

1 ILLINOIS COMMERCE COMMISSION

2 DOCKET NUMBER 12-0598

3 DIRECT TESTIMONY

4 OF

5 Intervener, Marvin Miller

6 Q: Please state your name?

7 A: **Marvin Miller**

8 Q: Please state your current residence?

9 A: **1247 North 250<sup>th</sup> Ave, Payson, IL 62360**

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

14 A: **PIN: 21-0-0162-000-00, a true, accurate, and correct map of this parcel is attached  
15 hereto as Exhibit 1,**

16 **PIN: 21-0-0163-000-00, a true, accurate, and correct map of this parcel is attached  
17 hereto as Exhibit 2,**

18 **PIN: 21-0-0254-000-00, a true, accurate, and correct map of this parcel is attached  
19 hereto as Exhibit 3,**

20 **PIN: 21-0-0255-000-00, a true, accurate, and correct map of this parcel is attached  
21 hereto as Exhibit 4,**

22 **PIN: 21-0-0256-000-00, a true, accurate, and correct map of this parcel is attached  
23 hereto as Exhibit 5,**

24 **PIN: 21-0-0257-000-00, a true, accurate, and correct map of this parcel is attached  
25 hereto as Exhibit 6,**

26 **PIN: 21-0-0258-000-00, 1247 N. 250<sup>th</sup> Street, Payson, IL 62360, a true, accurate, and  
27 correct map of this parcel is attached hereto as Exhibit 7,**

28 **PIN: 21-0-0260-000-00, a true, accurate, and correct map of this parcel is attached  
29 hereto as Exhibit 8.**

30 **The above parcels will be collectively referred to as the "Properties".**

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

32 A: **Owner**

33 Q: How is the property currently used?

34 A: **Agriculture: corn and soybeans, hunting, pasture livestock.**

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

36 A: **There is a home on PIN #21-0-0258-000-0.**

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

38 A: **Yes. I derive revenue from three primary sources: agriculture, hunting leases**

39 **and live pasturing. I farm the Property and I lease it to hunting outfitters and**

40 **livestock owners.**

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

42 A: **The soil type for the ground on which the proposed primary route is being**

43 **constructed is Muscatine and Tama. It is ideal soil and I believe that the**

44 **transmission lines will take farm ground out of production because of the**

45 **transmission line towers as well as the easements, which would allow ATXI to**

46 **maintain and repair the transmission lines.**

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

48 A: **No encumbrances other than ordinary utility easements.**

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

50 A: **Yes.**

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

52 A: **Yes.**

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

54 **1. Soil Compaction: The transmission line towers will involve disrupting the soil.**

55 **Based on my personal experience, I know that when you continually run**

56 **construction equipment over farm ground, there is a loss of yield at the location**

57 **of the construction. When a person operates heavy equipment over farm ground,**

58 **it impacts the ability of plant roots to penetrate to the soil to reach water and**

59 **nutrients (e.g., fertilizer), which results in lesser or no yield. Based on my 47**

60 **years of experience as a farmer, it is my opinion that the soil will experience a**

61 **reduction in yields for up to seven years.**

- 62           **2. Drainage:** I have drainage tiles in the vicinity of the proposed primary route.  
63           The construction of the lines will likely disrupt or destroy the drainage tiles. The  
64           location of the drainage tiles is depicted in the map attached hereto as Exhibits  
65           1-8.
- 66           **2. Aerial Spraying:** I use aerial spraying in my farming operations. The proposed  
67           placement for the primary transmission line route will split the property in half.  
68           Both sides of the property are used for agricultural purposes. The transmission  
69           line will make it difficult or impossible to conduct effective aerial spray  
70           applications.
- 71           **3. GPS Navigation:** I object to the proposed transmission line to the extent it will  
72           have a negative impact on the GPS navigation systems on the farming  
73           equipment, such as auto-steering technology and swath control technology. I  
74           recently purchased my GPS technology for my farming operations have invested  
75           \$32,000.00 for my GPS technology.
- 76           **4. Field Efficiency:** The possible placement of transmission line towers on the  
77           property will have a negative impact on field efficiency.
- 78           **5. Weed Control:** If the towers are placed on the Property, I will have to perform  
79           weed control on and around the towers. The presence of weeds reduce yield  
80           because the weeds will consume water and nutrients otherwise utilized by the  
81           corn or soybeans.
- 82           **6. Hunting Lease:** I lease a section of the property to outfitters to hunt deer. The  
83           approximate value of annual leases is \$8,000.00.
- 84           **7. Irrigation:** I intend to utilize center pivot irrigation. A center pivot is a method  
85           of irrigation whereby a post is inserted into the ground and a boom is extended  
86           with nozzles to water the ground. The presence of the tower will prohibit center  
87           pivot irrigation.
- 88           **8. Land Value:** The installation of the transmission line will have a permanent,  
89           negative impact on value of the Property.

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

92 A: I will incur a financial loss as a result of a loss of yield because of soil compaction  
93 and drainage issues. I will also incur a financial loss because of the impact on  
94 hunting leases during the time period of construction.

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

96 A: Yes.

97 Q: Does this conclude your testimony?

98 A: Yes.

99

100



101

MARVIN MILLER

102

103

104 STATE OF ILLINOIS )

105 ) SS

106 COUNTY OF ADAMS )

107

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

109 Marvin Miller on this 27 day of MARCH, 2013

110

111

112

113

\_\_\_\_\_  
NOTARY PUBLIC