

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. )

**LOUISE BROCK-JONES LIMITED PARTNERSHIP'S  
RESPONSE TO ATXI'S MOTION TO STRIKE PORTIONS  
OF CERTAIN INTERVENORS' DIRECT TESTIMONY**

COMES NOW, the LOUISE BROCK-JONES LIMITED PARTNERSHIP (the "P' ship")  
by its attorneys, Byron Carlson Petri & Kalb, LLC., and submits its Response to ATXI's Motion  
to Strike Portions of Certain Intervenors' Direct Testimony:

**I. Testimony Not In Dispute**

The Partnership agrees to remove page(s) 2: 85-91 of the P' ship's Direct Testimony from  
the record. A copy of the Direct Testimony showing the testimony to be stricken is attached  
hereto as **Exhibit A**.

**II. Testimony In Dispute**

ATXI's requests the Commission strike the following testimony pg. 3: 82-84:

- 82 Q: Please identify any other party or individual who may have an  
83 interest in the property, and explain the nature of such interest?  
84 A: Mark Donnell and Nils Donnell are the Tenant Farmers of the property.

Barbara File is a partner in the Partnership. The Partnership owns several parcels in Coles County. The properties are used to grow corn and soybeans. Ms. File was asked in the above testimony whether there were any individuals who had an interest in the property. Ms. File testified that Mark Donnell and Nils Donnell are tenant farmers on the property. Ms. File does not offer any out of court statements by Mark Donnell and Nils Donnell, and thus, there is no hearsay testimony at issue. ATXI argues that Ms. File purports to testify on behalf of two tenant farmers. A review of the above-referenced testimony shows that this is not the case. Ms. File does not testify “on behalf” of Mark Donnell and Nils Donnell. Ms. File does not state what position Mark Donnell or Nils Donnell have regarding ATXI’s Petition or the transmission lines generally. Ms. File simply identifies the farming tenants who farm on the property. Certainly a property owner is competent to testify regarding the identity of individuals who lease her property. Accordingly, the Administrative Law Judge should deny ATXI’s motion to strike the above-referenced testimony.

RESPECTFULLY SUBMITTED

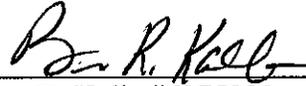


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CERTIFICATE OF SERVICE

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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1 **ILLINOIS COMMERCE COMMISSION**

2 **DOCKET NUMBER 12-0598**

3 **DIRECT TESTIMONY**

4 **OF**

5 **Intervener, Louise Brock-Jones Limited Partnership**

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

7 **A: Barbara File**

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

9 **A: 825 Hanna Road**

10 **Manchester, MO 63021**

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: 12-0-00462-000 attached hereto as Exhibit 1 is a true and correct copy of a**  
16 **map depicting the property.**

17 **PIN: 12-0-00610-000 attached hereto as Exhibit 1 is a true and correct copy of a**  
18 **map depicting the property.**

19 **PIN: 12-0-00350-000 attached hereto as Exhibit 2 is a true and correct copy of a**  
20 **map depicting the property.**

21 **PIN: 12-0-00364-000 attached hereto as Exhibit 2 is a true and correct copy of a**  
22 **map depicting the property.**

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

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

25 **A: I am a partner in the Louise Brock-Jones Limited Partnership.**

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

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

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

29 **A: Yes. There is an implement building that stores combines and other large farm**  
30 **equipment. There is also a machine shed that is used for storage of equipment.**



61 **4. Field Efficiency:** The possible placement of transmission line towers on the  
62 property will have a negative impact on field efficiency.

63 **5. Weed Control:** If the towers are placed on the Property, we will have to perform  
64 weed control on and around the towers. The presence of weeds reduces yield  
65 because the weeds will consume water and nutrients otherwise utilized by the corn  
66 or soybeans.

67 **6. Land Value:** The installation of the transmission line will have a permanent,  
68 negative impact on value of the Property.

69 **Q:** What type of soil do you have?

70 **A:** We have high quality soil. Attached as Exhibit 3 is a true and correct copy of a Soil  
71 Type Data Report from 2010.

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

74 **A:** I will incur a financial loss as a result of a loss of yield because of soil compaction  
75 and drainage issues. I will also incur a financial loss because of the impact on tenant  
76 farming leases during the time period of construction.

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

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

80 **Q:** Are you in favor of ATXI utilizing the alternate route proposed by ATXI?

81 **A:** Yes.

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

84 **A:** Mark Donnell and Nils Donnell are the Tenant Farmers of the property.

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

87 **A:** Louise Brock-Jones Limited Partnership's tenants, Mark Donnell and Nils Donnell,  
88 object to the proposed primary route of ATXI.

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

90 **A:** Yes.

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

Strike

92 A: Mark Donnell and Nils Donnell object to the primary route for the reasons set forth

93 above.

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

95 A: Yes

96 Q: Does this conclude your testimony?

97 A: Yes.

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99

*Barbara File*

BARBARA FILE

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104 STATE OF ILLINOIS )

105 ) SS

106 COUNTY OF COLES )

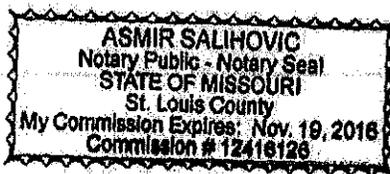
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108 Signed and Sworn to before me, a Notary in the County and State aforesaid by

109 Barbara File on this 27 day of March, 2013

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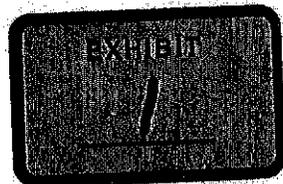
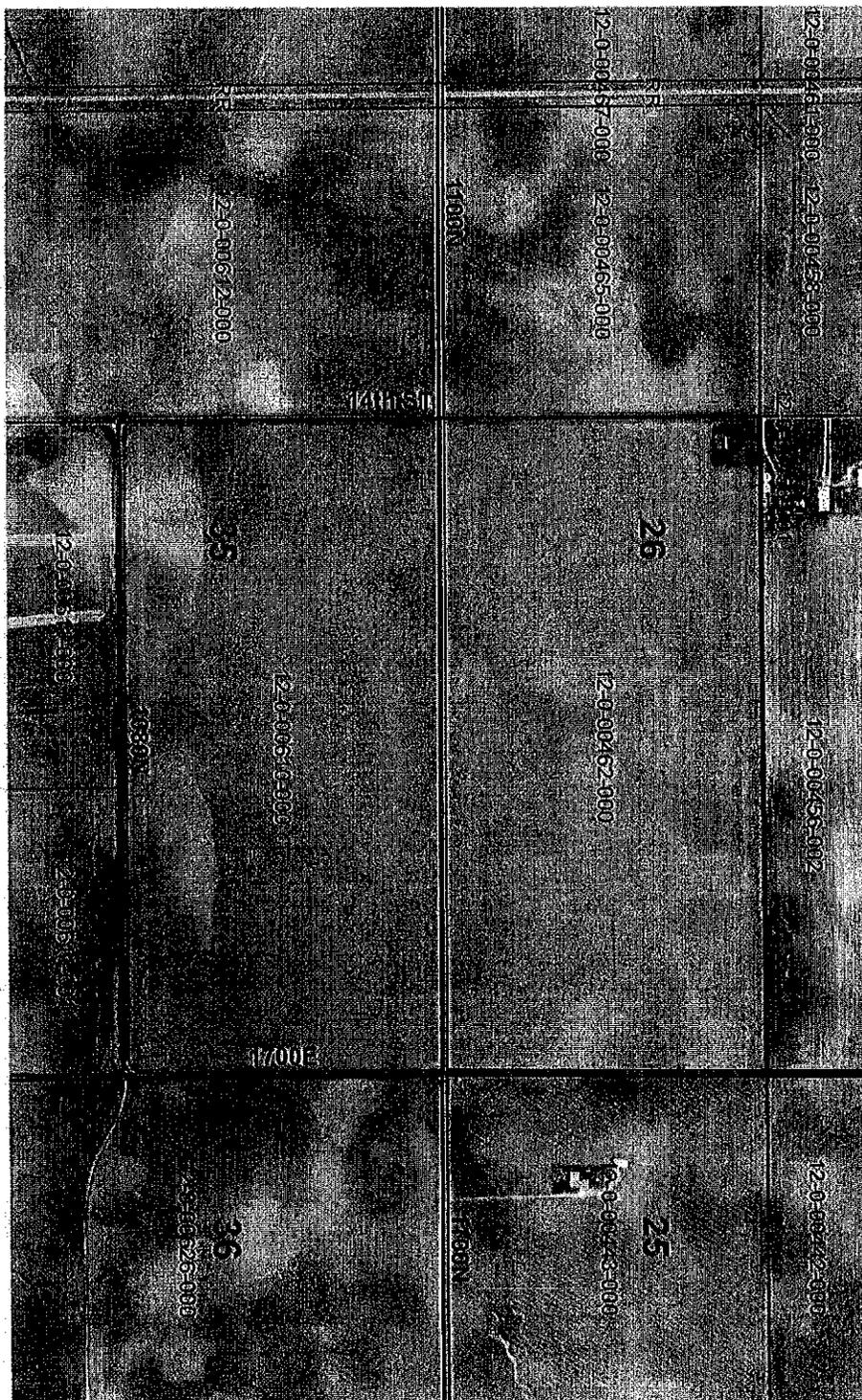
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*Asir Salihovic*

NOTARY PUBLIC

strike





# Soil Type Data-SSURGO

Date: 3/23/2010

Field: 2

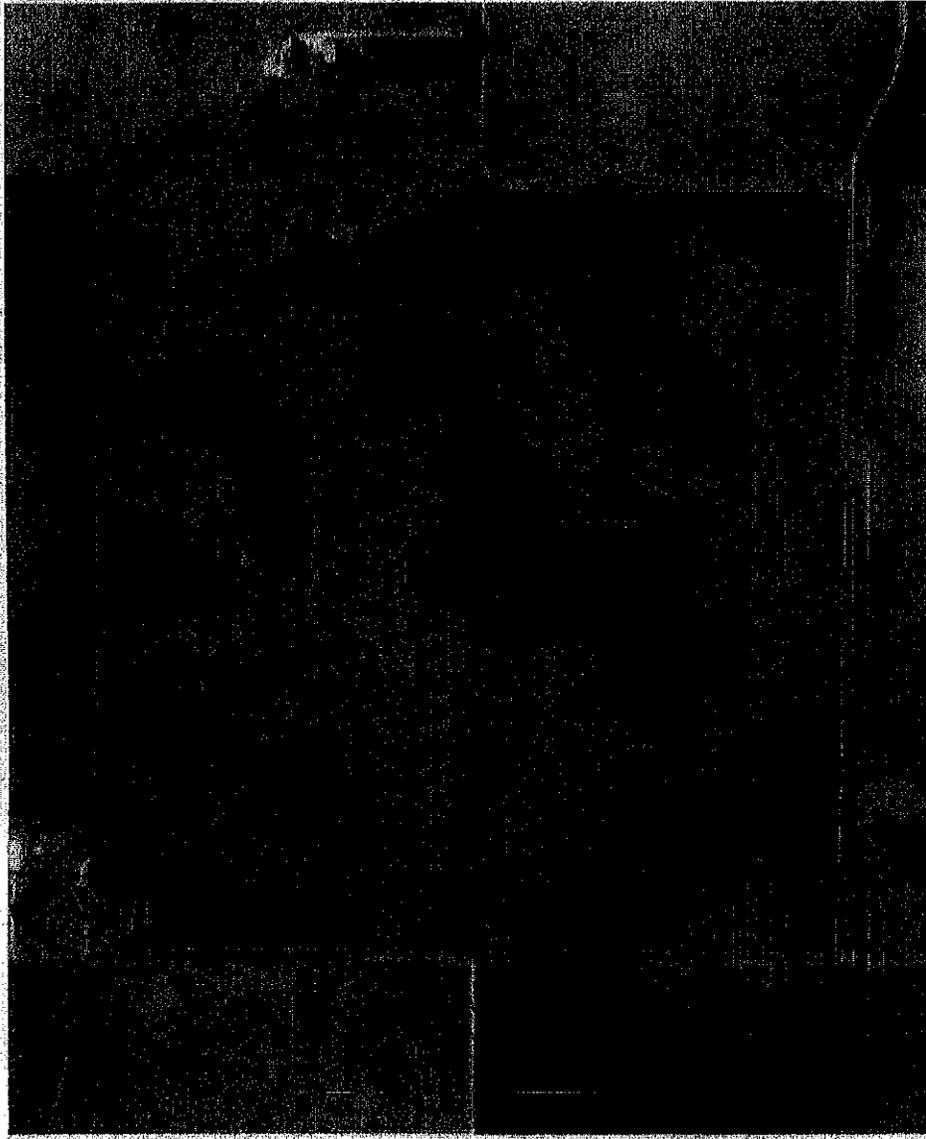
Farm: Sites

Client: Mark Donnell

Area: 153.99 ac

Lat: 39.53534°N

Lon: 088.16321°W



## Map Unit Name

- Dana silt loam, 2 to 5 percent slopes, eroded ( 61.61 ac)
- Drummer silty clay loam, 0 to 2 percent slopes ( 82.78 ac)
- Raub silt loam, 0 to 2 percent slopes ( 2.30 ac)
- Toronto silt loam, 0 to 2 percent slopes ( 7.30 ac)

Pio-Ag  
Consulting, LLC

SST

