

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

AMEREN TRANSMISSION COMPANY OF ILLINOIS)	
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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.)	Docket No. 12-0598

STOP THE POWER LINES COALITION’S OPPOSITION TO ATXI’S MOTION FOR EXTENSION OF TIME

Stop the Power Lines Coalition (“Coalition”) submits this response to the Motion for Extension of Time to Respond to ALJ Ruling of April 19, 2013 filed by Ameren Transmission Company of Illinois (“ATXI”).

1. Under ordinary circumstances, the Coalition would be sympathetic to, and would not oppose, ATXI’s request for relief from an expedited briefing schedule.

2. In this case, however, ATXI has known about the issues concerning the federal floodplain easement since October 17, 2012, prior to the filing of ATXI’s Petition, and the federal government formally reinforced its opposition in a February 27, 2013 letter to ATXI. The federal government’s October 17, 2012 email and the federal government’s February 27, 2013 letter were both produced in response to the Coalition’s STPL 4.01 Data Request and were attached to the Coalition’s previous motion to compel.

3. ATXI almost certainly already has performed a legal analysis of the impact of the federal floodplain easement on ATXI's legal authority to build its proposed transmission line on the Primary Route between the Kansas Substation to the Indiana state line filed in this proceeding by ATXI. That presumably is what prompted ATXI to develop a so-called "modified route" that was produced in discovery in this proceeding in response to the Coalition's STPL Data Request 4.04. If ATXI has not yet undertaken that legal analysis at this late stage of the proceeding, neither the Administrative Law Judges ("ALJ's") nor any other party should have any sympathy for ATXI's failure to perform the analysis that should have been completed before ATXI ever filed its Petition.

4. In its motion, ATXI indicates that it will address the routing of its Primary Route between the Kansas Substation and the Indiana state line as it "relates" to the federal floodplain easement in its rebuttal testimony, and that it will respond to the Coalition's testimony concerning the federal floodplain easement. ATXI Motion at 1, π 2.

5. The only Primary Route between the Kansas Substation and the Indiana state line that ATXI has filed and that is pending before the Commission is a route that requires use of federal floodplain easement property rights. What ATXI may or may not file in its rebuttal testimony is irrelevant and speculative.

6. What it certainly appears that ATXI is seeking to do is to deflect attention from the fatal flaws in the proposed Primary Route that has been the subject of the last six months of this proceeding by delaying its response to the ALJ's order, and to focus attention on some new, yet to be submitted proposal that will be included in ATXI's rebuttal testimony. The ALJ'S should not countenance such tactics.

WHEREFORE, for all the reasons set forth above, Stop the Power Lines Coalition prays
ATXI's Motion for Extension of Time to Respond to ALJ's ruling of April 19, 2013 be denied.

Respectfully submitted,

Dated: April 22, 2013

STOP THE POWER LINES COALITION

/s/ Edward R. Gower

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