

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

AMEREN TRANSMISSION COMPANY OF)	
ILLINOIS)	
)	
Petition for a Certificate of Public Convenience and)	
Necessity, pursuant to Section 8-406.1 of the Illinois)	Docket No. 12-0598
Public Utilities Act, and an Order pursuant to)	
Section 8-503 of the Public Utilities Act, to)	
Construct, Operate and Maintain a New High)	
Voltage Electric Service Line and Related Facilities)	
in the Counties of Adams, Brown, Cass,)	
Champaign, Macon, Clark, Coles, Edgar, Fulton,)	
Macon, Montgomery, Morgan, Moultrie, Pike,)	
Sangamon, Schuyler, Scott and Shelby, Illinois.)	

INTERVENOR LEON CORZINE'S INITIAL BRIEF

NOW COMES Intervenor Leon Corzine, through his attorneys, and for his Initial Brief, states as follow:

- I. INTRODUCTION
- II. REQUIREMENTS FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
- III. OVERALL NEED FOR THE PROPOSED FACILITIES
- IV. LEAST-COST AND THE PROPOSED TRANSMISSION LINE ROUTES
 - A. Mississippi River – Quincy
 - 1. Length of the Line
 - 2. Difficulty and Cost of Construction
 - 3. Difficulty and Cost of Operation and Maintenance
 - 4. Environmental Impacts
 - 5. Impacts on Historical Resources
 - 6. Social and Land use Impacts
 - 7. Number of Affected Landowners and other Stakeholders and Proximity to Homes and other Structures
 - 8. Proximity to Existing and Planned Development
 - 9. Community Acceptance
 - 10. Visual Impact
 - 11. Presence of Existing Corridors
 - B. Quincy – Meredosia
 - 1. Length of the Line
 - 2. Difficulty and Cost of Construction
 - 3. Difficulty and Cost of Operation and Maintenance
 - 4. Environmental Impacts

5. Impacts on Historical Resources
 6. Social and Land use Impacts
 7. Number of Affected Landowners and other Stakeholders and Proximity to Homes and other Structures
 8. Proximity to Existing and Planned Development
 9. Community Acceptance
 10. Visual Impact
 11. Presence of Existing Corridors
- C. Meredosia – Ipava
1. Length of the Line
 2. Difficulty and Cost of Construction
 3. Difficulty and Cost of Operation and Maintenance
 4. Environmental Impacts
 5. Impacts on Historical Resources
 6. Social and Land use Impacts
 7. Number of Affected Landowners and other Stakeholders and Proximity to Homes and other Structures
 8. Proximity to Existing and Planned Development
 9. Community Acceptance
 10. Visual Impact
 11. Presence of Existing Corridors
- D. Meredosia – Pawnee
1. Length of the Line
 2. Difficulty and Cost of Construction
 3. Difficulty and Cost of Operation and Maintenance
 4. Environmental Impacts
 5. Impacts on Historical Resources
 6. Social and Land use Impacts
 7. Number of Affected Landowners and other Stakeholders and Proximity to Homes and other Structures
 8. Proximity to Existing and Planned Development
 9. Community Acceptance
 10. Visual Impact
 11. Presence of Existing Corridors
- E. Pawnee – Pana
1. Length of the Line
 2. Difficulty and Cost of Construction
 3. Difficulty and Cost of Operation and Maintenance
 4. Environmental Impacts
 5. Impacts on Historical Resources
 6. Social and Land use Impacts
 7. Number of Affected Landowners and other Stakeholders and Proximity to Homes and other Structures
 8. Proximity to Existing and Planned Development
 9. Community Acceptance
 10. Visual Impact

11. Presence of Existing Corridors
- F. Pana – Kansas
 1. Need for Mt. Zion Substation
 2. Location of Mt. Zion Substation
 3. Route Location
 - a. Pana - Kansas (if Mt. Zion substation deemed unnecessary)
 - i. Length of the Line
 - ii. Difficulty and Cost of Construction
 - iii. Difficulty and Cost of Operation and Maintenance
 - iv. Environmental Impacts
 - v. Impacts on Historical Resources
 - vi. Social and Land use Impacts
 - vii. Number of Affected Landowners and other Stakeholders and Proximity to Homes and other Structures
 - viii. Proximity to Existing and Planned Development
 - ix. Community Acceptance
 - x. Visual Impact
 - xi. Presence of Existing Corridors
 - b. Pana - Mt. Zion
 - i. Length of the Line
 - ii. Difficulty and Cost of Construction
 - iii. Difficulty and Cost of Operation and Maintenance
 - iv. Environmental Impacts
 - v. Impacts on Historical Resources
 - vi. Social and Land use Impacts
 - vii. **Number of Affected Landowners and other Stakeholders and Proximity to Homes and other Structures:**

Intervenors Leon Corzine and the Assumption Group proposed an alternate route from Pana to Mt. Zion that utilized the existing Route 51 corridor. Staff's expert Greg Rockrohr testified that he "agree[d] with Corzine/Assumption Group that a shorter route that parallels Route 51 north of Pana would be desirable," [ICC Staff Exhibit 1.0, Testimony of Greg Rockrohr, p. 42, lines 886-887], and it appeared to him "that a good choice for this segment would be to further consider use of Hwy 51 as a corridor for the transmission line from Assumption northward" [ICC Staff Exhibit 1.0, Testimony of Greg Rockrohr, p. 42, lines 894-896].

However, Mr. Rockrohr also testified that "[u]nfortunately, the existing proposals, as I understand them, would route the line very close to several residences south of Assumption," [ICC Staff Exhibit 1.0, Testimony of Greg Rockrohr, p. 42, lines 889-891], and lamented the lack of "adequate time in this expedited proceeding to explore modifications to the Corzine/Assumption Group suggestion" [ICC Staff Exhibit 1.0, Testimony of Greg Rockrohr, p. 42, lines 893-894].

Unfortunately, Mr. Rockrohr's understanding about the proximity of residences along the Corzine/Assumption proposal was based on inaccurate information. As discussed below, the facts adduced at trial proved that there were not as many affected residences as Mr. Rockrohr was led to believe.

ATXI witness Donnell Murphy admitted during cross examination that ATXI deliberately overstated the number of affected residences along proposed alternate routes. [Transcript of May, 16, 2013, Proceedings, p. 753, lines 12-18 ("We conservatively assumed that any building that appeared to be a residence was, in fact, an occupied residence. We felt it more appropriate to err on the side of caution. We were not able to access all residences or what appeared to be residential buildings along any of the routes"]. Regarding the Corzine/Assumption Group Route 51 alternative in particular, ATXI's deliberate overstatement of the number of affected residences was further proven during the cross examination of Intervenor Leon Corzine. [Transcript of May 13, 2013, Proceedings, p. 330, lines. 1-3, (what ATXI assumed to be residences were shown be to bin sites without homes); p. 330, lines 4-15 (what ATXI assumed to be residences were shown to be grain bins and farm buildings with no occupied residences); p. 330, lines 19-22 (more buildings are identified as Grain

Systems Incorporated (GSI), a commercial facility and not residences); p. 331, lines 5-10 (buildings on the other side of the road from GSI are identified as grain facilities, not occupied residences); p. 332, lines 2-7 (what actually is a residence is already next to a four lane highway); p. 332, lines 13-21 (what actually are residences are a quarter mile away); p. 333, lines 1-4 (what ATXI assumed to be residences were shown to be businesses); p. 334, lines 6-16 (what ATXI assumed to be residences were shown to be a fertilizer plant, grain facility and trucking company).

What the above shows is that ATXI used a process it knew would overstate the number of residences affected by alternate route proposals, which process did in fact greatly overstate the number of residences affected by the Corzine/Assumption Group Route 51 alternative. Even with the overstated data, Staff and Mr. Rockrohr still believed the Corzine/Assumption Group's alternative was so superior to ATXI's proposal that it deserved more time for further consideration. Now that the actual facts regarding affected residences has come out, Petitioner respectfully submits that the portion of the Petition from Pana to Mt. Zion to Kansas should be denied so that adequate time can be committed to exploring what really will be the better route.

- viii. Proximity to Existing and Planned Development
- ix. Community Acceptance
- x. Visual Impact
- xi. **Presence of Existing Corridors**

Intervenor Leon Corzine restates his arguments in Section IV.F.3.b.vii. above.

- c. Mt. Zion - Kansas
 - i. Length of the Line
 - ii. Difficulty and Cost of Construction
 - iii. Difficulty and Cost of Operation and Maintenance
 - iv. Environmental Impacts
 - v. Impacts on Historical Resources

- vi. Social and Land use Impacts
 - vii. Number of Affected Landowners and other Stakeholders and Proximity to Homes and other Structures
 - viii. Proximity to Existing and Planned Development
 - ix. Community Acceptance
 - x. Visual Impact
 - xi. Presence of Existing Corridors
- G. Kansas – Indiana State Line
- 1. Length of the Line
 - 2. Difficulty and Cost of Construction
 - 3. Difficulty and Cost of Operation and Maintenance
 - 4. Environmental Impacts
 - 5. Impacts on Historical Resources
 - 6. Social and Land use Impacts
 - 7. Number of Affected Landowners and other Stakeholders and Proximity to Homes and other Structures
 - 8. Proximity to Existing and Planned Development
 - 9. Community Acceptance
 - 10. Visual Impact
 - 11. Presence of Existing Corridors
- H. Sidney - Rising
- 1. Length of the Line
 - 2. Difficulty and Cost of Construction
 - 3. Difficulty and Cost of Operation and Maintenance
 - 4. Environmental Impacts
 - 5. Impacts on Historical Resources
 - 6. Social and Land use Impacts
 - 7. Number of Affected Landowners and other Stakeholders and Proximity to Homes and other Structures
 - 8. Proximity to Existing and Planned Development
 - 9. Community Acceptance
 - 10. Visual Impact
 - 11. Presence of Existing Corridors
- V. MANAGING AND SUPERVISING THE CONSTRUCTION PROCESS
- VI. FINANCING THE PROPOSED CONSTRUCTION
- VII. OTHER

DATED this 3rd day of June, 2013

By: /s Christopher M. Ellis

Christopher M. Ellis
Jon D. Robinson
Timothy J. Tighe, Jr.
Bolen, Robinson & Ellis, LLP
202 South Franklin Street,
2nd Floor
Decatur, Illinois 62523
Phone: (217) 429-4296
Fax: (217) 329-0034
Email: cellis@brelaw.com
jrobinson@brelaw.com
ttighe@brelaw.com

PROOF OF SERVICE

I, Christopher M. Ellis, being an attorney admitted to practice in the State of Illinois, and one of the attorneys for Leon Corzine, herewith certify that I did on the 3rd day of June, 2013, electronically file with the Illinois Commerce Commission, Intervenor Leon Corzine's Initial Brief, and electronically served same upon the persons identified on the Commission's official service list.

/s Christopher M. Ellis
Christopher M. Ellis
Bolen, Robinson & Ellis, LLP
202 South Franklin Street, 2nd Floor
Decatur, Illinois 62523
Phone: (217) 429-4296
Fax: (217) 329-0034
Email: cellis@brelaw.com