basis of your opposition to the primary route?

50 A: Based on my personal experience the construction that ATXI is proposing will
51 compact the soil to a level that will take from six to seven years to relieve. This compaction
52 will contribute to lower yields.

53 The primary route will also affect the drainage tile. For example, on the parcel
54 reflected in Exhibit 3 the drainage tile could be severely damaged because it is not very
55 deep and the primary route will be constructed directly over it. Not only will the drainage
56 tiles in the easement be damaged from the lines or towers, but the damage will likely occur
57 with the use of heavy equipment during construction.

58 Additionally, the primary route is directly over a load/unload area for grain on the
59 parcel reflected in Exhibit 1. This causes both safety concerns with the potential of striking
60 a line, as well as cost concerns for needing to work around the line.

61 Another primary concern is the effectiveness of the GPS equipment that is used in
62 working the field. I have a concern that the primary route will likely cause problems in the
63 effectiveness of the equipment and the ability for the equipment to properly work the entire
64 field due to the function of the GPS. Basically, the poles will be an obstacle and you will
65 have to ensure that you don't collide with them, which will likely require deactivating the
66 GPS. The function of the GPS is to be cost effective, and having to deactivate it will make
67 the equipment less effective and productive.

68 In addition to these problems, a big concern I have is potential adverse affect the
69 primary route will have on the ability to lay out aluminum pipe and run water through it
70 without getting an electrical charge during that process. Aluminum pipe is used in a hard
71 hose traveler, which is a type of irrigation system. It is a better type of irrigation for use in
72 irregular shape fields and land that is rented. Additionally, the placement of the poles and
73 lines will cause problems in the ability to use center pivots.

74 The parcels reflected in Exhibit 3, Exhibit 4, and Exhibit 5 also have potential to
75 have commercial use due to it being in an enterprise zone and being protected by a 500
76 year levy. This zone is primarily used for manufacturing. The ability to market the
77 Property in the future as a manufacturing site may be affected by having power lines
78 across the Property.

79 Additionally, the 75 foot easement proposed by the primary route across the parcel
80 reflected in Exhibit 1 will encompass 11% of the useable acreage. This will greatly reduce
81 the ability to fully use the Property for production of crops. A full 150 foot easement would
82 encompass 22 percent of those acres.

83 Finally, the farming area in Adams County is generally located on a bluff which
84 provides for excellent drainage and above-average to high quality soil. This is different
85 from the surrounding areas which are in lowlands that are not as good for farming,
86 making these properties prime farmland for this area.

87 Q: What is the expected financial loss from the use of the Property as a result of the primary
88 route?

89 A: The Property will have significant loss in value. Additionally, parcels in Exhibits 3,
90 4, and 5 is land that will, at some point, be commercially developed. Exhibit 1 will have a

91 large amount of acreage, as a percentage of total land, tied up in easement. I figure the
92 power lines could easily devalue all of my Property by \$400,000.00.

93 Q: Are you in favor of ATXI utilizing existing right of ways for the ATXI transmission line?

94 A: Yes

95 Q: If there is an individual or party who has interest in the Property, does that party or
96 individual oppose the primary route proposed by ATXI?

97 A: It is my understanding my brother Steve Mast opposes the primary route.

98 Q: Does the individual or party oppose the entire length of the primary route?

99 A: Yes that is my understanding.

100 Q: What is the basis for the individual's or party's opposition to the primary route?

101 A: It is my understanding he opposes the primary route for the same reasons I have
102 stated in this testimony.

103 Q: Does this conclude your testimony?

104 A: Yes.

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112 STATE OF ILLINOIS)

113) SS

114 COUNTY OF ADAMS)

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116 Signed and Sworn to before me, a Notary in the County and State aforesaid by

117 Brent Mast on this 27th day of March, 2013

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Brent C. Mast
BRENT MAST



Judith A. Chapman
NOTARY PUBLIC

1 **ILLINOIS COMMERCE COMMISSION**

2 **DOCKET NUMBER 12-0598**

3 **DIRECT TESTIMONY**

4 **OF**

5 **Intervener, David Lewis**

6 **Q:** Please state your name?

7 **A:** **David Lewis**

8 **Q:** Please state your current residence?

9 **A:** **730 South 21st Street, Quincy IL 62301**

10 **Q:** Please identify by street address and parcel number any real property in which you claim
11 an interest that will be affected by the proposed electric transmission line and related facilities
12 that are subject of Ameren Transmission Company of Illinois' ("ATXI) Petition currently before
13 the Illinois Commerce Commission?

14 **A:** **PIN: 18-0-0229-000-00 a true, accurate, and correct map of this parcel is attached**
15 **hereto as Exhibit 1.**

16 **PIN: 18-0-0241-000-00 a true, accurate, and correct map of this parcel is attached**
17 **hereto as Exhibit 2.**

18 **PIN: 18-0-0242-001-00 a true, accurate, and correct map of this parcel is attached**
19 **hereto as Exhibit 3.**

20 **The above parcels are collectively referred to as the "Property".**

21 **Q:** Please identify the nature of your interest in the Property?

22 **A:** **I am the sole owner of the Property.**

23 **Q:** How is the Property currently used?

24 **A:** **Grain farming.**

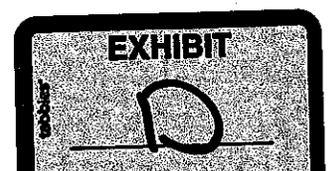
25 **Q:** Are there any building(s) and/or structure(s) on the Property?

26 **A:** **No.**

27 **Q:** Is there any revenue that is earned from the Property, if so what is the revenue?

28 **A:** **Yes. \$30,000.00 per year.**

29 **Q:** What is the quality of the soil on the Property?



30 **A:** The condition of the soil is good. I have the following types of soil on my property:
31 **Fishhook; Hickory; Tama Silt Loam; Fayette; Downs Silt Loam; Darwin Silty Loam; and**
32 **Haymond Silt Loams.**

33 **Q:** Is the Property encumbered by any existing utility easement(s)?

34 **A:** No.

35 **Q:** Do you oppose the primary route proposed by ATXI?

36 **A:** Yes.

37 **Q:** Do you oppose the entire length of the primary route?

38 **A:** Yes.

39 **Q:** What is the basis of your opposition to the primary route?

40 **A:** From my personal experience, soil compaction is a major concern and makes tillage
41 and preparation for planting more difficult and time consuming. Additionally, soil
42 compaction will reduce the yield from beans and corn. I have concerns regarding damage
43 to drain tiles on each side of the line. Damaged drain tiles could change the topography of
44 the land and it can cause a dishing effect. There is a concern that damage to the tiles would
45 create the necessity for installing more tiling at an expense of more than \$10,000.00.

46 I also have concerns that aerial spraying will be impacted in a planes ability to
47 maneuver over the field to conduct spray operations. Additionally, to have placement of
48 towers/poles on my property would hinder the ingress and egress to the field

49 I have also spent substantial amounts of money to modernize farming on the
50 Property utilizing a GPS system. The transmission lines could very likely interfere with his
51 GPS system thus creating accuracy problems for seeding. In addition towers and poles on
52 the property will be difficult to get around when planting with large equipment. This
53 creates problems with an inefficiency of seed drop and delivery of insecticides and
54 herbicides.

55 Additionally, there is approximately fifteen acres of timber on the property that
56 would be affected. Finally, future building on property would be negatively affected if the
57 transmission line goes through.

58 **Q:** What is the expected financial loss from the use of the property as a result of the primary
59 route?

60 A: The financial loss from the use of the property as a result of the primary route varies.
61 However, I estimate the loss at \$8,000.00 annually.

62 Q: What is the proximity of the building(s) and/or structure(s) on the property to the primary
63 route proposed by ATXI?

64 A: None.

65 Q: What interference will the primary route have with the current use of the property?

66 A: It will affect the property by making it more difficult to farm, the amount of land
67 available to farm and would devalue the land by approximately 5 percent.

68 Q: Are you in favor of ATXI utilizing existing right of ways for the ATXI transmission line?

69 A: Yes.

70 Q: Please identify any other party or individual who may have an interest in the Property,
71 and explain the nature of such interest?

72 A: I have a tenant farmer, Keith Flesner, and the items listed in this testimony I believe
73 would affect his ability to farm the land.

74 Q: If there is an individual or party who has interest in the Property, does that party or
75 individual oppose the primary route proposed by ATXI?

76 A: Yes.

77 Q: Does the individual or party oppose the entire length of the primary route?

78 A: Yes.

79 Q: What is the basis for the individual's or party's opposition to the primary route?

80 A: Keith Flesner is the tenant farmer of the property and it would affect his ability to
81 farm the land.

82 Q: Does this conclude your testimony?

83 A: Yes.

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David Lewis

DAVID LEWIS

Strike

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92 STATE OF ILLINOIS)

93) SS

94 COUNTY OF ADAMS)

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96 Signed and Sworn to before me, a Notary in the County and State aforesaid by

97 David Lewis on this 26th day of March, 2013

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Jeanne M. Farnia
 NOTARY PUBLIC