

ILLINOIS COMMERCE COMMISSION

DOCKET No. 12-0598

REVISED REBUTTAL TESTIMONY

OF

**DONELL MURPHY
ENVIRONMENTAL RESOURCES MANAGEMENT**

Submitted On Behalf

Of

AMEREN TRANSMISSION COMPANY OF ILLINOIS

May 6, 2013

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8 **I. INTRODUCTION AND WITNESS QUALIFICATIONS**

9 **Q. Please state your name, business address and present position.**

10 **A. My name is Donell (Doni) Murphy. I am a Partner with Environmental Resources**
11 **Management (“ERM”), located at 1701 Golf Road, Suite 1-700, Rolling Meadows, Illinois,**
12 **60008.**

13 **Q. Are you the same Donell Murphy who sponsored direct testimony in this**
14 **proceeding?**

15 **A. Yes, I am.**

16 **II. SUMMARY OF ROUTING RECOMMENDATIONS**

17 **Q. Has ATXI revised its routing recommendations in this case?**

18 **A. In many cases, yes. Ameren Transmission Company of Illinois (“ATXI”) has entered**
19 **into six (6) stipulations addressing certain portions of the Illinois Rivers Project (“Transmission**
20 **Line” or the “Project”). ATXI has also made routing modifications in response to concerns**
21 **stated by Staff and Interveners. The routes ATXI recommends are referred to throughout my**
22 **testimony as "Rebuttal Recommended Routes" and are depicted on ATXI Exhibit 13.1. The**

23 following is a summary of ATXI's Rebuttal Recommended Routes for each portion, and I will
24 provide a more thorough discussion of these recommendations in the testimony that follows.

25 1. Mississippi River to SE Quincy:

26 a. The Rebuttal Recommended Route for the Mississippi River to SE Quincy
27 portion of the Project is ATXI's Alternate Route, as modified pursuant to
28 stipulations entered between ATXI and N. Kohl Grocer Company ("N. Kohl
29 Grocer") and Matt Holtmeyer Construction, Inc., to incorporate Matt Holtmeyer
30 Construction's Second Alternate Route proposal.

31 2. SE Quincy to Meredosia:

32 a. The Rebuttal Recommended Route for the SE Quincy to Meredosia portion of the
33 Project is Staff witness Mr. Rockrohr's "hybrid" route.

34 3. Meredosia to Ipava:

35 a. The Rebuttal Recommended Route for the Meredosia to Ipava portion of the
36 Project is ATXI's Alternate Route, including the portion of the Alternate Route
37 from Meredosia into southern Schuyler County that is the subject of a stipulation
38 between ATXI and The Nature Conservancy.

39 4. Meredosia to Pawnee:

40 a. The Rebuttal Recommended Route for the Meredosia to Pawnee portion of the
41 Project is ATXI's Alternate Route, pursuant to stipulations with Morgan and
42 Sangamon County Land Owners and Tenant Farmers and FutureGen Industrial
43 Alliance Inc.

44

- 45 5. Pawnee to Pana:
- 46 a. The Rebuttal Recommended Route for the Pawnee to Pana portion of the Project
- 47 is ATXI's Second Alternate Route.
- 48 6. Pana to Mt. Zion:
- 49 a. The Rebuttal Recommended Route for the Pana to Mt. Zion portion of the Project
- 50 is ATXI's Primary Route.
- 51 7. Mt. Zion to Kansas:
- 52 a. The Rebuttal Recommended Route for the Mt. Zion to Kansas portion of the
- 53 Project is ATXI's Alternate Route.
- 54 8. Kansas to State Line:
- 55 a. The Rebuttal Recommended Route for the Kansas to State Line portion of the
- 56 Project is ATXI's Alternate Route, pursuant to a stipulation with Stop the Power
- 57 Lines Coalition, Tarble Limestone Enterprises, JDL Broadcasting, Inc.,
- 58 Interveners Paul Thrift and John Thompson, and the Edgar County Interveners.
- 59 9. Sidney to Rising:
- 60 a. The Rebuttal Recommended Route for the Sidney to Rising portion of the Project
- 61 is ATXI's Primary Route.

62 **III. PURPOSE AND SCOPE**

63 **Q. What is the purpose of your testimony?**

64 **A.** The purpose of my testimony is to respond to objections, modifications and alternative

65 routes proposed by Staff and Interveners for the Project. My failure to address any witnesses'

66 testimony or position should not be construed as an endorsement of same.

67 **Q. Are you sponsoring any exhibits in support of your rebuttal testimony?**

68 **A.** Yes. I am sponsoring the following exhibits:

- 69 • ATXI Exhibit 13.1 – Rebuttal Recommended Route maps
- 70 • ATXI Exhibit 13.2 – River to SE Quincy maps
- 71 • ATXI Exhibit 13.3 – SE Quincy to Meredosia maps
- 72 • ATXI Exhibit 13.4 – Meredosia to Ipava maps
- 73 • ATXI Exhibit 13.5 – Meredosia to Pawnee maps
- 74 • ATXI Exhibit 13.6 – Pawnee to Pana maps
- 75 • ATXI Exhibit 13.7 – Pana to Mt. Zion to Kansas maps
- 76 • ATXI Exhibit 13.8 – Kansas to Indiana State Line maps
- 77 • ATXI Exhibit 13.9 – Sidney to Rising maps
- 78 • ATXI Exhibit 13.10 – EWPP Floodplain Adjustment map

79 **Q. Q. How is your testimony organized?**

80 **A.** I begin my testimony by addressing certain general concerns raised by Staff and
81 Interveners regarding ATXI's route analysis and selection. My testimony then is organized by
82 reference to each of the nine portions of the Transmission Line. I will respond to the concerns
83 raised by other parties with respect to each of these nine portions, moving through the Project
84 from west to east. I will include in each section of my testimony by recommending a final route
85 for the applicable portion of the Project.

86 **IV. GENERAL COMMENTS**

87 **Q. Do you have any general comments on Staff's testimony concerning routing filed in**
88 **this proceeding?**

89 **A.** Yes. First, I would like to address Staff's testimony regarding the need for the
90 Transmission Line route to be "least cost" and the least-cost analyses conducted by Staff witness,
91 Mr. Greg Rockrohr. First, Mr. Rockrohr appears to focus his route selection analysis on the
92 routes he considers to have the lowest dollar cost associated with construction and maintenance,
93 based on length of line and estimated number of dead-end structures. (*See, e.g.* ICC Staff
94 Exhibit 1.0, pp. 20-21, ll. 438-65.) However, a focus on just the dollar cost is often insufficient,
95 as there are other factors that must be considered when determining which route is "least cost".
96 ATXI could have proposed a route for the Project that uses straight lines to connect each of the
97 substations. Under Mr. Rockrohr's analysis, such a route would be the least-cost because it would
98 be shortest and would consequently have the least dollar cost to construct. But the true cost of
99 such a route might be great, if it ignored the sensitivities of the communities and individuals it
100 would impact. Instead, a true least-cost analysis evaluates a wide range of factors, including
101 environmental impacts and benefits, impacts to existing land uses such as residences, and costs
102 associated with mitigation or off-setting impacts. The least-cost analysis should balance each of
103 these factors to find an appropriate solution. The Illinois Commerce Commission
104 ("Commission") has recognized as much; for example, in Docket 06-0179 it approved a route
105 that cost approximately \$3.5 million more than its alternatives in order to avoid locating the
106 transmission line near residences. Moultrie County Property Owners ("MCPO") witness, Mr.
107 James Dauphinais also recognizes as much when he states "The examination of the route of the
108 proposed transmission line project includes, but is not limited to, the examination of . . . factors

109 which reflect cost, public health, safety, reliability, environmental impact, historical and
110 archeological impact, community values and aesthetics... ." (MCPO Exhibit 1.0, pp. 18-19, ll.
111 386-94.)

112 Second, Staff has raised concerns regarding the sufficiency of the notice provided to
113 landowners concerning Ameren Illinois Company d/b/a Ameren Illinois' ("AIC") connections to
114 each of the substations proposed by ATXI in this proceeding. However, landowners in the
115 integration corridors for those connections were included in ATXI's landowner notification list in
116 its initial filing and therefore received notice of this proceeding from the Commission. Further,
117 ATXI provided maps showing potential integration corridors where such connections might be
118 made with its initial filing. (*see* ATXI Exhibit 4.10.) Additionally, as identified in my direct
119 testimony, ATXI Exhibit 4.0, ATXI did respond to questions from interested property owners
120 during the public meetings conducted by ATXI. Therefore, I believe that all the potential
121 property owners associated with possible connection routes have been made aware that
122 additional connections are possible as a result of this proceeding.

123 **Q. Do you have any general comments on the alternative route proposals submitted by**
124 **Intervenors in this proceeding?**

125 **A.** Yes. First, ATXI's routing analysis was comprehensive. Many of the alternative route
126 proposals submitted by Intervenors reflect routing options already considered by ATXI and
127 rejected. Also, the impacts associated with many of the Intervener alternative routes have not
128 been thoroughly evaluated.

129 Second, many Intervenors proposed alternative routes other than ATXI's Proposed
130 Routes that do not reduce the net potential for environmental impact. Alteration of ATXI's
131 Proposed Routes to accommodate these proposals will merely shift the impact of the route from

132 one location and one group of landowners to another, without eliminating any impacts. As
133 discussed in detail by Mr. Trelz, ATXI will compensate landowners for damage to crops and
134 farmland. And as discussed in detail by Mr. Murbarger, ATXI can mitigate some concerns
135 through pole location during detailed design. ATXI will work with all landowners to locate
136 poles along the route such that all impacts will be reduced to the extent feasible. In all cases,
137 ATXI's Rebuttal Recommended Routes provide for the least-cost outcomes, taking all factors
138 into account. As I discuss each Intervener alternative route proposal, I will provide a general
139 comparison of impacts between Intervener route proposals and comparable portions of ATXI's
140 Proposed Routes.

141 **V. RIVER TO SOUTHEAST ("SE") QUINCY PORTION**

142 **Q. What does ATXI Exhibit 13.2 show?**

143 **A.** ATXI Exhibit 13.2 includes a diagram of the River-SE Quincy portion of the Project
144 depicting: (i) ATXI's Primary and Alternate Routes; (ii) any alternative routes for this portion of
145 the Project proposed by other parties; and (iii) the location of properties alleged by Interveners to
146 be affected by the Project.

147 **Q. Which of the routes shown on ATXI Exhibit 13.2 is the recommended alternative**
148 **for the River-SE Quincy portion of the Project?**

149 **A.** ATXI's Rebuttal Recommended Route for the River-SE Quincy portion of the Project is
150 the N. Kohl Grocer Company Stipulated Route ("N. Kohl Stipulated Route"), which slightly
151 modifies ATXI's Alternate Route as it enters the SE Quincy substation. N. Kohl Grocer's first
152 and second alternative routes are not viable options for this portion.

153 **Q. Please discuss the N. Kohl Stipulation.**

154 **A.** ATXI and N. Kohl Grocer have entered into a Stipulation, (*see* ATXI Exhibit 10.2),
155 under which they have agreed to advocate for Commission approval of the N. Kohl Stipulated
156 Route, which I will refer to as ATXI's Rebuttal Recommended Route. As the N. Kohl
157 Stipulation explains, the Rebuttal Recommended Route will resolve concerns regarding the route
158 in the River-SE Quincy area, is supported by the record, and should be adopted.

159 **Q. Why does N. Kohl Grocer first alternative route proposal not present a viable**
160 **alternative for this portion of the Project?**

161 **A.** As stated by Staff, this proposal would be longer and more costly than ATXI's Primary
162 Route. Additionally, this alternative route proposal would result in a greater potential for impact
163 from an environmental perspective. An estimated six (6) residences are located within 150-feet
164 of N. Kohl Grocer's first alternative route (as compared to one residence within 150 feet of
165 ATXI's Alternate Route). Five (5) of these residences are within 75-feet of the centerline. All
166 structures within 75-feet of the centerline will be displaced (i.e., removed), meaning that N. Kohl
167 Grocer's first alternative route results in displacement of an additional five (5) residences. In
168 comparison, no residences will be displaced along the Rebuttal Recommended Route. Finally,
169 N. Kohl Grocer has withdrawn its support for its alternative route proposals in favor of the N.
170 Kohl Stipulated Route.

171 **Q. Why does N. Kohl Grocer's second alternative route proposal not present a viable**
172 **alternative for this portion of the Project?**

173 **A.** First, this alternative route is likely to require the proposed 345 kV line to cross an
174 existing transmission line operated at 161 kV at least two times in order to avoid displacing
175 residences. ATXI witness, Mr. Jeffrey V. Hackman describes the challenges and concerns

176 associated with crossing the existing line. Second, as noted by Mr. Rockrohr, this route is likely
177 to pose an issue regarding the width of the easement approaching State Highway 57, since a new
178 150-foot right-of-way may not fit in this area without requiring displacement of at least one
179 residence. Addressing this issue will likely increase the cost of this route because any displaced
180 residence likely requires additional compensation. Third, this route will pose reliability issues,
181 since adjoining rights-of-way are susceptible to common mode failures. ATXI witness, Mr.
182 Jerry A. Murbarger describes the challenges, concerns and cost implications associated with a
183 modified right-of-way width, while Mr. Hackman addresses the concerns associated with co-
184 located routes. Finally, N. Kohl Grocer has withdrawn support from its alternative route
185 proposals in favor of the N. Kohl Stipulated Route.

186 **Q. Were any other routes proposed?**

187 **A.** Yes. Although they have not been supported by testimony, Matt Holtmeyer Construction
188 (“MHC”) proposed two alternative routes. MHC's first alternative route is not viable, as
189 discussed below. MHC’s second alternative modifies ATXI's Alternate Route to avoid property
190 owned by MHC by co-locating a short segment of ATXI’s Alternate Route with an existing 161
191 kV line as the Route approaches the SE Quincy substation, and is incorporated into the N. Kohl
192 Stipulated Route.

193 It is unclear at this point whether the Adams County Property Owners and Tenant
194 Farmers’ (“ACPO”) alternative route proposals extend through the SE Quincy substation to the
195 Mississippi River. Although ACPO provided a list of landowners in this area, the maps and
196 descriptions of the alternative routes do not show where the transmission line itself is located. As
197 such, I do not consider this a valid alternative route proposal for this portion of the Project.

198 **Q. Why does MHC's first alternative route proposal not present a viable option for this**
199 **portion of the Project?**

200 **A.** MHC did not support this route in testimony. Additionally, I have several technical
201 concerns related to this route. First, this route proposal is significantly longer than either ATXI's
202 Primary or Alternate Routes and will therefore result in more ground disturbance. Second, it will
203 impact at least four more residences. Finally, the route is apparently designed to parallel ATXI's
204 Alternate Route as that route leaves the SE Quincy Substation towards Meredosia. This is
205 problematic for several reasons. Transmission lines should not enter and leave a substation
206 along the same path, as discussed by Mr. Hackman. Additionally, as Mr. Hackman explains,
207 adjoining or parallel rights-of-way pose reliability concerns, regardless of their proximity to a
208 substation.

209 **Q. What is Staff's recommendation for the River-Quincy portion of the Project?**

210 **A.** Staff tentatively recommends use of N. Kohl Grocer's Secondary Alternate Route. Staff
211 requested that ATXI provide a cost comparison and a list of NERC reliability rules that address
212 contingency analyses for transmission lines on parallel but separate rights-of-way. These issues
213 are addressed in the Rebuttal Testimony of ATXI witnesses Mr. Murbarger and Mr. Hackman.

214 **Q. What is the basis of Staff's support for N. Kohl Grocer's second alternative route?**

215 **A.** As I understand it, Staff believes this route will be shorter and may cost less than all other
216 proposed routes for this portion of the Project.

217 **Q. What analysis has Staff done to support this conclusion?**

218 **A.** Mr. Rockrohr analyzed the routes by making two comparisons. First, he compared the
219 estimated length of each route. Second, he compared the estimated number of dead-end
220 structures required by each route.

221 **Q. Do you believe Staff's analysis is sound?**

222 **A.** No. Mr. Rockrohr failed to consider the full range of factors required in
223 determining whether a portion is least-cost, including environmental and other costs and
224 benefits. Mr. Rockrohr did not consider the crossing of the existing 161 kV line
225 necessitated by this route, as I discussed above. Finally, I understand that the analysis
226 conducted by Mr. Hackman discusses why use of separate but parallel rights-of-way is an
227 outcome to be avoided.

228 **Q. What is ATXI's recommendation?**

229 **A.** As discussed above, ATXI has entered into a stipulation with N. Kohl Grocer, under
230 which the parties have agreed to support the N. Kohl Stipulated Route depicted on ATXI Exhibit
231 13.2, and referred to as the Rebuttal Recommended Route. The Rebuttal Recommended Route
232 follows ATXI's Alternate Route, with a slight modification as the transmission line approaches
233 the SE Quincy Substation.

234 **Q. Do other parties support this recommendation?**

235 **A.** Pursuant to the Stipulation, N. Kohl Grocer and ATXI support the Rebuttal
236 Recommended Route. The Rebuttal Recommended Route also reflects MHC's second
237 alternative route proposal, which modified ATXI's Alternate Route to avoid MHC's property by

238 following an existing 161 kV line as this line enters the SE Quincy Substation. Although MHC
239 is not a party to the Stipulation, the Rebuttal Recommended Route addresses their concerns.

240 **Q. Have any parties expressed opposition to ATXI's recommendation with respect to**
241 **the River-Quincy portion of the Project?**

242 **A.** No. As I mentioned, ATXI has stipulated with N. Kohl Grocer to support the Rebuttal
243 Recommended Route. The Rebuttal Recommended Route also addresses Staff's concerns
244 because it provides for a cost effective route.

245 **Q. Is there any opposition to other viable routes?**

246 **A.** Yes. N. Kohl Grocer opposes ATXI's Primary Route on the grounds the Primary Route
247 would present problems with existing and planned development of a distribution center on
248 property that would be bisected by ATXI's Primary Route. In particular, N. Kohl Grocer claims
249 that the Transmission Line would interfere with the communications systems in its distribution
250 center. Their concerns are addressed by Mr. Hackman.

251 **Q. Based on the testimony submitted, what are your conclusions with respect to the**
252 **River-SE Quincy portion of the Project?**

253 **A.** The Rebuttal Recommended Route is the best viable option for this portion because it
254 does not result in any additional potential for environmental impact, when compared to other
255 Intervener proposed alternatives, and it is cost effective. Additionally, this route resolves the
256 concerns raised by the parties interested in this portion of the Project.

257 **VI. SE QUINCY TO MEREDOSIA PORTION**

258 **Q. What does ATXI Exhibit 13.3 show?**

259 **A.** ATXI Exhibit 13.3 includes a diagram of the SE Quincy-Meredosia portion of the Project
260 depicting: (i) ATXI's Primary and Alternate Routes; (ii) any alternate routes for this portion of
261 the Project proposed by other parties; and (iii) the location of properties alleged by Interveners to
262 be affected by the Project.

263 **Q. What is ATXI's recommendation regarding the route for this portion of the**
264 **Project?**

265 **A.** Although ATXI believes both ATXI's Primary Route and Alternate Route are viable,
266 ATXI recommends adoption of Staff witness Mr. Rockrohr's "hybrid" route, discussed further
267 below, as the Rebuttal Recommended Route.

268 **Q. Which of the routes shown on ATXI Exhibit 13.3 are viable alternatives for this**
269 **portion of the Project?**

270 **A.** The Rebuttal Recommended Route is viable. ATXI's Primary and Alternate Routes
271 remain viable alternatives for this portion of the Project as well.

272 ACPO proposed alternative routes are not viable alternatives. I am generally concerned
273 about these routes because it does not appear that ACPO has conducted environmental or other
274 impact analyses for its routes. Furthermore, ACPO witness, Ms. Karen S. Pedersen has stated in
275 testimony that it is her opinion that it is "an acceptable option" to route a 345 kV line parallel to
276 a 138 kV line. However, ATXI does not believe that co-location of transmission lines is the best
277 option, when other options are available, as discussed by Mr. Hackman. For the SE Quincy-
278 Meredosia portion of the Project, other options exist. I also have specific concerns regarding
279 each of ACPO's proposed alternative routes, which will be discussed below.

280 **Q. Why does ACPO's first alternative route proposal not present a viable alternative**
281 **for this portion of the Project?**

282 **A.** Aside from concerns associated with paralleling an existing 138 kV line, which are
283 discussed in detail by Mr. Hackman, ACPO's first alternative would result in a net increase in
284 the potential for environmental impact. Of particular note, this route would require more tree
285 removal and impact more residences. There are nine residences within 150-feet of this route
286 centerline (there are only six residences within 150-feet of ATXI's Primary Route). Six of
287 these nine residences are within 75-feet of the route centerline, meaning that they would be
288 displaced. This alternative route would also require more than 40 additional acres of tree
289 removal. Further, based on review of county property records, it appears that ACPO did not
290 sufficiently identify affected landowners along this route.

291 **Q. Why does ACPO's second alternative route proposal not present a viable alternative**
292 **for this portion of the Project?**

293 **A.** As stated by Staff, this alternative route is longer than both ATXI's Primary and
294 Alternate Routes. While ACPO's second alternative would provide for a lower potential for
295 impact to existing residences and less anticipated tree removal when compared to the comparable
296 portion of ATXI's Primary Route, this alternative route would require two additional angle
297 structures when compared to the comparable portion of ATXI's Primary Route. The additional
298 length and angle structures would result in a greater net cost.

299 **Q. Why does ACPO's third alternative route proposal not present a viable alternative**
300 **for this portion of the Project?**

301 **A.** As stated by Staff, this route would move the line away from some structures, but closer
302 to others. Additionally, ACPO's third alternative route proposal would require three additional

303 angle structures and more anticipated tree removal when compared to the comparable portion of
304 ATXI's Alternate Route.

305 **Q. What is Staff's recommendation for the SE Quincy-Meredosia portion of the**
306 **Project?**

307 **A.** Staff recommends ACPO's first alternative route as its first preference for this portion of
308 the Project. However, Staff also proposes its own alternative route as an option for this portion,
309 if ATXI proves that ACPO's first alternative route is infeasible. Staff's second preference is for
310 a "hybrid" of ATXI's Primary and Alternate Routes. Staff states that this is an appropriate
311 option because it avoids structures and residences, and because it will be shorter and therefore
312 less costly than either ATXI's Primary or Alternate Routes.

313 **Q. What is the "hybrid" route?**

314 **A.** It combines portions of both ATXI's Primary and Alternate Routes, as shown on ATXI
315 Exhibit 13.3.

316 **Q. What is the basis of Staff's support for ACPO's first alternative route?**

317 **A.** As I understand it, Staff believes this route would be the shortest, and therefore least-cost,
318 alternative for this portion of the Project.

319 **Q. What is the basis for Staff's second preference, the hybrid route?**

320 **A.** Staff states that this is an appropriate option because it will be located near fewer
321 structures and residences, and because it will be shorter and therefore less costly than either of
322 ATXI's Primary or Alternate Routes.

323 **Q. What analysis has Staff done to support these conclusions?**

324 **A.** Mr. Rockrohr analyzed the routes by making two comparisons. First, he compared the
325 estimated length of each route. Second, he compared the estimated number of dead-end
326 structures required by each route.

327 Apparently, Staff has also considered the location of structures along the routes for this
328 portion of the Project, although it is unclear how this was determined.

329 **Q. What is your response to Staff's analysis?**

330 **A.** With respect to its recommendation that ATXI adopt ACPO's first alternative route, Mr.
331 Rockrohr failed to consider the full range of factors required in determining whether a portion is
332 least-cost, including environmental and other benefits. Further, although Mr. Rockrohr states that
333 he has considered the location of structures along this portion of the route, ACPO's first
334 alternative route will place an additional eight residences within 150-feet of the centerline, two
335 of which will be within 75-feet of the centerline. Despite his contention that he considered the
336 location of structures, I cannot agree with his conclusion that ACPO's first alternative route
337 proposal would be least-cost, given the likely increase in cost associated with the displacement
338 of residences.

339 With respect to the hybrid route, Staff's recommendation is appropriate, as discussed
340 below.

341 **Q. Why does ATXI recommend the Rebuttal Recommended Route for this portion of**
342 **the Project?**

343 **A.** Contrary to Staff's opinion, I do not believe that ACPO's first alternative route is a
344 feasible option for this portion of the Project, for reasons discussed above. Instead, the Rebuttal
345 Recommended Route is the best option for this portion of the Project. As stated by Staff, it

346 would be located in close proximity to fewer existing residences than ACPO's first alternative
347 route. It also includes fewer dead-end structures. Because the Rebuttal Recommended Route is
348 a blend exclusively between ATXI's Proposed Routes, ATXI is certain that all aspects of this
349 route have been fully investigated and evaluated. ATXI believes that Staff's recommended
350 hybrid route is feasible, and has submitted cost estimates for this hybrid route, attached as ATXI
351 Exhibit 16.3 in compliance with Staff's request for this information.

352 **Q. Does any other party support the Rebuttal Recommended Route at this time?**

353 **A.** No. However, it is worth noting that the vast majority of members of ACPO own
354 property on the portion of ATXI's Primary Route that would no longer be impacted if the
355 Rebuttal Recommended Route is approved (see Exhibit 13.3). Presumably, these Interveners
356 would support a route that does not impact their property.

357 **Q. Have any parties expressed opposition in testimony to the use of the Rebuttal**
358 **Recommended Route for the SE Quincy-Meredosia portion of the Project?**

359 **A.** While they have not expressed opposition specifically to the Rebuttal Recommended
360 Route, Wiese Farms has expressed opposition to ATXI's Primary Route in Pike County. ATXI's
361 Primary Route in Pike County is part of the Rebuttal Recommended Route. I will address Wiese
362 Farms' concerns below.

363 **Q. If the Rebuttal Recommended Route is not selected, which route does ATXI**
364 **recommend?**

365 **A.** Both ATXI's Primary and Alternate Routes are viable routes.

366 **Q. Is there any opposition to these other viable routes?**

367 **A.** Yes, ACPO witnesses, Mssrs. Alex House, Edward Behrensmeyer, Keith Flesner,
368 Mr.Larry Groce, Stuart Kaiser, David Lewis, Melvin Loos, Brent Mast, Marvin Miller, John
369 Peters, and Ms. Eleanor Flesner are opposed to the Primary Route.

370 **Q. What are these witnesses' concerns?**

371 **A.** The environmental concerns raised by ACPO witnesses with respect to the Primary Route
372 include impacts to or associated with residences, agricultural uses and farming operations,
373 recreational uses, wildlife and habitat, tree removal, property values, sedimentation and erosion,
374 aerial spraying and stray voltage.

375 **Q. What is your response?**

376 **A.** Most of the impacts identified above have the potential to occur regardless of where the
377 approved route is located. Moreover, they are typically concerns that (i) do not recognize that
378 the landowner will retain all rights except easement rights (for example, they may continue to
379 farm under the transmission line); (ii) are not relevant to the determination of the appropriate
380 route because they are related to the question of valuation of property; (iii) can be addressed
381 through the detailed design of the route and construction mitigation measures; or (iv) that are
382 otherwise unwarranted because they ignore ATXI's method of easement and damage
383 compensation. Concerns related to farming operations, property value, and soil and crop impacts
384 are addressed more fully by ATXI witness Mr. Rick D. Trelz. Mr. Murbarger addresses methods
385 of mitigating these impacts during the detailed design phase. Additionally, the concerns raised
386 must be balanced with cost considerations.

387 **Q. Is there other opposition to ATXI's Primary Route?**

388 **A.** Wiese Farms has provided testimony in which it expresses opposition to ATXI's Primary
389 Route because of adverse impacts it alleges will occur to its existing and future farming
390 operations.

391 **Q. What is your response to this opposition?**

392 **A.** Wiese Farms owns numerous parcels in Pike County and along the west side of the
393 Illinois River. Given the extent of the acreage owned by Wiese Farms within the Project area, it
394 would be virtually impossible to avoid impacts to Wiese Farms' property. Like other Interveners
395 in this proceeding, the agricultural impacts upon which Wiese Farms bases its opposition to the
396 Primary Route will occur regardless of the location of the route approved. Alteration of the route
397 to accommodate concerns raised by Wiese Farms will merely shift the impact of these burdens to
398 other landowners; it will not eliminate the impact. As discussed by Mr. Trelz, ATXI will
399 compensate landowners for damage to crops and farmland. And as discussed by Mr. Murbarger,
400 ATXI can mitigate some concerns through pole location during detailed design. Design and
401 easement acquisition would take into account future center pivot irrigation system installation to
402 the extent feasible or appropriate. Furthermore, potential environmental impacts must be
403 balanced with cost considerations. The Rebuttal Recommended Route would provide for the
404 most direct route through an area in which Wiese Farms owns the vast majority of parcels, while
405 also maintaining some distance from existing residences. If the Rebuttal Recommended Route is
406 approved by the Commission, ATXI will work with Wiese Farms, and all other landowners, to
407 locate poles along this route such that any alleged impacts would be reduced, to the extent
408 feasible.

409 **Q. Is there opposition to ATXI's Alternate Route?**

410 **A.** Yes. Certain ACPO witnesses, including Messrs. Alex House, Gregory Edwards, Stuart
411 Kaiser, Larry Groce and Ms. Katherine Thomure, oppose the Alternate Route.

412 **Q. What are these witnesses concerns?**

413 **A.** Concerns raised by ACPO witnesses who oppose ATXI's Alternate Route are generally
414 similar to those raised by ACPO witnesses who oppose ATXI's Primary Route.

415 **Q. What is your response?**

416 **A.** The potential impacts and concerns raised by ACPO witnesses opposed to ATXI's
417 Alternate Route have the potential to occur regardless of where the approved route is located.
418 Alteration of the route to accommodate concerns raised by these ACPO witnesses will merely
419 shift the impact of these burdens to other landowners; it will not eliminate the impact.
420 Furthermore, potential environmental impacts must be balanced with cost considerations. As
421 indicated above, and discussed in detail by Mr. Murbarger, many of the witnesses' concerns can
422 be addressed through route design, mitigation or compensation, and ATXI will work with these
423 landowners to locate poles along this route such that any alleged impacts would be reduced, to
424 the extent feasible.

425 **Q. Based on the testimony submitted, what are your conclusions with respect to the SE
426 Quincy-Meredosia portion of the Project?**

427 **A.** I believe that the Rebuttal Recommended Route is the best viable option for this portion
428 of the Project. The Rebuttal Recommended Route is cost effective, has been fully analyzed, and
429 appears to strike a compromise between the routes proposed by ATXI and the concerns raised by
430 Interveners.

431 **VII. MEREDOSIA TO IPA VA PORTION**

432 **Q. What does ATXI Exhibit 13.4 show?**

433 **A.** ATXI Exhibit 13.4 includes a diagram of the Meredosia-Ipava portion of the Project
434 depicting: (i) ATXI's Primary and Alternate Routes; (ii) the southern portion of the Alternate
435 Route as modified pursuant to the Stipulation between ATXI and The Nature Conservancy
436 ("TNC") and referred to as the "TNC Stipulated Route."; (iii) any alternate routes for this portion
437 of the Project proposed by other parties; (iv) Staff's recommended alteration to the location of
438 the Ipava substation; and (v) the location of properties alleged by Interveners to be affected by
439 the Project.

440 **Q. What is ATXI's recommendation regarding the route for this portion of the**
441 **Project?**

442 **A.** ATXI recommends approval of its Alternate Route, including the portion of the Alternate
443 Route from Meredosia into southern Schuyler County that is the subject of a stipulation between
444 ATXI and TNC (discussed below), as the Rebuttal Recommended Route.

445 **Q. Which of the routes shown on ATXI Exhibit 13.4 represent viable alternatives for**
446 **this portion of the Project?**

447 **A.** ATXI's Alternate Route, as modified pursuant to the Stipulation with TNC, is the
448 preferred alternative for this portion of the Project. TNC's first and second alternative routes are
449 not viable options for this portion. Moreover, TNC has withdrawn its support for both its
450 alternatives, in favor of the Rebuttal Recommended Route.

451 **Q. Why does TNC's first alternative route not present a viable alternative for this**
452 **portion of the Project?**

453 **A.** My review of TNC's first alternative route indicates that, although it would reduce the
454 number of residences within 150-feet of the centerline, it would place one residence within 75-
455 feet of the transmission line, meaning that it would have to be displaced. In comparison, there
456 are no residences within 75-feet of the centerline of ATXI's Alternate Route. Where other
457 alternatives exist, this type of impact to residences should be avoided. For this portion of the
458 Project, other options exist and should be utilized. Additionally, although TNC's first alternative
459 route would require less tree removal, it would directly conflict with a greater number of existing
460 center pivot irrigation systems. Finally, TNC's first alternative would parallel an existing 138 kV
461 line for a significant distance, which presents reliability concerns, as discussed by ATXI witness
462 Mr. Hackman.

463 **Q. Why does TNC's second alternative route not present a viable alternative for this**
464 **portion of the Project?**

465 **A.** TNC's second alternative route would directly conflict with more than one existing center
466 pivot irrigation system. In contrast, ATXI's Alternate Route was routed such that it does not
467 directly conflict with any existing center pivot irrigation systems. TNC's second alternative
468 route would also cross the Illinois River at the widest of all proposed crossings of the river,
469 resulting in higher costs than the Rebuttal Recommended Route.

470 **Q. What is Staff's recommendation for the Meredosia-Ipava portion of the Project?**

471 **A.** Staff recommends TNC's first alternate route.

472 **Q. What is the basis of Staff's support for TNC's first alternative route?**

473 **A.** Mr. Rockrohr states that this is an appropriate option because it is shorter and has an
474 estimated fewer number of dead-end structures than both ATXI's Primary and Alternate Routes.
475 As I understand Staff's position, Staff believes that this indicates the route will be the least-cost
476 route. Staff also recommends this route because it avoids the conservation area identified by
477 TNC.

478 **Q. What analysis has Staff conducted to support this conclusion?**

479 **A.** Mr. Rockrohr analyzed the routes by making two comparisons. First, he compared the
480 estimated length of each route. Second, he compared the estimated number of dead-end
481 structures required by each route. It does not appear that Mr. Rockrohr conducted a separate
482 analysis of environmental impacts.

483 **Q. Do you believe Staff's analysis is sound?**

484 **A.** No. Staff failed to consider the full range of factors required in determining whether a
485 portion is least-cost, including environmental and other benefits. Additionally, as discussed by
486 Mr. Hackman, a significant portion of TNC's first alternative route parallels an existing line,
487 which can present reliability problems.

488 **Q. Please describe the stipulation between ATXI and TNC.**

489 **A.** ATXI and TNC have entered into a Stipulation under which they have agreed to advocate
490 for Commission approval of the TNC Stipulated Route, which represents the southern portion of
491 ATXI's Alternate Route, modified slightly to route around an Illinois Department of
492 Transportation ("IDOT") wetland mitigation site, at the point where the Route crosses the Illinois
493 River. The TNC Stipulation is attached to the Rebuttal Testimony of ATXI witness Ms.

494 Maureen A. Borkowski as Exhibit 10.2. This route is depicted on Exhibit 13.4. As the TNC
495 Stipulation explains, the TNC Stipulated Route will resolve concerns raised by TNC regarding
496 areas owned by or of interest to TNC, is supported by the record and should be adopted. Pursuant
497 to the Stipulation, TNC has withdrawn its support for its two alternative route proposals. ATXI
498 recommends approval of its Alternate Route, including the TNC Stipulated Route, as the
499 Rebuttal Recommended Route.

500 **Q. Why is the modification appropriate?**

501 **A.** The IDOT wetland mitigation site is managed by IDOT but is administered, at least in
502 part, by the U.S. Army Corps of Engineers. Via email correspondence on February 25, 2013, the
503 U.S. Army Corps of Engineers identified a deed restriction regarding the construction of utilities
504 through the wetland mitigation site.

505 **Q. Why is the TNC Stipulated Route the best routing option for this portion of the**
506 **Project?**

507 **A.** Through a comprehensive route siting analysis and public process, ATXI's Alternate
508 Route was carried forward as a proposed route because it was one of two routes that best meets
509 ATXI's routing objectives. As identified in ATXI Exhibit 4.3, ATXI's routing objectives with
510 respect to the Meredosia-Ipava portion of the Project included identification of at least two routes
511 that, based on information readily available to ATXI at the time of the study: i) resulted in the
512 lowest potential for impact overall; ii) best represented public input; iii) could be permitted; iv)
513 could be constructed; and v) are cost effective. Because it is a modification of ATXI's Alternate
514 Route, the TNC Stipulated Route meets each of these criteria, while also minimizing concerns
515 regarding areas owned by or of interest to TNC, and routing around the IDOT wetland mitigation
516 site.

517 Furthermore, despite Mr. Rockrohr's assertion that he was unaware of any circumstances
518 that would prevent ATXI from constructing TNC's first alternative route, I do not believe that
519 TNC's first alternative route is a viable option for this portion of the Project. TNC's first
520 alternative route does not result in a net decrease in the potential for environmental impacts.
521 Rather, it simply avoids property owned by or of interest to TNC and replaces a decrease in the
522 extent of tree removal with an increase in the potential for impact to center pivot irrigation
523 systems.

524 **Q. Does any other party support ATXI's recommendation with respect to the**
525 **Meredosia-Ipava portion of the Project?**

526 **A.** Yes. As I discussed above, ATXI entered into a stipulation with The Nature
527 Conservancy, under which the parties agreed to support the TNC Stipulated Route, which is
528 incorporated into the Rebuttal Recommended Route. Furthermore, adoption of the Rebuttal
529 Recommended Route will avoid property belonging to the Schuyler County Property Owners
530 and Interveners, Brian and Sherry Ralston. These Interveners did not file direct testimony, but
531 since their property is not impacted by the Rebuttal Recommended Route, I assume these parties
532 may not oppose ATXI's recommendation.

533 **Q. Is there any opposition to other viable routes?**

534 **A.** The Korsmeyer Family Farm Trust has expressed opposition to ATXI's Alternate Route,
535 on the basis that it would interfere with a center pivot irrigation system installed on their property
536 in Schuyler County. However, it is my understanding that the Rebuttal Recommended Route
537 would extend along the eastern side of one parcel owned by the Korsmeyer Family Farm Trust,
538 but would not impact other parcels owned by them. As such, I do not believe the Rebuttal
539 Recommended Route would interfere with their center pivot irrigation system. It is unclear at

540 this time whether the Korsmeyer Family Farm Trust will continue to oppose ATXI's Alternate
541 Route.

542 Interveners Phillips, Ralston, McLaughlin, Wiese Farms, and the Schuyler County
543 Property Owners group each own property along ATXI's Primary Route, and have expressed
544 opposition to the Primary Route based on its impacts to their property. The Rebuttal
545 Recommended Route will not affect property owned by Phillips, Ralston, McLaughlin, Wiese
546 Farms, and the Schuyler County Property Owners, and I would therefore assume that these
547 Interveners would not oppose the Rebuttal Recommended Route.

548 **Q. Does TNC take a position in testimony on the Primary Route?**

549 **A.** Yes. As I understand TNC's position, TNC opposes ATXI's Primary Route in testimony
550 because TNC wishes to preserve a record of that opposition in the event the Commission does
551 not adopt the TNC Stipulated Route. TNC explains that ATXI's Primary Route crosses a
552 conservation area owned by TNC, and alleges ATXI's Primary Route may adversely impact this
553 conservation area, as well as species or habitats within it.

554 **Q. Does ATXI intend to respond to those arguments?**

555 **A.** Yes. The TNC Stipulation permits the parties to submit testimony and arguments
556 opposing routes other than the TNC Stipulated Route as a contingency, to preserve any such
557 arguments in the event that the Commission does not adopt the TNC Stipulated Route. ATXI is
558 therefore responding to TNC's arguments regarding the Primary Route, as a contingency to
559 preserve its positions in the event that the Commission does not adopt the Rebuttal
560 Recommended Route.

561 **Q. What analysis has TNC done to support its opposition to the Primary Route?**

562 **A.** TNC evaluated the Primary Route to determine the nature and extent of impacts TNC
563 believes might occur to certain protected plant and animal species within a conservation area
564 owned by TNC called the Spunky Bottoms Preserve. A portion of this area is also included
565 within the Illinois Natural Areas Inventory. However, it is my understanding that ATXI's
566 Primary Route would not actually cross the Natural Area Inventory site although it would cross
567 property owned by TNC. TNC opposes the Primary Route based on a variety of environmental
568 concerns raised by TNC witnesses Mr. Ward, Mr. Blodgett, and Dr. Walk.

569 **Q. Do you believe that TNC's concerns have merit?**

570 **A.** I do not believe TNC's concerns with respect to the Primary Route have merit, for
571 reasons discussed below and further explained by ATXI witnesses, Ms. Julia Tims and Mr.
572 James F. Dwyer. Moreover, the Rebuttal Recommended Route avoids the TNC conservation
573 area, and therefore alleviates any concerns TNC has regarding the Primary Route.

574 **Q. How would you respond to TNC's statement that ATXI failed to adequately**
575 **consider impacts to forests, natural areas, and threatened or endangered species?**

576 **A.** ATXI conducted a comprehensive review of available, reliable information concerning
577 endangered and threatened species, as well as significant natural areas. Further, ATXI consulted
578 with both the Illinois Department of Natural Resources ("IDNR") and the U.S. Fish and Wildlife
579 Service ("USFWS"). The impacts alleged by TNC relate specifically to their area of interest, but
580 similar impacts have the potential to occur to other species, forests and natural areas throughout
581 the Project area. These issues are further addressed by Ms. Tims. Therefore, re-routing the
582 Project to accommodate TNC's concerns would merely shift the impact of the route from one
583 location to another, without reducing the net potential for environmental impact.

584 **Q. On Page 21 of his Direct Testimony, Dr. Walk suggests concern because your testimony**
585 **only lists two of the “many conservation groups and other governmental agencies that are**
586 **working to preserve natural habitat in the area protected by the line.” How do you respond?**

587 **A.** Contrary to Dr. Walk's assertion, my Direct Testimony and exhibits indicate that
588 numerous state and federal agencies were consulted during the routing process. These agencies
589 were invited to participate in ATXI's public meetings, as were a variety of special interest groups
590 and non-governmental organizations. In fact, representatives of TNC attended ATXI's public
591 meetings. The results of the public meetings and consultations with state and federal agencies
592 were incorporated into ATXI's route siting analysis.

593 **Q. On pages 22-23 of his Direct Testimony, Dr. Walk criticizes your Direct Testimony**
594 **in its description of the occurrence of state listed species located within 75-feet of the line.**
595 **How do you respond?**

596 **A.** ATXI relied upon the Illinois Natural Heritage database, administered by the IDNR for
597 recorded observations of listed species because it is the central, authoritative clearinghouse for
598 information on threatened and endangered species in Illinois. On page 23 of his Direct
599 Testimony, Dr. Walk admits that TNC has provided its records of threatened and endangered
600 species to the IDNR for inclusion in the database, so it is unclear why Dr. Walk believes that
601 ATXI acted improperly by relying on the IDNR data, since the IDNR would presumably account
602 for all reliable information regarding these species. Without conducting site-specific field
603 surveys of habitats along TNC's and ATXI's proposed routes, it is not possible to accurately
604 compare the relative species impacts associated with TNC's routes versus ATXI's Proposed
605 Routes.

606 **Q. What is your response to the claim that the [I]DNR database fails to take into**
607 **account both additional reliable sources of information and generally favorable habitat**
608 **conditions affected by threatened and endangered species?**

609 **A.** As described above, it is standard procedure to rely primarily on IDNR and USFWS
610 information to determine the likely range of threatened and endangered species when conducting
611 siting studies and impact assessments. Project proponents generally do not seek out or rely on
612 data concerning threatened and endangered species from third party sources because the origin
613 and provenance of these data are often unknown and unreliable. One of the primary functions of
614 the IDNR program is to collect species-related data, verify its accuracy, and provide reliable
615 information to the public and industry for use in siting studies and other purposes. ATXI used
616 the IDNR database to inform its siting process in exactly this way, so there was no failure on the
617 part of ATXI to consider appropriate sources of information.

618 **Q. Will ATXI continue to work with the relevant agencies?**

619 **A.** Yes. ATXI will continue consultation with the IDNR and all other relevant agencies,
620 seeking their review of the Proposed Routes to further identify any potential for impacts to listed
621 species or habitats. Maps of the Proposed Routes have been provided to these agencies to aid in
622 their assessment. Impacts to listed species and their habitats will be analyzed following
623 continued agency consultation and any necessary field surveys specific to the Commission-
624 approved route. ATXI will conduct any necessary surveys and obtain all required state and/or
625 federal listed species permits or approvals prior to construction.

626 **Q. Based on the testimony submitted, what are your conclusions with respect to the**
627 **Meredosia-Ipava portion of the Project?**

628 **A.** The Rebuttal Recommended Route, including the TNC Stipulated Route, is the best
629 viable option for this portion of the Project. The Rebuttal Recommended Route incorporates a
630 route that was identified as a result of ATXI's comprehensive route siting analysis as cost
631 effective, best reducing the potential for environmental impact, and reflecting public input
632 received during the public process. The Rebuttal Recommended Route is preferable to both
633 ATXI's Primary and unmodified Alternate Routes because it addresses concerns raised by
634 Interveners having property interests along these routes.

635 **VIII. MEREDOSIA TO PAWNEE PORTION**

636 **Q. What does ATXI Exhibit 13.5 depict?**

637 **A.** ATXI Exhibit 13.5 includes a diagram of the Meredosia-Pawnee portion of the Project
638 depicting: (i) ATXI's Primary and Alternate Routes; (ii) any alternate routes for this section
639 proposed by other parties; and (iii) the location of properties alleged by Interveners to be affected
640 by the Project.

641 **Q. What is ATXI's recommendation regarding the route for this portion of the**
642 **Project?**

643 **A.** Pursuant to stipulations with Morgan and Sangamon County Landowners and Tenant
644 Farmers ("MSCLTF") and FutureGen Industrial Alliance Inc. ("FutureGen") (discussed below),
645 ATXI recommends ATXI's Alternate Route as the Rebuttal Recommended Route, as shown on
646 ATXI Exhibit 13.1.

647 **Q. Which of the routes shown on ATXI Exhibit 13.5 represent viable alternatives for**
648 **this portion of the Project?**

649 **A.** ATXI's Primary and Alternate Routes remain viable and constructible alternatives for
650 this portion of the Project. However, ATXI has entered a stipulation with the MSCLTF
651 ("MSCLTF Stipulation"), and a separate stipulation with FutureGen ("FutureGen Stipulation").
652 These stipulations are attached to the testimony of Ms. Borkowski as ATXI Exhibit 10.2.
653 Pursuant to these stipulations, the parties have agreed to support ATXI's Alternate Route.

654 **Q. Do any of the alternatives proposed by other parties represent viable alternatives to**
655 **ATXI's routes?**

656 **A.** No. Interveners Gregory and Theresa Pearce ("Pearce Family") proposed two
657 modifications to ATXI's Primary Route, for consideration in the event that the Commission does
658 not adopt ATXI's Alternate Route. The Pearce Family's modifications to the Primary Route do
659 not represent viable alternatives for this portion.

660 Similarly, modifications to ATXI's Alternate Route proposed by Interveners Andrew and
661 Stacy Robinette ("Robinette Family") do not represent viable alternatives for this portion.

662 MSCLTF had proposed an alternative route, as shown on ATXI Exhibit 13.5. However,
663 pursuant to the MSCLTF Stipulation, MSCLTF's support for this alternative route has been
664 withdrawn. As discussed below, this alternative route is not a viable option for this portion of
665 the Project.

666 **Q. Why do the Pearce Family's modifications to ATXI's Primary Route not present**
667 **viable alternatives for this portion of the Project?**

668 **A.** The Pearce Family's "primary" alternative route would parallel an existing 138 kV line,
669 which presents operational and reliability concerns, as discussed by Mr. Hackman. The Pearce's

670 “secondary” alternative would add two dead-end structures, raising the cost of construction in
671 comparison to ATXI's Primary Route.

672 **Q. Why does the Robinette Family’s modification to ATXI’s Alternate Route not**
673 **represent a viable alternative for this portion of the Project?**

674 **A.** The Robinette Family’s modification to ATXI’s Alternate Route does not represent a
675 viable option. The modification avoids property owned by the Robinette Family, but cuts
676 through neighboring farm fields without following section lines or other natural linear features. It
677 would simply move the route off their property onto property owned by others with no net
678 reduction in the potential for environmental impact. Nor would there be any significant cost
679 savings with their proposed route modification. The Robinette Family's responses to data
680 requests issued to them by ATXI indicate that their routing analysis was based entirely on aerial
681 photography of the area, and did not account for any factors other than proximity of the line to
682 residences.

683 **Q. What is Staff’s recommendation for the Meredosia-Pawnee portion of the Project?**

684 **A.** Staff recommends adoption of an alternative route that was initially recommended by
685 MSCLTF. If that route is infeasible, Staff recommends adoption of ATXI’s Primary Route, as
686 modified by the Pearce Family’s first alternative route.

687 **Q. What is the basis for Staff’s recommendation to adopt MSCLTF’s alternate route?**

688 **A.** Mr. Rockrohr analyzed the routes by making two comparisons. First, he compared the
689 estimated length of each route. Second, he compared the estimated number of dead-end
690 structures required by each route. As a result of this analysis, Mr. Rockrohr concludes that the
691 route proposed by MSCLTF would be shortest and therefore least-cost.

692 **Q. Do you believe Staff's analysis is sound?**

693 A. No. Staff failed to consider the full range of factors required in determining whether a
694 route is least-cost, including environmental and other benefits, in addition to cost. Further, co-
695 locating a 345 kV line with a 138 kV line poses reliability and outage concerns, as discussed in
696 Mr. Hackman's Rebuttal Testimony. Additionally, MSCLTF did not identify or notify all
697 landowners along this route. MSCLTF's Supplemental Identification of Alternate Route requests
698 additional time to supplement the landowner list, but it's my understanding that this request was
699 never granted, and the landowner list was never supplemented. Finally, as I mentioned above,
700 MSCLTF withdrew its support for this alternative route pursuant to the MSCLTF Stipulation.
701 Staff is therefore the only party supporting this route.

702 **Q. What is the basis for Staff's support, in the alternative, for the Pearce Family's first**
703 **alternative route?**

704 A. Mr. Rockrohr stated that this is the "next most logical." The basis for this statement is
705 entirely unclear.

706 **Q. Why is the Rebuttal Recommended Route the best routing option for this portion of**
707 **the Project?**

708 A. The Rebuttal Recommended Route is one of two routes that were identified as a result of
709 ATXI's comprehensive route siting analysis as cost effective, best reducing the potential for
710 environmental impact, and reflecting input received during the public process. Further, the
711 Rebuttal Recommended Route will address concerns raised by multiple Interveners, including
712 the Pearce Family, Mr. Michael Cody, and Ms. Mary Splain.

713 **Q. Does any other party support ATXI's recommendation with respect to the**
714 **Meredosia-Pawnee portion of the Project?**

715 **A.** Yes. Pursuant to the stipulations entered with ATXI, MSCLTF and FutureGen each
716 supports the Rebuttal Recommended Route. ATXI's Alternate Route has also received support
717 from the Pearce Family, who have expressed support for ATXI's Alternate Route as their first
718 preference for this portion of the Project. (Pearce Family Alternate Route Proposal, p. 1; Pearce
719 Family Direct Testimony, Part 7.) The Rebuttal Recommended Route would also avoid property
720 owned by Interveners Ms. Splain and Mr. Cody. Although these Interveners did not file Direct
721 Testimony, I would assume they would support a route that does not impact their property.

722 **Q. Is there any opposition to the viable routes?**

723 **A.** Yes. Witnesses on behalf of the Morgan, Sangamon and Scott Counties Land
724 Preservation Group ("MSSCLPG") oppose adoption of the Rebuttal Recommended Route. Also,
725 FutureGen witness, Mr. Kenneth K. Humphreys expresses concern that ATXI's Primary Route
726 will cause interference FutureGen's carbon dioxide monitoring equipment. Mr. Hackman
727 addresses this alleged interference in his rebuttal testimony. Moreover, this concern is resolved
728 by use of the Rebuttal Recommended Route, as stated in the FutureGen Stipulation.

729 **Q. What are the concerns of the Morgan, Sangamon and Scott County Land**
730 **Preservation Group?**

731 **A.** The concerns raised by MSSCLPG generally include potential impacts associated with
732 agricultural uses and existing residences, habitat fragmentation, disruption of wildlife corridors,
733 damage to drainage systems, health effects on humans and livestock, problems in aerial
734 application of fungicides and insecticides, and disturbance of recreational uses. This group also
735 alleges that their area of interest is archaeologically significant.

736 **Q. What is your response?**

737 **A.** The concerns raised by MSSCLPG will occur with equal frequency regardless of the
738 route approved. Alteration of the route to accommodate concerns raised by MSSCLPG will
739 merely shift the impact of these burdens to other landowners; it will not eliminate the impact.
740 Furthermore, potential environmental impacts such as those mentioned by MSSCLPG must be
741 balanced with cost considerations. Moreover, the concerns raised by MSSCLPG are typically
742 concerns that (i) do not recognize that the landowner will retain all rights except easement rights
743 (for example, they may continue to farm under the transmission line); (ii) are not relevant to the
744 determination of the appropriate route because they are related to the question of valuation of
745 property; (iii) can be addressed through the detailed design of the route and construction
746 mitigation measures; or (iv) that are otherwise unwarranted because they ignore ATXI's method
747 of easement and damage compensation. As indicated above, many of MSSCLPG's concerns can
748 be addressed through route design, mitigation efforts or compensation, and ATXI will work with
749 these landowners to locate poles along this route such that any alleged impacts would be
750 reduced, to the extent feasible. Concerns related to farming operations, property value, and soil
751 and crop impacts are addressed more fully by Mr. Trelz. Mr. Murbarger addresses methods of
752 mitigating impacts during the detailed design phase. Additionally, the concerns raised must be
753 balanced with cost considerations.

754 **Q. Paul Bergschneider, testifying on behalf of MSSCLPG, identifies archeologically**
755 **significant land that he alleges will be impacted by ATXI's Alternate Route, now the**
756 **Rebuttal Recommended Route. How will impacts to cultural resources be mitigated, to the**
757 **extent such resources occur along the final approved route?**

758 **A.** ATXI will continue to consult with the Illinois State Historic Preservation Agency
759 (“IHPA”), conduct any required field studies and comply with all applicable regulations in
760 advance of construction. Further, as discussed by Mr. Murbarger, the placement of poles along a
761 route will take into account any known resources. Where the potential for impact to
762 archaeological resources cannot be spanned or avoided, ATXI will implement appropriate
763 mitigation measures as identified in conjunction with the IHPA.

764 **Q. Based on the testimony submitted, what are your conclusions with respect to the**
765 **Meredosia-Pawnee portion of the Project?**

766 **A.** ATXI’s Rebuttal Recommended Route for this portion of the Project is ATXI's Alternate
767 Route, now the MSCLTF and FutureGen Stipulated Route. The Rebuttal Recommended Route
768 is the best viable option for this portion of the Project. The Rebuttal Recommended Route is one
769 of two routes that were identified as a result of ATXI’s comprehensive route siting analysis as
770 cost effective, best reducing the potential for environmental impact, and reflecting input received
771 during the associated public process. Further, the Stipulated Route will address concerns raised
772 by multiple Interveners along the Primary Route.

773 **IX. PAWNEE TO PANA PORTION**

774 **Q. What does ATXI Exhibit 13.6 depict?**

775 **A.** ATXI Exhibit 13.6 provides a diagram of the Pawnee-Pana portion of the Project,
776 including: (i) ATXI’s Primary, Alternate and Second Alternate Routes; (ii) the location of

777 Staff's recommended route; and (iii) the location of all property that Interveners have alleged
778 will be impacted by the Project.

779 **Q. What is ATXI's recommendation regarding the route for this portion of the**
780 **Project?**

781 **A.** ATXI recommends approval of its Second Alternate Route as the Rebuttal
782 Recommended Route, as shown on ATXI Exhibit 13.6.

783 **Q. Which of the routes shown on ATXI Exhibit 13.6 represent viable alternatives for**
784 **this portion of the Project?**

785 **A.** ATXI's Primary, First Alternate and Second Alternate Routes remain viable alternatives
786 for this portion of the Project.

787 **Q. What is Staff's recommended route for this portion of the Project?**

788 **A.** Staff recommends adoption of ATXI's Second Alternate Route, as depicted on ATXI
789 Exhibit 13.6.

790 **Q. What is the basis for Staff's recommendation to adopt ATXI's Second Alternate**
791 **Route or this portion?**

792 **A.** I understand Staff's testimony to state that ATXI's Second Alternate Route is preferable
793 because it will avoid two residences, and is shorter and could therefore be constructed at a lower
794 cost than the other proposed routes.

795 **Q. Do you believe Staff's analysis is sound?**

796 **A.** Yes, although I would like to draw attention to additional considerations associated with
797 ATXI's Second Alternate Route.

798 **Q. Why is the Rebuttal Recommended Route the best routing option for this portion?**

799 **A.** As stated by Staff, it is shorter, which likely means that the costs of construction will be
800 lower and fewer landowners will be impacted. Additionally, ATXI's Rebuttal Recommended
801 Route is one of three routes that were identified as a result of ATXI's comprehensive route siting
802 analysis as cost effective, best reducing the potential for environmental impact, and reflecting
803 public input received during the associated public process.

804 **Q. Does any other party support ATXI's recommendation with respect to the Pawnee-**
805 **Pana portion of the Project?**

806 **A.** The Rebuttal Recommended Route will not directly impact property owned by members
807 of the Morrisonville Group. Although this Intervener group did not file direct testimony, I would
808 assume that they would not oppose a route that does not impact their property.

809 **Q. Did any parties oppose ATXI's Second Alternate Route in testimony?**

810 **A.** No party submitted testimony opposing ATXI's Second Alternate Route.

811 **Q. Is there any opposition to other viable routes?**

812 **A.** No other parties have filed testimony in which they oppose the other viable routes for this
813 portion of the Project.

814 **Q. Based on the testimony submitted, what are your conclusions with respect to the**
815 **Pawnee-Pana portion of the Project?**

816 **A.** ATXI's Rebuttal Recommended Route is the best viable option for this portion of the
817 Project, and should be approved by the Commission. The Rebuttal Recommended Route is one
818 of three routes that were identified as a result of ATXI's comprehensive route siting analysis as

819 being cost effective, best reducing the potential for environmental impact, and reflecting input
820 received during the associated public process.

821 **X. PANA TO MT. ZION TO KANSAS PORTION**

822 **Q. Why have you chosen to address the Pana-Mt. Zion and Mt. Zion-Kansas portions**
823 **of the Project together?**

824 **A.** The testimony submitted by the MCPO is unique in that it recommends removing the Mt.
825 Zion substation from the Project entirely and instead linking the substations at Pana and Kansas
826 directly. MCPO proposes that the transmission line extend eastward from Pana to Kansas and
827 presents this route as an alternative to the combination of ATXI's Primary and Alternate Routes
828 from Pana-Mt. Zion and Mt. Zion-Kansas. Because these routes have been presented as
829 alternatives to each other, I will address all of the routes in one section to better compare them.

830 **Q. What does ATXI Exhibit 13.7 depict?**

831 **A.** ATXI Exhibit 13.7 provides a diagram of the Pana-Mt. Zion and Mt. Zion-Kansas
832 portions of the Project, including: (i) ATXI's Primary and Alternate Routes for each portion; (ii)
833 all routes between Pana and Kansas proposed by other parties; and (iii) the location of all
834 property that Interveners have alleged will be impacted by the Project.

835 **A. Alternatives from Pana to Kansas**

836 **Q. Do you believe that MCPO's alternative route from Pana to Kansas is a viable**
837 **alternative to ATXI's proposed routes between Pana, Mt. Zion and Kansas?**

838 **A.** No. MCPO's route from Pana to Kansas is based upon a faulty premise, namely that the
839 Mt. Zion substation is unnecessary from a system planning and reliability perspective. The
840 necessity for the Mt. Zion substation is addressed in the Direct and Rebuttal Testimony of Mr.

841 Kramer. However, even if the assumption on which MCPO bases this route was found valid,
842 and the Mt. Zion substation was found unnecessary, MCPO's proposed route from Pana to
843 Kansas is still not a viable alternative from a routing perspective.

844 **Q. Please explain why MCPO's alternative route from Pana to Kansas is not a viable**
845 **alternative from a routing perspective.**

846 **A.** As discussed by Mr. Kramer, although MCPO's Pana-to- Kansas route is shorter and so
847 less costly in absolute terms, it is in fact not the least cost option for Ameren Illinois ratepayers
848 because the Project cost is allocated across the MVP portfolio. As noted by Mr. James Woodall,
849 testifying on behalf of the Shelby County Landowners' Group, MCPO's alternative route from
850 Pana to Kansas appears to be located directly above the water fields that supply potable water to
851 the City of Shelbyville. This impact has not been addressed MCPO's alternative route from Pana
852 to Kansas. The MCPO route may also require the displacement (*i.e.*, removal) of existing
853 residences that would be within 75-feet of the centerline of the route.

854 **Q. What analysis did MCPO conduct in support of its proposed route between Pana**
855 **and Kansas?**

856 **A.** Two expert witnesses filed testimony on behalf of MCPO in this proceeding: Mr. James
857 Dauphinais and Mr. Rudolph Reinecke. As I understand it, these witnesses collaborated to
858 develop MCPO's proposed alternate routes, and to compare these proposed alternate routes to all
859 other proposed routes for the Pana-Mt. Zion and Mt. Zion-Kansas portions of the Project. Mr.
860 Reinecke, however, does not make any route recommendations – these are made by Mr.
861 Dauphinais.

862 **Q. Please describe the analysis conducted by Mr. Dauphinais and Mr. Reinecke in**
863 **developing MCPO's alternate routes.**

864 **A.** MCPO filed its alternate route proposal on December 31, 2012, but that proposal
865 described only a general centerline within a two-mile wide corridor. After that filing, Mr.
866 Reinecke continued to refine the routes using a GIS-based desktop review and aerial
867 reconnaissance. Mr. Dauphinais and Mr. Reinecke developed the routes ultimately proposed by
868 MCPO using what they describe as either a four or two-step process (Mr. Dauphinais appears to
869 summarize Mr. Reinecke's four-step process into a two-step process). In summary, it appears
870 that their process generally involved developing corridors and then iteratively refining them.
871 Although both Mr. Dauphinais and Mr. Reinecke provide extensive discussion and supporting
872 data tables, it is not clear how they reached their conclusions.

873 **Q. Can you further elaborate as to the lack of clarity regarding how Mr. Dauphinais**
874 **and Mr. Reinecke reached their conclusions?**

875 **A.** Mr. Reinecke stated that he developed corridors paralleling existing compatible corridors,
876 and then refined these corridors to avoid urbanized areas. Mr. Reinecke then stated that these
877 corridors were adjusted to minimize impacts to sensitivities such as parks, recreational use areas,
878 wildlife refuges, woodlands, wetlands, cultural sites, airfields, airports and airstrips. However,
879 wildlife refuges, for example, are not present in the study area. Mr. Reinecke and Mr. Dauphinais
880 then looked at the remaining opportunities and developed corridors from these.

881 **Q. How does this contrast with ATXI's approach?**

882 **A.** ATXI's approach began with review of all available opportunities and ATXI
883 subsequently removed opportunities iteratively, based on a review of sensitivities along these
884 opportunities (which influenced the individual strength of these opportunities) and the

885 incorporation of public input. The purpose of ATXI's Phase I criteria prioritization exercise was
886 to facilitate public input concerning a list of more than 30 environmental sensitivities. MCPO, on
887 the other hand, whittled this list of sensitivities down to as few as six.

888 Additionally, ATXI structured the Phase I criteria prioritization exercise so that
889 additional criteria could be added for consideration. No preliminary corridors or routes had been
890 identified in advance of the Phase I public meetings. As opportunities and sensitivities were
891 subsequently identified via public input and mapped, the results of the Phase I exercise enabled
892 ATXI to apply a 'tie breaker', when needed, as various opportunities were comparatively
893 evaluated relative to the sensitivities occurring along or near them. Mr. Reinecke and Mr.
894 Dauphinais, on the other hand, largely based their route appraisals only on the performance
895 rated, simple averaged or averaged, scored, weighted and ranked values of only six or eight
896 environmental criteria.

897 **Q. Can you further describe Mr. Dauphinais' performance ratings, averaging or**
898 **simple averaging, scoring, weighting or ranking of criteria or routes?**

899 **A.** I will attempt to describe this process in more detail below. Generally, not only was Mr.
900 Dauphinais' testimony not entirely clear in what each of these steps entailed (for example, he
901 discussed two different steps of weighting criteria but he only provided his weighting values for
902 one), it's also not entirely clear how each of these steps were ordered, if consistently so, within
903 his decision-making process. Mr. Dauphinais appears to have failed to incorporate environmental
904 routing criteria beyond the six or eight he made repeated reference to. Mr. Dauphinais criticizes
905 ATXI's route siting analysis, methods of soliciting public input and the incorporation of this
906 input. However, Mr. Dauphinais' analysis contradicts his own statements in that he subjectively
907 assigned ratings, weights, scores and ranks to reach his desired conclusions.

908 **Q. Do you have other concerns?**

909 **A.** Yes. MCPO's routes extend outside of ATXI's study area. Mr. Reinicke claimed that
910 this was meant to a) increase geographic diversity and b) avoid crossing Lake Shelbyville.
911 However, Mr. Reinecke did not explain why additional geographic diversity was needed given
912 the extent of ATXI's study area, or how the general landscape and land use in MCPO's study
913 area is different than the landscape within ATXI's study area.

914 **Q. Mr. Reinecke suggested that ATXI's public process is sufficiently transferrable to**
915 **the scope of MCPO's study simply because the counties within ATXI's study area are the**
916 **same counties within MCPO's extended area of study. Do you agree?**

917 **A.** No. MCPO's routing methodology is different than ATXI's, in that it first eliminated
918 sensitivities from consideration and takes into account as few as six of the 30 routing criteria
919 identified at public meetings hosted by ATXI. It is not clear how the results of ATXI's public
920 process might have differed if only the six criteria used by MCPO had been evaluated by the
921 public. It is also unclear why Mr. Reinecke believes that the results of ATXI's public input
922 process apply to MCPO's routing analysis, since MCPO is not relying on the results of ATXI's
923 public process within its study. Moreover, landowners along MCPO's alternative routes would
924 not have received direct mail invitation to open houses as landowners along ATXI's routes did.

925 **Q. How did Mr. Reinecke refine his route corridors?**

926 **A.** Mr. Reinecke stated that MCPO's routes were further refined after aerial survey to better
927 parallel certain linear features, increase distance from buildings and decrease woodland and
928 stream crossings. Mr. Reinecke subsequently explained that MCPO's route comparison focused
929 on lower impacts to structures and prime farmland. As discussed above, it's not clear based on
930 the differing lists of sensitivities discussed by Mr. Reinecke as to how these sensitivities were

931 evaluated within their route development process. Furthermore, in conducting this refinement
932 process, Mr. Reinecke conducted a routing analysis but did not make a specific routing
933 recommendation.

934 **Q. What did Mr. Dauphinais do with respect to routing analysis?**

935 A. Mr. Dauphinais, in his testimony, considered the analysis conducted by Mr. Reinecke and
936 a range of factors including: minimization of the number of apparent residences, minimization of
937 the length and number of turning structures, and minimization of length not parallel to existing
938 known transmission lines. The members of MCPO provided feedback to Mr. Dauphinais and
939 Mr. Reinecke and the centerlines were modified to accommodate these comments. Mr.
940 Dauphinais developed cost estimates for each MCPO alternative route. Mr. Dauphinais
941 ultimately made routing recommendations.

942 **Q. Please describe the analysis conducted by Mr. Dauphinais in comparing MCPO's**
943 **alternative routes to ATXI's Primary and Alternate Routes for these portions of the**
944 **Project.**

945 A. It is my understanding that Mr. Dauphinais identified each of the possible combinations
946 of routes between Pana and Kansas, and compared them based on numerical data he created.
947 Mr. Dauphinais compared the routes based on the high sensitivity factors identified by ATXI in
948 its Phase I and Phase II public meetings, and the paralleling of existing features.

949 Mr. Dauphinais scored each proposed route using a method by which he claims to
950 identify whether each proposed route is relatively inferior, relatively average or relatively
951 superior with respect to each routing criteria. He averaged the six (6) high sensitivity factors for
952 each of the nine routes. He then applied the scores to produce a hypothetical ranking of each
953 route from 1 to 100, where the lowest-ranked route portion combination had the least adverse

954 impact, as shown by its average score for the six high sensitivity factors. He testifies that this
955 allowed him to rank possible route combinations by the degree of superiority of each over the
956 others.

957 However, after this calculation was complete, Mr. Dauphinais determined that there was
958 a problem with weighting the number of streams crossed the same as the number of residences
959 impacted. He therefore reduced the weighting applied to stream crossings in the average of the
960 high sensitivity factors by half. He claims that this process “introduced clarity” because
961 MCPO’s primary route from Mt. Zion to Kansas emerged with the highest score.

962 Before settling on a recommendation for a route proposal, Mr. Dauphinais applied the
963 relative degree of sensitivity expressed for each of the Phase II high sensitivity routing factors as
964 a weight in developing a weighted average score for the routing factors. Then, he averaged the
965 scores again based on three different approaches to agricultural use areas.

966 **Q. Please respond to Mr. Dauphinais’ assertion that the dot placement exercise**
967 **conducted at public meetings did not allow participants to specify which of their three**
968 **chosen environmental criteria they considered most sensitive.**

969 **A.** The dot placement exercise during the Phase I public meetings and the corresponding
970 prioritization exercise during the Phase I community representative forum meetings was
971 designed to facilitate distinction between more than 30 environmental criteria, and confirm if any
972 additional criteria should be identified. No routes within a study area more than 400 miles long
973 and 20 miles wide had yet been identified. Potential route alternatives were subsequently
974 developed by evaluating the occurrence of the 32 criteria identified, and their priority when
975 necessary, along existing opportunities or linear features. The Phase II exercise was designed to

976 facilitate more distinction between a fewer number of criteria, meeting the same objective at the
977 root of Mr. Dauphinais' criticism of the Phase I exercise.

978 **Q. Please respond to Mr. Dauphinais' assertion that the Phase II public meeting results**
979 **do not support the equal importance of minimization of crossings of wooded areas with**
980 **minimization of impact on agricultural use areas and existing residences.**

981 **A.** Mr. Dauphinais focused more on percentages of response relative to the criteria identified
982 within the Phase II exercise rather than on how the results of this exercise, or the Phase I
983 exercise, were incorporated into ATXI's route siting analysis. As I described in my direct
984 testimony, and as was discussed in the Siting Study Summary (ATXI Exhibit 4.3), ATXI did not
985 treat any sensitivities as features to be individually and deliberately avoided. Nor did ATXI make
986 subjective decisions between one criteria or another within the high category of sensitivities.
987 Rather, ATXI considered all environmental criteria equally and only considered the priority of
988 sensitivities when it was necessary to do so to facilitate some distinction between two route
989 options that were otherwise comparable.

990 **Q. Please respond to Mr. Dauphinais' assertion that section lines and roads are not**
991 **equally-appropriate routing factors because there is not a significant environmental**
992 **fragmentation associated with section lines.**

993 **A.** I disagree with Mr. Dauphinais' assertion that section lines and roads are not equally-
994 appropriate routing factors. Routing a transmission line involves a balance of trade-offs.
995 Potential impacts cannot be avoided, or even necessarily reduced, along one type of linear
996 feature as opposed to another in all circumstances. Rather, a type of impact may be less along
997 one route than another, but another type of impact is in turn higher along the other. Competing
998 interests are inevitable.

999 **Q. Based on the testimony submitted by MCPO, do you believe that the MCPO**
1000 **alternative route from Pana to Kansas is a viable alternative for the Pana-Mt. Zion and Mt.**
1001 **Zion-Kansas portions of the Project?**

1002 **A.** No. First, as Mr. Kramer explains, removal of the Mt. Zion substation from the Project is
1003 not feasible from a planning perspective. This alone seems sufficient to remove MCPO's route
1004 from Pana to Kansas from consideration. However, even if it was assumed that removal of the
1005 Mt. Zion substation from the Project was feasible from a planning perspective, MCPO's
1006 proposed alternative route from Pana to Kansas is not feasible from a routing perspective. First,
1007 the route would require the displacement of at least two (2) residences. Second, the route
1008 extends outside of the study area and affects property owners who were not directly invited to
1009 participate in ATXI's public meetings.

1010 **Q. Do any other Interveners support a route that does not include the Mt. Zion**
1011 **substation?**

1012 **A.** Yes. However, MCPO is the only intervening party that supports MCPO's alternative
1013 route from Pana to Kansas. Macon County Property Owners ("Macon") and Intervener Mr.
1014 Leon Corzine also suggested that the Mt. Zion substation is unnecessary, and proposed using a
1015 route from Pana to Kansas that parallels an existing 138 kV line. However, it appears that both
1016 Macon and Mr. Corzine failed to submit a list of landowners affected by this proposed
1017 alternative route in accordance with the Case Management Plan. Macon's Supplement to
1018 Submission of Alternate Route states that Macon's alternative route is the same as MCPO's
1019 alternative route from Pana to Kansas. Macon therefore incorporates MCPO's list of affected
1020 landowners. However, Macon's route is described as "upgrade or otherwise utilize the existing
1021 138 kV Transmission Line easements running from Pana to Kansas." There is only one 138 kV

1022 transmission line that runs east out of the Pana substation, and MCPO's route overlaps that line
1023 for only approximately seven (7) miles out of the total approximately 75 miles that 138 kV line
1024 covers between Pana and Kansas. In other words, Macon is suggesting a different route than
1025 MCPO, but adopted MCPO's list of affected landowners instead of submitting its own. Because
1026 Mr. Corzine did not submit a list of affected landowners at all, landowners along less than ten
1027 percent of the length of that 138 kV line have received notice that their property may be affected.
1028 Although I am not an attorney, I understand that failure to submit a list of affected landowners is
1029 a fatal flaw in an alternate route proposal. Further, neither Macon nor Mr. Corzine submitted
1030 testimony in support of this proposal. Therefore, I do not believe this route should be considered
1031 by the Commission.

1032 **Q. Which of the alternatives depicted on Exhibit 13.7 are viable alternatives for the**
1033 **Pana- Kansas portion of the route?**

1034 **A.** The discussion above eliminates the alternative routes proposed by MCPO, Macon, and
1035 Mr. Corzine connecting Pana to Kansas from consideration as viable alternative routes. The
1036 remaining viable routes connecting Pana to Kansas are ATXI's Primary and Alternate Routes
1037 from Pana to Mt. Zion, followed by ATXI's Primary and Alternate Routes from Mt. Zion to
1038 Kansas, which I discuss in more detail below.

1039 **B. Alternatives from Pana to Mt. Zion**

1040 **Q. What are the proposed route alternatives from Pana to Mt. Zion?**

1041 **A.** As shown on Exhibit 13.7, the proposed routes for this segment include ATXI's Primary
1042 and Alternate Routes and the alternative route proposed by the Assumption Group (which was
1043 not supported in testimony).

1044 **Q. Which of the proposed routes between Pana and Mt. Zion are viable?**

1045 **A.** ATXI's Primary and Alternate Routes are the only viable options for the Pana-Mt. Zion
1046 portion of the Project. ATXI recommends that the Commission adopt ATXI's Primary Route as
1047 the Rebuttal Recommended Route, as shown on ATXI Exhibit 13.1.

1048 **Q. Why does the alternative route that was proposed by Assumption Group and Mr.**
1049 **Corzine, which follows Highway 51 north between Pana and Mt. Zion, not present a viable**
1050 **alternative for this portion of the Project?**

1051 **A.** As acknowledged by Staff, this route brings the transmission line within very close
1052 proximity to several residences. This route would also require a significant increase in the
1053 number of angle structures, therefore increasing the cost of this route.

1054 **Q. What is Staff's recommendation with respect to the Pana-Mt. Zion portion of the**
1055 **Project?**

1056 **A.** Mr. Rockrohr does not provide a recommendation for this portion of the Project. Instead,
1057 he states that he believes the alternative route proposed by Mr. Corzine and the Assumption
1058 Group is shorter and therefore desirable. However, Mr. Rockrohr also states that there is not
1059 enough time in this proceeding to consider modifications to this route so that it avoids close
1060 contact with residences. Mr. Rockrohr notes that he supports the Village of Mt. Zion's proposal
1061 to situate the Mt. Zion substation at a location further south than ATXI's proposed location, and
1062 requests that ATXI provide a cost estimate for this option. It seems that, at this time, Mr.
1063 Rockrohr has not decided what the best alternative would be for this portion.

1064 **Q. What is the basis for Staff’s opinion that the route proposed by Mr. Corzine and the**
1065 **Assumption Group is a “desirable” alternative?**

1066 **A.** Mr. Rockrohr states that this route appears shorter, and therefore lower-cost, than ATXI’s
1067 Primary and Alternate Routes.

1068 **Q. What analysis has Staff conducted to support this conclusion?**

1069 **A.** Mr. Rockrohr provides a comparison of the number of estimated miles and the number of
1070 estimated dead-end structures for each alternative route for the Pana-Mt. Zion portion of the
1071 Project.

1072 **Q. Do you believe Staff’s analysis is sound?**

1073 **A.** No. Staff is suggesting there should be additional analysis, but in fact ATXI has already
1074 evaluated the options Mr. Rockrohr suggests considering, like Highway 51, and has rejected it
1075 because the route would impact more residences, require more angle structures and likely be
1076 higher cost than ATXI’s Primary Route. Further, Staff requests additional cost comparisons for
1077 this portion of the route, in order to enable a more comprehensive discussion of alternatives.
1078 Therefore, Staff’s analysis is clearly incomplete at this point.

1079 **Q. Why is the Rebuttal Recommended Route the best routing option for this portion of**
1080 **the Project?**

1081 **A.** As I stated earlier, ATXI’s Primary and Alternate Routes are the only viable options for
1082 the Pana-Mt. Zion portion of the Project. ATXI’s Primary Route is shorter than ATXI’s
1083 Alternate Route. Furthermore, it is lowest cost, best reduces the potential for environmental
1084 impact and best reflects input received during the associated public process. Therefore, ATXI’s
1085 Primary Route is the best option for this portion of the Project.

1086 **Q. Does any other party oppose ATXI's Primary Route between Pana and Mt. Zion in**
1087 **testimony?**

1088 **A.** Mr. Corzine opposes the Primary Route. His concerns are that ATXI's Primary Route
1089 will impact farming operations, including spraying and the functionality of farming equipment
1090 and technology, and he will not be able to use aerial application.

1091 Notably, MCPO did not submit alternate routes for the portion of the Project between
1092 Pana and Mt. Zion, or testimony opposing either ATXI's Primary or Alternate Routes between
1093 Pana and Mt. Zion. Presumably, MCPO does not oppose ATXI's routes for this portion.

1094 **Q. What is your response?**

1095 **A.** I believe Mr. Corzine's concerns can be addressed through the detailed design of the
1096 route and construction mitigation measures and are otherwise unwarranted because they ignore
1097 ATXI's method of easement and damage compensation. Mr. Trelz responds in more detail to
1098 concerns about impacts to aerial application and farming operations.

1099 **Q. Does any other party oppose ATXI's Alternate Route between Pana and Mt. Zion in**
1100 **testimony?**

1101 **A.** No.

1102 **Q. Have any parties proposed an alteration to the location for the Mt. Zion substation?**

1103 **A.** Yes. The Village of Mt. Zion's alternate route proposal seems to indicate that the Mt.
1104 Zion substation should be located south of the site proposed by ATXI. However, the Village did
1105 not file testimony supporting a more southern location for the substation or provide any analysis
1106 supporting such a proposal. Staff has also proposed an alteration to the location of the Mt. Zion

1107 substation. The exact location of Staff's proposed substation is unclear. Mr. Rockrohr testified
1108 only that it should be located "further south – nearer a line between Pana and Kansas."

1109 **Q. How would the Village of Mt. Zion's proposed substation location that Mr.**
1110 **Rockrohr discusses alter the Pana-Mt. Zion and Mt. Zion-Kansas portions of the Project?**

1111 **A.** Adoption of this suggestion would require use of ATXI's Alternate Route for the Pana-
1112 Mt. Zion portion, and use of ATXI's Primary Route for the Mt. Zion – Kansas portion.

1113 **Q. What is Staff's recommendation with respect to the Village of Mt. Zion's alteration**
1114 **to the substation location?**

1115 **A.** Staff recommends that ATXI produce a cost estimate using the Village of Mt. Zion's
1116 substation location, as well as cost estimates for the Pana-Mt. Zion and Mt. Zion-Kansas portions
1117 of the Project, incorporating the Village's proposed substation location. These cost estimates are
1118 provided by Mr. Murbarger.

1119 **Q. Where does Mr. Rockrohr propose to locate the Mt. Zion substation?**

1120 **A.** His testimony is unclear on this point. He states only that it would be more logical to
1121 locate the substation "further south – nearer a line between Pana and Kansas." If a connection to
1122 the AIC substation in Mt. Zion is necessary, Mr. Rockrohr states that it is his opinion that AIC
1123 should extend 138 kV lines south to his proposed substation.

1124 **Q. How would Staff's proposed substation location alter the Pana-Mt. Zion and Mt.**
1125 **Zion-Kansas portions of the Project?**

1126 **A.** Again, it is unclear. Apparently, Mr. Rockrohr envisions a straight line from west to east
1127 between Pana and Kansas, but his testimony provides no detail regarding the location of the
1128 Transmission Line along this route. However, as Mr. Kramer explains, relocating the Mt. Zion

1129 substation farther south and connecting to a hypothetical Pana to Kansas 345 kV line would
1130 result in a higher total mileage of transmission lines that would need to be constructed, with a
1131 corresponding higher cost.

1132 **C. Alternatives from Mt. Zion to Kansas**

1133 **Q. Which of the routes shown on Exhibit 13.7 represent viable alternatives for the Mt.**
1134 **Zion-Kansas portion of the Project?**

1135 **A.** ATXI's Primary and Alternate Routes represent viable alternatives for this portion of the
1136 Project. As discussed below, ATXI recommends adoption of the Alternate Route. Tarble
1137 Limestone Enterprises ("TLE") and John Richard Reed, individually, and John Richard Reed as
1138 Trustee of the John Keith Reed Living Trust ("Reed Interests") have each expressed support for
1139 ATXI's Alternate Route from Mt. Zion to Kansas.

1140 **Q. What does ATXI recommend for this portion of the Project?**

1141 **A.** ATXI recommends that its Alternate Route in this portion be adopted as the Rebuttal
1142 Recommended Route, as shown on ATXI Exhibit 13.1.

1143 **Q. Why do the alternatives proposed by MCPO not present viable alternatives for the**
1144 **Mt. Zion-Kansas portion of the Project?**

1145 **A.** As discussed above, the alternatives identified by MCPO between Mt. Zion and Kansas
1146 do not appear to have been developed with equal and non-subjective consideration of all
1147 environmental routing criteria evaluated within ATXI's route siting analysis. They do not fairly
1148 reflect public input. They extend outside of ATXI's study area, on the basis only that doing so
1149 will increase geographic diversity, though the land use and geography within MCPO's study area
1150 is no different than within ATXI's.

1151 Additionally, as noted by Mr. David Hruspa, testifying on behalf of the Coalition of
1152 Property Owners and Interested Parties in Piatt, Douglas, and Moultrie Counties (“PDMC”), the
1153 MCPO alternate route from Mt. Zion to Kansas may interfere with aviation activities at the
1154 Tuscola Airport.

1155 **Q. Why does the modification to ATXI’s Primary Route proposed by the Copeland**
1156 **Family not present a viable alternative for the Mt. Zion-Kansas portion of the Project?**

1157 **A.** The Copeland Family’s alternative is constrained by an existing oil well and tanks, on
1158 either side of the alternative at its northern end.

1159 **Q. Why does the modification to ATXI’s Primary Route proposed by the Reed**
1160 **Interests not present a viable alternative for the Mt. Zion-Kansas portion of the Project?**

1161 **A.** Reed Interests’ alternative provides for no net reduction in impact and would require
1162 bisecting four parcels.

1163 **Q. What is Staff’s recommendation for the Mt. Zion-Kansas portion of the Project?**

1164 **A.** Staff does not provide a recommendation for this portion of the Project. Instead, Mr.
1165 Rockrohr testifies that ATXI’s Alternate Route and MCPO’s proposed alternative route are the
1166 two best options for this portion. Mr. Rockrohr notes that ATXI’s Alternate Route and MCPO’s
1167 proposed alternative route have similar costs, and requests that ATXI provide cost analyses,
1168 including an explanation of why its costs for its longer Primary Route are listed as lower than its
1169 costs for its Alternate Route, and a comparison of costs for MCPO’s proposal to the costs to
1170 construct the Project using Mt. Zion’s proposed adjustment to the location of the Mt. Zion
1171 substation. The requested information is provided as an attachment to the Rebuttal Testimony
1172 of ATXI witness Mr. Murbarger.

1173 **Q. Are there any additional factors that Staff should consider when evaluating the**
1174 **proposed routes using the requested information?**

1175 **A.** Yes. Staff should also consider other cost and environmental factors, namely including
1176 the criteria identified in ATXI Exhibit 4.4.

1177 **Q. Why does ATXI recommend the Rebuttal Recommended Route?**

1178 **A.** Although both the Primary and Alternate are viable, the Alternate is the Rebuttal
1179 Recommended Route because it best balances and addresses concerns raised by multiple
1180 Interveners.

1181 **Q. Have any parties expressed opposition to ATXI's Alternate Route with respect to**
1182 **the Mt. Zion-Kansas portion of the Project in testimony?**

1183 **A.** Mr. Reinecke and Mr. Dauphinais both provide testimony on behalf of MCPO advocating
1184 alternatives for this portion of the Project proposed by MCPO. MCPO participants own property
1185 along ATXI's Alternate Route.

1186 **Q. Is there any opposition to other viable routes?**

1187 **A.** Yes. Multiple parties including Interveners Ms. Deborah Rooney, Louise-Brock Jones
1188 Limited Partnership, Coles and Moultrie County Land Interests and Coles County Landowners,
1189 have expressed opposition to ATXI's Primary Route with respect to the Mt. Zion-Kansas portion
1190 of the Project. Their concerns include its location relative to their properties and alleged impacts
1191 associated with agricultural uses or activities, future limestone mining and property values.
1192 Additionally, the Copeland Family and Reed Interests have proposed modifications to ATXI's
1193 Primary Route.

1194 **Q. What is your response?**

1195 **A.** Agricultural concerns raised by parties in opposition to ATXI's Primary Route have the
1196 potential to occur irrespective of route. The Rebuttal Recommended Route would address these
1197 concerns, as well as the future limestone mining concerns of Coles County Landowners.
1198 Alteration of the route to accommodate concerns raised by Ms. Rooney, Louise-Brock Jones, and
1199 Coles and Moultrie County Land Interests will merely shift the burden of these impacts to other
1200 landowners; it will not eliminate the impacts. Furthermore, these potential impacts must be
1201 balanced with cost considerations. Moreover, generally speaking, these concerns (i) do not
1202 recognize that landowners will retain all rights except easement rights (for example, they may
1203 continue to farm under the transmission line); (ii) are not relevant to the determination of the
1204 appropriate route because they are related to the question of valuation of property; (iii) can be
1205 addressed through the detailed design of the route and construction mitigation measures; or (iv)
1206 that are otherwise unwarranted because they ignore ATXI's method of easement and damage
1207 compensation. As discussed by Mr. Murbarger, ATXI will work with all landowners to locate
1208 poles along the approved route such that any alleged impacts would be reduced, to the extent
1209 feasible. Mr. Trelz addresses in more detail these Interveners' concerns regarding property
1210 values and agricultural uses. Mr. Hackman addresses concerns related to limestone quarrying.

1211 **Q. Based on the testimony submitted, what are your conclusions with respect to the Mt.**
1212 **Zion-Kansas portion of the Project?**

1213 The Rebuttal Recommended Route is the best viable option for this portion of the Project
1214 because it was one of two routes derived from ATXI's route siting analysis. ATXI is confident of
1215 its assessment of this route. The Alternate Route would address concerns raised by multiple
1216 Interveners.

1217 **XI. KANSAS TO INDIANA STATE LINE PORTION**

1218 **Q. What does ATXI Exhibit 13.8 depict?**

1219 **A.** ATXI Exhibit 13.8 includes a diagram of the Kansas-State Line portion of the Project,
1220 depicting: (i) ATXI's Primary and Alternate Routes; (ii) all routes between Kansas and the
1221 Indiana state line proposed by other parties; and (iii) the location of all property that Interveners
1222 have alleged will be impacted by the Project.

1223 **Q. What is ATXI's recommendation regarding the route for this portion of the**
1224 **Project?**

1225 **A.** ATXI's Rebuttal Recommended Route for the Kansas-State Line portion of the Project is
1226 ATXI's Alternate Route, depicted on ATXI Exhibit 13.1, and pursuant to a stipulation with Stop
1227 the Power Lines Coalition ("STPL"), Tarble Limestone Enterprises ("TLE"), JDL Broadcasting,
1228 Inc. ("JDL"), Interveners Paul Thrift and John Thompson ("Thrift and Thompson") and the
1229 Edgar County Interveners.

1230 **Q. Which of the routes shown on ATXI Exhibit 13.8 represent viable alternatives for**
1231 **this portion of the Project?**

1232 **A.** ATXI's Primary and Alternate Routes remain viable alternatives for this portion of the
1233 Project. ATXI's Alternate Route is supported by the stipulating parties identified above. The
1234 modification suggested by Ms. Laura Te Grotenhuis is not a viable alternative for this portion of
1235 the Project, nor are the alternative routes proposed by STPL. I would note that pursuant to the
1236 stipulation, STPL has withdrawn its support for its two alternative route proposals.

1237 **Q. Why does Laura Te Grotenhuis' modification not present a viable alternative for**
1238 **this portion of the Project?**

1239 **A.** As stated by Staff, although Ms. Te Grotenhuis's modification does not add significantly
1240 to the length of the line, it does require four additional dead-end structures. These dead-end
1241 structures are costly and would render Ms. Te Grotenhuis's modified route more expensive than
1242 ATXI's Primary Route.

1243 **Q. Why does STPL's first alternative route proposal, which runs straight east into**
1244 **Indiana, not present a viable alternative for this portion of the Project?**

1245 **A.** As noted by Staff, this proposal includes a new switchyard to be built in Indiana.
1246 However, STPL has not provided an analysis of the cost to construct this proposed switchyard,
1247 as opposed to the cost of the longer line required to connect to the existing Sugar Creek
1248 substation, nor has STPL indicated which utility it believes would construct the switchyard.
1249 Furthermore, as I understand it, Staff has testified that the authority of the Commission is limited
1250 to the state of Illinois; it cannot order a utility outside the state to construct a project.

1251 Additionally, STPL's first alternative route proposal would cross or impact the Wabash
1252 Gas Storage Project, an underground gas storage facility in Edgar County. As compared to
1253 ATXI's Alternate Route, STPL's first alternative route would be located nearer to a greater
1254 number of existing residences, and may require the potential displacement of four existing
1255 residences. Finally, STPL's first alternative route will result in a greater potential for
1256 environmental impact overall when compared to ATXI's Alternate Route.

1257 **Q. Why does STPL's second alternative route proposal, which connects to ATXI's**
1258 **Alternate Route, not present a viable alternative for this portion of the Project?**

1259 **A.** This alternative route proposal also impacts the Wabash Gas Storage Project. Further, it
1260 is longer than ATXI's Alternate Route and would be located nearer to a greater number of
1261 existing residences, potentially even requiring the displacement of at least two existing
1262 residences. This alternative route would result in a greater potential for environmental impact
1263 overall when compared to ATXI's Alternate Route.

1264 **Q. What is Staff's recommendation for the Kansas-State Line portion of the Project?**

1265 **A.** Staff believes that either ATXI's Alternate Route or STPL's second alternative route
1266 would be viable options for this portion of the Project. Mr. Rockrohr requested that ATXI
1267 provide an exhibit comparing each of its Proposed Routes to STPL's second alternative route.
1268 This comparison is provided as ATXI Exhibit 16.3 to Mr. Murbarger's Rebuttal Testimony.

1269 **Q. What is the basis for Staff's opinion that ATXI's Alternate Route and STPL's**
1270 **second alternative route are equally viable options for this portion of the Project?**

1271 **A.** Mr. Rockrohr notes that ATXI's Alternate Route is slightly shorter than STPL's second
1272 alternative route, but ATXI's Alternate Route would likely require more dead-end structures. I
1273 believe Mr. Rockrohr is inferring that ATXI's Alternate Route would therefore be more costly.

1274 **Q. What analysis has Staff conducted to support this conclusion?**

1275 **A.** Mr. Rockrohr analyzed the routes by making two comparisons. First, he compared the
1276 estimated length of each route. Second, he compared the estimated number of dead-end
1277 structures required by each route. It appears that he did not conduct a separate analysis of any
1278 environmental concerns.

1279 **Q. Do you believe Staff's analysis is sound?**

1280 **A.** I agree with Staff's recommendation as to ATXI's Alternate Route.

1281 **Q. Why is the Rebuttal Recommended Route the best routing option for this portion?**

1282 **A.** Although both ATXI's Primary and Alternate Routes are viable, the Rebuttal

1283 Recommended Route is shorter, and so has a lower cost and lower overall impacts. It is also

1284 supported by the stipulation discussed above.

1285 **Q. Does any other party support ATXI's recommendation with respect to the Kansas-**
1286 **Indiana State Line portion of the Project?**

1287 **A.** Yes, the stipulating parties identified above.

1288 **Q. Is there any opposition to the Rebuttal Recommended Route?**

1289 **A.** Certain Interveners oppose this route, including Donna and Matthew Allen (the "Allen
1290 Family") and the Rural Clark and Edgar Counties Concerned Citizens ("RCECCC").

1291 **Q. What is the basis for the Allen Family's opposition to ATXI's Alternate Route?**

1292 **A.** The Allen's testimony indicates that they own property along ATXI's Alternate Route.

1293 In testimony, the Allen Family indicated that they oppose both ATXI's Primary and Alternate

1294 Route due to their belief that certain animal species will be impacted, and that certain existing

1295 corridors should be used instead.

1296 **Q. What analysis has the Allen Family's done to support its opposition to ATXI's**
1297 **Alternate Route?**

1298 **A.** It's unclear. They did not clarify their analysis in testimony or in response to data

1299 requests issued to them by ATXI.

1300 **Q. Do you believe that the Allen Family's analysis is sound?**

1301 **A.** No. I can't conclude that their analysis is sound without more information about their
1302 analytical process. However, the concerns regarding species and woodland impacts raised by the
1303 Allen Family will occur with equal frequency regardless of the route approved. Alteration of the
1304 route to accommodate concerns raised by the Allen Family will merely shift burden of these
1305 impacts to other landowners; it will not eliminate the impacts. Furthermore, potential
1306 environmental impacts such as those mentioned by the Allen Family must be balanced with cost
1307 considerations. Moreover, generally speaking, the concerns raised by the Allen Family are
1308 concerns that can be addressed through the detailed design of the route and construction
1309 mitigation measures, or are otherwise unwarranted because they ignore ATXI's method of
1310 easement and damage compensation. The Allen Family's concerns regarding paralleling existing
1311 lines are addressed in more detail by ATXI witness Mr. Hackman. The Allen Family's concerns
1312 regarding environmental impacts are addressed in the testimony of Ms. Tims.

1313 **Q. What is the basis for the RCECCC's opposition to ATXI's Alternate Route?**

1314 **A.** RCECCC's testimony indicates that it opposes ATXI's Alternate Route due to its impacts
1315 on land belonging to its members, including impacts to forests. RCECCC's testimony also
1316 indicates that its members oppose the Primary Route because they believe that certain existing
1317 rights-of-way should be used instead.

1318 **Q. What analysis has the RCECCC done to support its opposition to the Primary**
1319 **Route?**

1320 **A.** It's unclear. They did not clarify their analysis in testimony or in response to data
1321 requests issued to them by ATXI.

1322 **Q. Do you believe that the RCECCC's concerns have a sound basis?**

1323 **A.** No. I can't conclude that their analysis is sound without more information about their
1324 analytical process. However, the concerns raised by RCECCC with respect to woodlands and
1325 impacts on agricultural land will occur with equal frequency regardless of the route approved.
1326 Alteration of the route to accommodate concerns raised by RCECCC will merely shift the burden
1327 of these impacts to other landowners; it will not eliminate the impacts. Furthermore, these
1328 potential impacts must be balanced with cost considerations. Moreover, generally speaking,
1329 these concerns (i) do not recognize that landowners will retain all rights except easement rights
1330 (for example, they may continue to farm under the transmission line); (ii) are not relevant to the
1331 determination of the appropriate route because they are related to the question of valuation of
1332 property; (iii) can be addressed through the detailed design of the route and construction
1333 mitigation measures; or (iv) that are otherwise unwarranted because they ignore ATXI's method
1334 of easement and damage compensation. ATXI will work with all landowners to locate poles
1335 along the approved route such that any alleged impacts would be reduced, to the extent feasible.
1336 RCECCC's concerns about use of existing lines are addressed in more detail in the Rebuttal
1337 Testimony of Mr. Hackman. RCECCC's concerns regarding impacts to woodlands and natural
1338 areas are addressed by the testimony of Ms. Tims. Finally, RCECCC's concerns about the
1339 impacts to agricultural uses are addressed in detail by Mr. Trelz.

1340 **Q. Is there opposition to other viable routes?**

1341 **A.** Yes. STPL and others oppose ATXI's Primary Route.

1342 **Q. What is the basis for STPL's opposition to the Primary Route?**

1343 **A.** Ms. Margaret Snedeker and Ms. Te Grotenhuis allege impacts on land belonging to them.
1344 Ms. Peggy Mills states concern regarding the relative cost of the routes. Mr. Perry Baird testifies

1345 that certain floodplain easements and other existing uses will be impacted by the Primary Route.
1346 Mr. David Bush testifies to problematic interactions between the Primary Route and an existing
1347 limestone mining operation.

1348 **Q. What analysis has STPL done to support its opposition to the Primary Route?**

1349 **A.** It is unclear from testimony whether any analysis was conducted by Ms. Snedeker, Ms.
1350 Mills, and Ms. Te Grotenhuis. As I understand it, Mr. Baird bases his opposition to the Primary
1351 Route on information gleaned from a title search he conducted. As I understand it, Mr. Bush's
1352 testimony is based on previous experience with transmission line projects.

1353 **Q. Do you believe that the analysis conducted by STPL is sound?**

1354 **A.** No. With respect to Ms. Snedeker, Ms. Mills, and Ms. Te Grotenhuis, I cannot conclude
1355 that any analysis is sound without more information about their analytical process. Further, I do
1356 not believe the analysis provided by Mr. Baird is sound, for the reasons described below. Mr.
1357 Bush's testimony will be addressed by Mr. Hackman.

1358 **Q. How would you respond to the concerns described by Ms. Snedeker and Ms. Te**
1359 **Grotenhuis?**

1360 **A.** Generally speaking, Ms. Snedeker and Ms. Te Grotenhuis raise concerns regarding
1361 impacts to residential and agricultural land uses, which will occur with equal frequency
1362 regardless of the route approved. Alteration of the route to accommodate the occurrence of these
1363 impacts on property belonging to members of STPL will merely shift the burden of these impacts
1364 to other landowners; it will not eliminate the impact. Furthermore, potential impacts such as
1365 those mentioned by STPL must be balanced with cost considerations. Moreover, generally
1366 speaking, the concerns raised by Ms. Snedeker and Ms. Te Grotenhuis are concerns that (i) do

1367 not recognize that landowners will retain all rights except easement rights (for example, they
1368 may continue to farm under the transmission line); (ii) are not relevant to the determination of
1369 the appropriate route because they are related to the question of valuation of property; (iii) can be
1370 addressed through the detailed design of the route and construction mitigation measures; or (iv)
1371 are otherwise unwarranted because they ignore ATXI's method of easement and damage
1372 compensation. ATXI will work with all landowners to locate poles along the approved route
1373 such that any alleged impacts would be reduced, to the extent feasible. Ms. Snedeker and Ms.
1374 Te Grotenhuis's concerns regarding impacts to agricultural and other existing land uses are
1375 addressed in detail by Mr. Trelz.

1376 **Q. How would you respond to Mr. Baird's statements that the Primary Route runs**
1377 **near certain features, despite the fact that they are arguably classified as "high sensitivity"**
1378 **and "moderate sensitivity"?**

1379 **A.** First, classification of a feature as a "sensitivity" does not imply or necessitate avoidance.
1380 It would be impossible to completely avoid all features that fall into sensitive categories.
1381 Instead, attempts were made during the route siting analysis to minimize impacts on sensitivities.

1382 **Q. On pages 6 through 8, Mr. Baird states that ATXI's Primary Route would impact a**
1383 **wooded area (Dahnke's Pine Patch), a neighborhood (Marshall-Area Rural) and**
1384 **agricultural land (Thelma Worick Trust Property), all of which are listed as sensitivities in**
1385 **ATXI's route siting analysis. Is it possible to avoid all sensitivities in routing a transmission**
1386 **line?**

1387 **A.** No. There are often competing interests at any one location along any potential route and
1388 some impacts are simply unavoidable in that they have the potential to occur irrespective of
1389 route. ATXI's route siting analysis aimed to balance trade-offs to the extent feasible. ATXI's

1390 route siting analysis balanced the trade-offs associated with impacts to various types of land use
1391 and environmental features, taking into consideration a variety of ranked sensitivities.

1392 **Q. On page 11 of his direct testimony, Mr. Baird offers criticism that the United States**
1393 **Government did not receive proper notice of this proceeding, due to its property interest in**
1394 **Clark County. Did ATXI provide a list of landowners as specified in the Commission**
1395 **Rules of Practice, 83 Ill. Adm. Code Part 200.15(h)?**

1396 **A.** Yes. I (or ERM employees under my supervision) consulted Clark County property
1397 records in order to discover the names of all landowners whose property lies adjacent to, or
1398 would be crossed by, the transmission line. In fact, ATXI was intentionally over-inclusive in the
1399 landowners listed in the Part 200.150(h) list included with ATXI's initial filing. ATXI chose to
1400 include landowners whose property lies adjacent to its proposed routes, not just those whose
1401 property may be crossed by the proposed routes. Despite our exhaustive search, the United
1402 States federal government was not on our list of affected landowners, because it is not listed by
1403 the Clark County Supervisor of Assessments as an owner of any land impacted by the Project
1404 within Clark County.

1405 **Q. What other concerns does Mr. Baird raise?**

1406 **A.** Mr. Baird raises a concern about the EWPP Floodplain Easement mentioned above.

1407 **Q. Please address Mr. Baird's concerns regarding the EWPP Floodplain Easement.**

1408 **A.** Mr. Baird testifies to his belief that the existence of the EWPP Floodplain Easement
1409 would prevent construction of the Primary Route over the easement area. I am not an attorney,
1410 but I have been informed that the EWPP Floodplain Easement will not necessarily present a legal
1411 bar to construction of the Primary Route. Instead, I understand that the EWPP Floodplain

1412 Easement constitutes a permitting issue of the type that, in my experience, is typically addressed
1413 after a Transmission Line route has been approved. However, although ATXI does not agree
1414 that the easements to which Mr. Baird refers are features that must necessarily be avoided, ATXI
1415 has offered two adjustments to the Primary Route that will minimize impacts on the referenced
1416 conservation interests. These adjustments are explained in the testimony of Mr. Hackman. One
1417 adjustment would slightly modify the Primary Route to avoid the EWPP Floodplain Easement,
1418 as shown on ATXI Exhibit 13.10. This modification would not impact any new or additional
1419 landowners. The second adjustment, as discussed by Mr. Hackman, would construct taller
1420 structures on either side of the easement area, so that only wires overhang the easement area and
1421 no access is anticipated in the easement area for construction and maintenance.

1422 **Q. What is the overall impact of these adjustments to the Primary Route?**

1423 **A.** Each adjustment is very minor. Therefore, no other sensitivities are significantly
1424 impacted by the adjustment. There is little cost difference between the unadjusted and adjusted
1425 routes.

1426 **Q. Is there opposition to ATXI's Primary Route?**

1427 **A.** Yes. JDL and TLE oppose ATXI's Primary Route. Mr. Hackman and Mr. Trelz respond
1428 to their concerns.

1429 **Q. Based on the testimony submitted, what are your conclusions with respect to the**
1430 **Kansas-State Line portion of the Project?**

1431 **A.** ATXI's Alternate Route is the best viable option for this portion of the Project. It best
1432 reduces the potential for environmental impact.

1433 **XII. SIDNEY TO RISING PORTION**

1434 **Q. What does ATXI Exhibit 13.9 depict?**

1435 **A.** ATXI Exhibit 13.9 includes a diagram of the Sidney-Rising portion of the Project, which
1436 depicts: (i) ATXI's Primary and Alternate Routes; (ii) the alternative route proposed by Magdi,
1437 Barbara and Adam Ragheb ("Ragheb Family"); and (iii) the location of all property that
1438 Interveners have alleged will be impacted by this portion of the Project.

1439 **Q. What route does ATXI recommend for this portion of the Project?**

1440 **A.** ATXI recommends adoption of its Primary Route as the Rebuttal Recommended Route
1441 for this portion of the Project, as shown on ATXI Exhibit 13.1.

1442 **Q. Which of the routes shown on ATXI Exhibit 13.9 represent viable alternatives for**
1443 **this portion of the Project?**

1444 **A.** ATXI's Primary and Alternate routes remain viable alternatives for this portion of the
1445 Project. The modification to ATXI's Alternate Route proposed by the Ragheb Family is not a
1446 viable option for this portion.

1447 **Q. Why does the modification to ATXI's Alternate Route proposed by the Ragheb**
1448 **Family not present a viable option for this portion?**

1449 **A.** As noted by Mr. Rockrohr, the modification proposed by the Ragheb Family adds five (5)
1450 dead-end structures to ATXI's Alternate Route. These dead-end structures are costly and would
1451 render the Ragheb Family's alternative route the most expensive option for this portion of the
1452 Project. Additionally, the Ragheb Family's alternative route would be located within closer
1453 proximity to a greater number of existing residences than ATXI's Primary Route.

1454 **Q. What is Staff's recommendation for the Sidney-Rising portion of the Project?**

1455 **A.** Staff recommends ATXI's Primary Route for this portion.

1456 **Q. What is the basis of Staff's recommendation that ATXI's Primary Route be**
1457 **approved?**

1458 **A.** Staff notes that ATXI's Primary Route is far shorter than the other proposed routes, and
1459 that it would require fewer dead-end structures. Mr. Rockrohr testifies to his belief that this
1460 would render ATXI's Primary Route the least-cost option. Mr. Rockrohr also testifies to his
1461 belief that land rights were acquired for this route by AIC's legacy utility.

1462 **Q. What analysis has Staff conducted to support this conclusion?**

1463 **A.** Mr. Rockrohr analyzed the routes by making two comparisons. First, he compared the
1464 estimated length of each route. Second, he compared the estimated number of dead-end
1465 structures required by each route. He did not conduct a separate analysis of conservation areas
1466 or other environmental concerns.

1467 **Q. Do you agree with Staff's conclusion?**

1468 **A.** Yes, I agree with the conclusion reached by Mr. Rockrohr.

1469 **Q. Why is the Rebuttal Recommended Route the best routing option for this portion?**

1470 **A.** As described in ATXI Exhibits 4.0 and 4.3, ATXI's Primary Route would have the
1471 lowest potential for impact while also being the least cost route for the Sidney-Rising portion of
1472 the Project.

1473 **Q. Does any other party support ATXI's recommendation with respect to the Sidney-**
1474 **Rising portion of the Project?**

1475 **A.** The Colfax-Scott Land Preservation Group ("CSLPG") has filed testimony advocating
1476 for approval of ATXI's Primary Route.

1477 **Q. Is there any opposition to the other viable routes?**

1478 **A.** Testimony filed by CSLPG, the Ragheb Family and Intervener Mr. Michael Lockwood
1479 indicates that each of these parties opposes ATXI's Alternate Route.

1480 **Q. What is the basis for CSLPG's opposition to ATXI's Alternate Route?**

1481 **A.** The environmental concerns raised by CSLPG witnesses with respect to ATXI's
1482 Alternate Route include impacts associated with residences, and agricultural uses such as soil
1483 compaction, interference with farming equipment, irrigation systems, drainage tiling, and aerial
1484 spraying.

1485 **Q. What analysis has CSLPG done to support its opposition to ATXI's Alternate**
1486 **Route?**

1487 **A.** It's unclear. They did not clarify their analysis in testimony or in response to data
1488 requests issued to them by ATXI.

1489 **Q. Do you believe that the CSLPG's concerns have a sound basis?**

1490 **A.** No. I can't conclude that their analysis is sound without more information about their
1491 analytical process. However, the concerns raised by CSLPG with respect to impacts on
1492 agricultural land will occur with equal frequency regardless of the route approved. Alteration of
1493 the route to accommodate concerns raised by CSLPG will merely shift the burden of these
1494 impacts to other landowners; it will not eliminate the impacts. Furthermore, these potential

1495 impacts must be balanced with cost considerations. Moreover, generally speaking, these
1496 concerns (i) do not recognize that landowners will retain all rights except easement rights (for
1497 example, they may continue to farm under the transmission line); (ii) are not relevant to the
1498 determination of the appropriate route because they are related to the question of valuation of
1499 property; (iii) can be addressed through the detailed design of the route and construction
1500 mitigation measures; or (iv) that are otherwise unwarranted because they ignore ATXI's method
1501 of easement and damage compensation. As discussed in the Rebuttal Testimony of Mr.
1502 Murbarger, ATXI will work with all landowners to locate poles along the approved route such
1503 that any alleged impacts would be reduced, to the extent feasible. Additionally, CSLPG's
1504 concerns regarding farming operations, aerial spraying operations, soil compaction, property
1505 value, drainage tile and irrigation systems are addressed in detail in the Rebuttal Testimony of
1506 Mr. Trelz.

1507 **Q. What is the basis of Mr. Lockwood's opposition to ATXI's Alternate Route?**

1508 **A.** Mr. Lockwood opposes ATXI's Alternate Route because of impacts he alleges to his
1509 property value, and his belief that construction of the Alternate Route will result in removal of
1510 trees on his property.

1511 **Q. What analysis has Mr. Lockwood done to support his opposition to ATXI's**
1512 **Alternate Route?**

1513 **A.** The basis for Mr. Lockwood's testimony regarding the impacts to his property is unclear.
1514 However, his testimony indicates that his opposition to the Project in its entirety is based on
1515 testimony provided by the Ragheb Family.

1516 **Q. Do you believe that Mr. Lockwood's analysis is sound?**

1517 **A.** I can't conclude whether his analysis is sound without more information about his
1518 analytical process. However, as discussed above with respect to CSLPG, the concerns raised by
1519 Mr. Lockwood with respect to alleged impacts on property value and tree removal will occur
1520 with equal frequency regardless of the route approved. Alteration of the route to accommodate
1521 concerns raised by Mr. Lockwood will merely shift the burden of these impacts to other
1522 landowners; it will not eliminate the impacts. His concerns are addressed in detail by Mr. Trelz.

1523 **Q. What is the basis of the Ragheb Family's opposition to ATXI's Alternate Route?**

1524 **A.** The Ragheb Family's testimony states opposition both to ATXI's Alternate Route, and to
1525 the Project as a whole. The Ragheb Family's opposition to the Project as a whole is addressed by
1526 Mr. Kramer.

1527 The Ragheb Family's opposition to ATXI's Alternate Route is based on their allegation
1528 that ATXI's evaluation process was flawed and incomplete because it was rushed to
1529 accommodate the expedited procedure.

1530 **Q. How do you respond to the Ragheb Family's allegation that ATXI's evaluation
1531 process for the Alternate Route was flawed and incomplete because it was rushed to
1532 accommodate the expedited procedure?**

1533 **A.** I disagree that ATXI's route siting analysis was flawed and incomplete, or rushed. ATXI
1534 implemented an evaluative process for the Project that has been implemented for other electric
1535 transmission line projects that have been reviewed and approved by the Commission. While the
1536 expedited schedule required additional resources, neither the approach nor the analysis was
1537 compromised. Like other electric transmission line projects reviewed and approved by the
1538 Commission, ATXI used public input to determine key routing considerations. ATXI conducted

1539 significantly more public meetings than required by 8-406.1 in an effort to encourage public
1540 participation and proactively seek public input. ATXI provided notice to landowners of these
1541 meetings beyond what is required by 8-406.1, including direct mail invitations that are not
1542 required, with the same objective of striving to optimize public participation. ATXI's route
1543 siting analysis involved multiple iterations of review and comparative analysis of potential route
1544 options, using information gleaned from public meetings and other sources. Hundreds of route
1545 options were methodically identified, reviewed, and either removed from consideration or further
1546 studied. Potential route alternatives were iteratively refined to incorporate public input, ongoing
1547 desktop studies and field observations throughout the route selection process. In addition to the
1548 extensive evaluative process conducted by ATXI, this project was analyzed on a regional scale
1549 by Midwest Independent Transmission System Operator ("MISO").

1550 **Q. The Ragheb Family identifies alleged inaccuracies in ATXI's maps of ATXI's**
1551 **Alternate Route in Champaign County. How do you respond?**

1552 **A.** It is my understanding that the inaccuracies alleged by the Ragheb Family involve
1553 ATXI's exclusion of existing 69 kV distribution facilities. ATXI did not include any existing
1554 distribution facilities on ATXI Exhibit 4.6, which depicts all route options considered by ATXI,
1555 as ATXI did not identify existing distribution facilities as a routing 'opportunity' since ATXI
1556 would not co-locate the Transmission Line with its distribution facilities, or the distribution
1557 facilities of others. As such, the maps provided in ATXI Exhibit 4.6 are not inaccurate.

1558 **Q. The Ragheb Family testifies that underground transmission lines are a viable**
1559 **alternative for the Project. Do you agree?**

1560 **A.** No. As discussed by Mr. Hackman's rebuttal testimony, underground transmission lines
1561 would be substantially more expensive and introduce operational concerns. Furthermore,

1562 installation and operation of underground transmission lines would necessarily cause more
1563 ground disturbance and increased environmental impact as a result.

1564 **Q. The Ragheb family also claims that the Alternate Route would impact a proposed**
1565 **ultralight flight park. What is your response?**

1566 **A.** Our initial routing analysis did not reveal any planned ultralight flightparks near ATXI's
1567 Alternate Route between Sidney and Rising. Therefore, I believe that the Ragheb family's
1568 planned ultralight flightpark was proposed after this proceeding began. I also believe that
1569 regulatory approvals for that flightpark are still pending, and may alter its location. ATXI has
1570 requested information concerning the date the flightpark was proposed and the anticipated date
1571 of construction, however the Ragheb Family has not, as of the date of this filing, provided the
1572 information requested. Further, given the Ragheb Family's evidence depicting the existence of
1573 50-foot tall trees near the location of the flightpark, I do not believe that the Alternate Route
1574 would in fact prevent construction or operation the proposed ultralight flight park.

1575 **Q. Do you believe that the Ragheb Family's routing analysis is sound?**

1576 **A.** No. Although the Ragheb Family makes reference to the factors listed in Docket 06-
1577 0706, the extent and manner in which these factors were applied in development of the Ragheb
1578 Family's alternate route is unclear. The uncertainty associated with their method of analysis is
1579 particularly troublesome because it resulted in a route which has a higher potential for impact
1580 when I analyze it using the factors supposedly relied upon in its development. Moreover, the
1581 concerns raised by the Ragheb Family would be addressed by approval of ATXI's Primary
1582 Route. In fact, in his rebuttal testimony, Dr. Ragheb stated that he agrees with Mr. Rockrohr and
1583 supports ATXI's Primary Route.

1584 **Q. Have concerns been raised by the City of Champaign?**

1585 **A.** The City of Champaign supports ATXI's Primary Route.

1586 **Q. What concerns have been raised by the Village of Savoy?**

1587 **A.** The Village of Savoy contends that ATXI's Primary Route will interfere with the
1588 Village's ability to grow in an orderly manner. Savoy also contends that ATXI's Alternate Route
1589 would create land use restrictions and visual impacts.

1590 **Q. How do you respond to the Village of Savoy's concerns regarding ATXI's Primary**
1591 **Route?**

1592 **A.** First, ATXI's Primary Route in this area follows an existing, unoccupied easement that
1593 was acquired by AIC in the 1970s. This easement is located west and south of the Village of
1594 Savoy, and is within one mile of the southern edge of the Village, just within the Village of
1595 Savoy's extra-territorial jurisdiction. It is unclear how the Village of Savoy was unaware of the
1596 existence of this easement when developing land use plans for the Village. Further, the 2008
1597 Comprehensive Plan provided to ATXI by the Village of Savoy does not indicate any specific or
1598 platted development south of the University of Illinois-Willard Airport, where ATXI's Primary
1599 Route is located.

1600 Second, ATXI's Primary Route for this portion of the Project overlaps significantly with
1601 the route approved by the Commission in ICC Docket No. 12-0080. ATXI's Primary Route also
1602 overlaps significantly with the alternate route proposed by AIC, *and supported by the Village of*
1603 *Savoy*, in that case. It is not clear why this route was supported by the Village of Savoy in
1604 Docket 12-0080, but subject to objection from the Village for the Illinois Rivers Project.

1605 **Q. How do you respond to the Village of Savoy's concerns regarding ATXI's Alternate**
1606 **Route?**

1607 **A.** Although ATXI's Alternate Route may introduce a new vertical form along a route
1608 corridor where no existing transmission line occurs, this does not necessarily suggest that such
1609 impact will necessarily be adverse, particularly since the area is, according to the Village of
1610 Savoy, slated for development. It is unclear from the Village of Savoy's testimony what
1611 evidence was relied upon to reach their conclusion. Similarly, it is not clear how the Village of
1612 Savoy reached its conclusion that ATXI's Alternate Route would create land use restrictions, or
1613 even the nature of any such restrictions.

1614 **Q. Based on the testimony submitted, what are your conclusions with respect to the**
1615 **Sidney-Rising portion of the Project?**

1616 **A.** ATXI's Primary Route is the best viable option for this portion of the Project. It was
1617 identified as such because it would have a lower potential for impact, all things considered, and
1618 it's also the least-cost route for this portion of the Project.

1619 **XIII. CONCLUSION**

1620 **Q. Does this conclude your revised rebuttal testimony?**

1621 **A.** Yes, it does.