

**ILLINOIS COMMERCE COMMISSION**

**DOCKET No. 12-0598**

**DIRECT TESTIMONY ON REHEARING**

**OF**

**DONELL MURPHY**

**Submitted On Behalf**

**Of**

**AMEREN TRANSMISSION COMPANY OF ILLINOIS**

**November 13, 2013**

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7   **I.     INTRODUCTION**

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

9   **A.     My name is Donell Murphy. I am a Partner with Environmental Resources Management,**  
10 **located at 1701 Golf Road, Suite 1-700, Rolling Meadows, Illinois 60008.**

11 **Q.     Are you the same Donell Murphy who provided Direct and Rebuttal Testimony in**  
12 **the initial phase of this proceeding?**

13 **A.     Yes, I am.**

14 **II.    PURPOSE AND SCOPE**

15 **Q.     What is the purpose of your direct testimony on rehearing?**

16 **A.     My testimony is intended to aid the Illinois Commerce Commission (Commission) in**  
17 **selecting routes for those portions of the Transmission Line that are subject to rehearing. I will**  
18 **first identify the portions subject to rehearing and any route alternatives that have been proposed**  
19 **for those portions. I will then compare these alternatives to Ameren Transmission Company of**  
20 **Illinois' (ATXI) recommendation using the 12 factors the Commission used for route evaluation**

21 in its August 20, 2013 Order (Order). These comparisons are summarized in a chart prepared for  
22 each portion of the Transmission Line.

23 My testimony is generally organized by Project portion. As in the initial proceeding,  
24 Project portions are identified by the substations they connect. For example, the portion of the  
25 Transmission Line that connects the Meredosia and Pawnee substations is referred to as  
26 “Meredosia to Pawnee.” I conclude each section of my testimony with my recommendation to  
27 the Commission. My general conclusions include the following:

- 28 • The Commission should re-approve the Meredosia to Pawnee route that was the  
29 subject of a stipulation between ATXI, Morgan and Sangamon Counties  
30 Landowners and Tenant Farmers (MSCLTF) and FutureGen Industrial Alliance,  
31 Inc. (FutureGen);
- 32 • If the Commission determines that a Pawnee to Pana segment is needed, the  
33 Commission should approve the route recommended by ATXI (Alternate Route  
34 2), which was largely unopposed by others;
- 35 • If the Commission determines that a Pana to Mt. Zion segment is needed, the  
36 Commission should approve ATXI’s recommended route (Stipulated/Primary  
37 Route) instead of the longer, costlier, more environmentally impactful route  
38 proposed by the Assumption Group and preferred by Mr. Leon Corzine; and,
- 39 • The Commission should approve the Stipulated Route from ATXI’s proposed  
40 location of the Mt. Zion substation to the Macon County line, and the remaining  
41 portion of the Mt. Zion to Kansas route that has already been approved. This  
42 route was originally designated as MCPO Potential Route 1.

43 **Q. Which portions of the Transmission Line are at issue in rehearing?**

44 **A.** Of the nine portions of the Project identified in the initial proceeding, four are the subject  
45 of rehearing. These are: (1) Meredosia to Pawnee, (2) Pawnee to Pana, (3) Pana to Mt. Zion and  
46 (4) Mt. Zion to Kansas. I will address the route connecting the substations, but ATXI witness,  
47 Mr. Jeffrey V. Hackman will address issues concerning the location and necessity of the  
48 substations themselves.

49           Also, the Order directed Staff to identify a route from Pawnee to Mt. Zion utilizing an  
50 existing substation at Kincaid. Because this route would effectively replace the proposed routes  
51 from Pawnee to Pana and Pana to Mt. Zion, I will discuss this route (to the extent that I can  
52 based on limited information known about this route at this time) in a separate section.

53 **Q.     Are you sponsoring any exhibits with your testimony?**

54 **A.     Yes.** I am sponsoring ATXI Exhibit 3.1 (RH), which is a Route Comparison Summary  
55 for each portion of the Transmission Line that is the subject of rehearing.

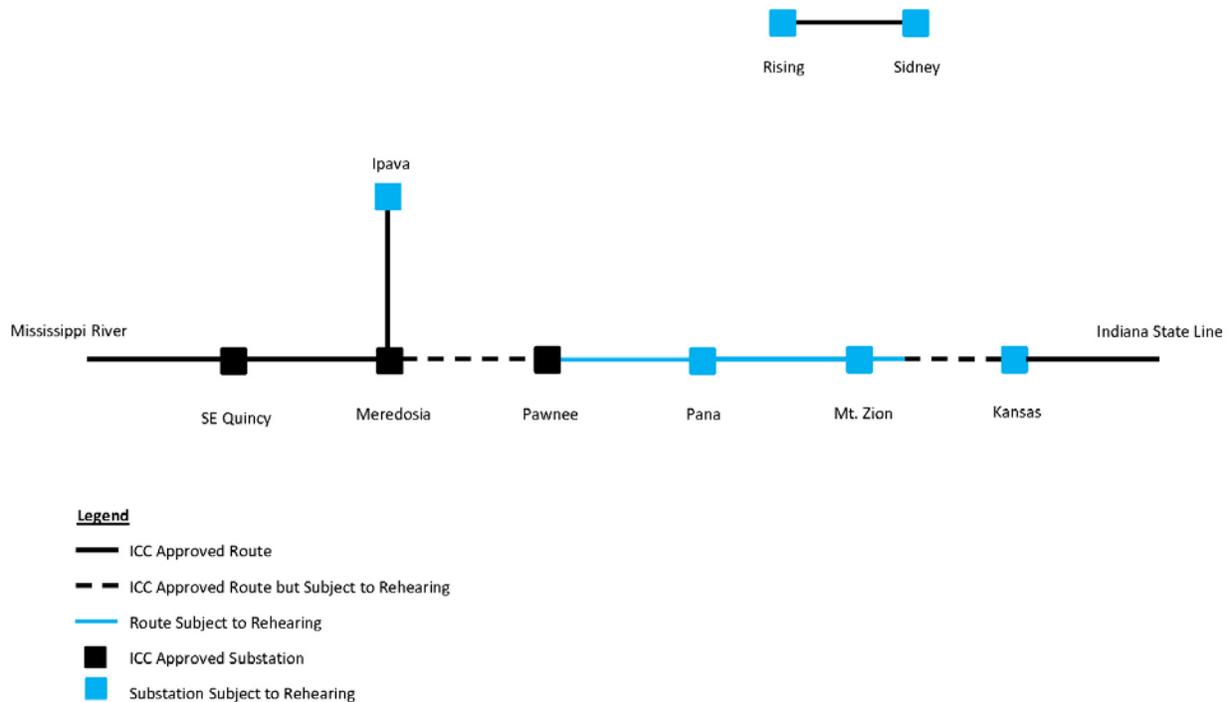
56 **Q.     Have you prepared a diagram showing which Transmission Line segments were**  
57 **approved in the initial proceeding and which are the subject of rehearing?**

58 **A.     Yes.** Figure 1 below provides a conceptual diagram that reflects this information. This  
59 figure is not to scale, nor is it intended to show topographical or other features. It is simply an  
60 aid for understanding what the Commission has already determined and what remains to be  
61 determined.

62

63

Figure 1.



64

65 **III. MEREDOSIA TO PAWNEE**

66 **Q. Did parties in the initial proceeding agree to a route for the Meredosia to Pawnee**  
67 **portion of the Transmission Line?**

68 **A.** Yes. The Commission approved a route that was the subject of a stipulation between  
69 ATXI, MSCLTF and FutureGen. ATXI identified this same route at the start of this proceeding  
70 as its Alternate Route for this segment, and continues to support this route.

71 **Q. Which parties asked the Commission to reconsider its approval of the agreed upon**  
72 **route?**

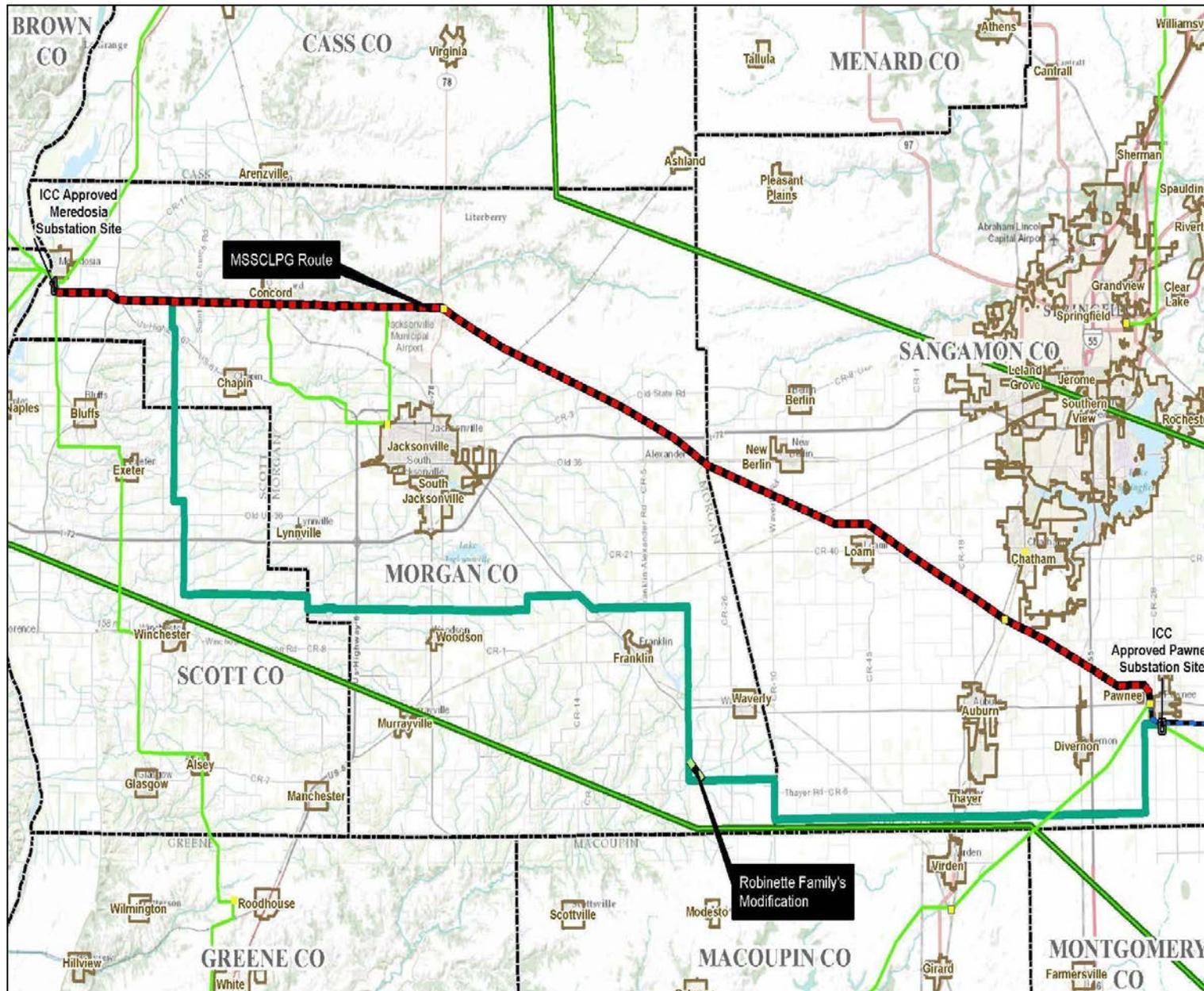
73 **A.** Morgan, Sangamon and Scott Counties Land Preservation Group (MSSCLPG) and  
74 Andrew and Stacy Robinette sought and were granted rehearing. MSSCLPG stated that it

75 intends to introduce additional evidence supporting a route that MSCLTF initially proposed, but  
76 later abandoned. The Robinette family is seeking a slight modification to move the approved  
77 route from their property to the property of others.

78 **Q. Have you prepared a figure showing which route options are being advocated on**  
79 **rehearing for Meredosia to Pawnee?**

80 **A.** Yes. Figure 2 below shows three alternatives that are now before the Commission: (1)  
81 the route approved in the Order (teal green line); (2) the route MSSCLPG is expected to propose  
82 (red and black dashed line); and (3) the route modification proposed by the Robinettes (yellow  
83 and black dashed line).

Figure 2.



84

85

86 **Q. Have you compared these route alternatives based on the 12 factors outlined in the**  
87 **Commission’s Order?**

88 **A.** I have. Table 1 below summarizes my observations and findings for the approved route  
89 and the MSSCLPG route for each of the 12 factors. Table 1 does not include the Robinette route  
90 modification because the Robinettes are seeking to modify only a half-mile section of the  
91 approved route. Further, the Robinettes' rehearing is on a separate schedule and ATXI will  
92 respond in full to their proposal in that portion of this rehearing proceeding.

93 **Table 1.**

<b>Criteria</b>	<b>Route Alternatives</b>	
	<b>ATXI Recommended Route</b>	<b>MSSCLPG Route</b>
Length	Longer (approx. 76 miles)	Shorter (approx. 55 miles)
Difficulty/cost of construction	No unique consideration(s) other than higher cost due to longer length	No unique consideration(s) other than lower cost due to shorter length
Difficulty/cost of operation and maintenance	No unique consideration(s)	Reliability concerns associated with paralleling existing 138 kV line for the majority of the distance proposed
Environmental impacts	No unique consideration(s) though this route is longer so it would result in incrementally more ground disturbance	No unique consideration(s) though this route is shorter so it would result in incrementally less ground disturbance
Impacts on historical resources	5 archaeological sites and 0 historic structures are known to occur along this route; all sites can be spanned	3 archaeological sites and 0 historic structures are known to occur along this route; all sites can be spanned

Criteria	Route Alternatives	
	ATXI Recommended Route	MSSCLPG Route
Social and land use impacts	Affected primary land use/setting (agricultural/rural) is the same	Affected primary land use/setting (agricultural/rural) is the same
Number of affected landowners/stakeholders	273 (approx.) affected landowners	186 (approx.) affected landowners
Proximity to homes/other structures	0 assumed residences within 75-ft and 42 assumed residences within 500-ft	0 assumed residences within 75-ft and 22 assumed residences within 500-ft
Proximity to planned development	Not applicable	Not applicable
Acceptance by parties in proceeding	Stipulation among ATXI, MSCLTF and FutureGen	Preferred by MSSCLPG
Visual impact	Affected primary land use/setting (agricultural/rural) is the same	Affected primary land use/setting (agricultural/rural) is the same
Presence of existing corridors	Parallels an existing 138 kV transmission line for a portion of its length	Parallels an existing 138 kV transmission line for almost its entire length

94 **Q. Are there any key distinctions between the approved route and the MSSCLPG**

95 **route?**

96 **A.** Yes. The major differences between these routes are that the MSSCLPG route is shorter

97 and parallels an existing 138 kV transmission corridor.

98 **Q. Are there advantages to paralleling existing transmission lines?**

99 **A.** While there are advantages to paralleling existing transmission lines in certain  
100 circumstances, there are also disadvantages. Here, the disadvantages outweigh any advantages.  
101 As Mr. Hackman testified, there are reliability and operational concerns associated with the  
102 proposed Transmission Line paralleling existing transmission lines like the 138 kV transmission  
103 line preferred by MSSCLPG. (*See* ATXI Ex. 12.0 (Rev.), pp. 4-10.) In this area, it is ATXI's  
104 preference that the proposed Transmission Line not parallel the existing 138 kV transmission  
105 line because other route options are available.

106 **Q. Since testifying in the initial proceeding, have you learned anything that leads you to**  
107 **question the Commission's approval of the stipulated route for Meredosia to Pawnee?**

108 **A.** I have not. While the simple application of the 12 factors could lead to differing  
109 conclusions, I agree with the Commission that the type and extent of impacts that have the  
110 potential to occur are generally comparable between the two routes, irrespective of property  
111 affected. However, from a reliability perspective, Mr. Hackman has identified operational and  
112 outage related concerns regarding the MSSCLPG Route. Additionally, ATXI, MSCLTF and  
113 FutureGen—all of whom have been parties in this proceeding—have established an agreement as  
114 to the location of the proposed Transmission Line.

115 **Q. Do you have a recommendation for the Commission?**

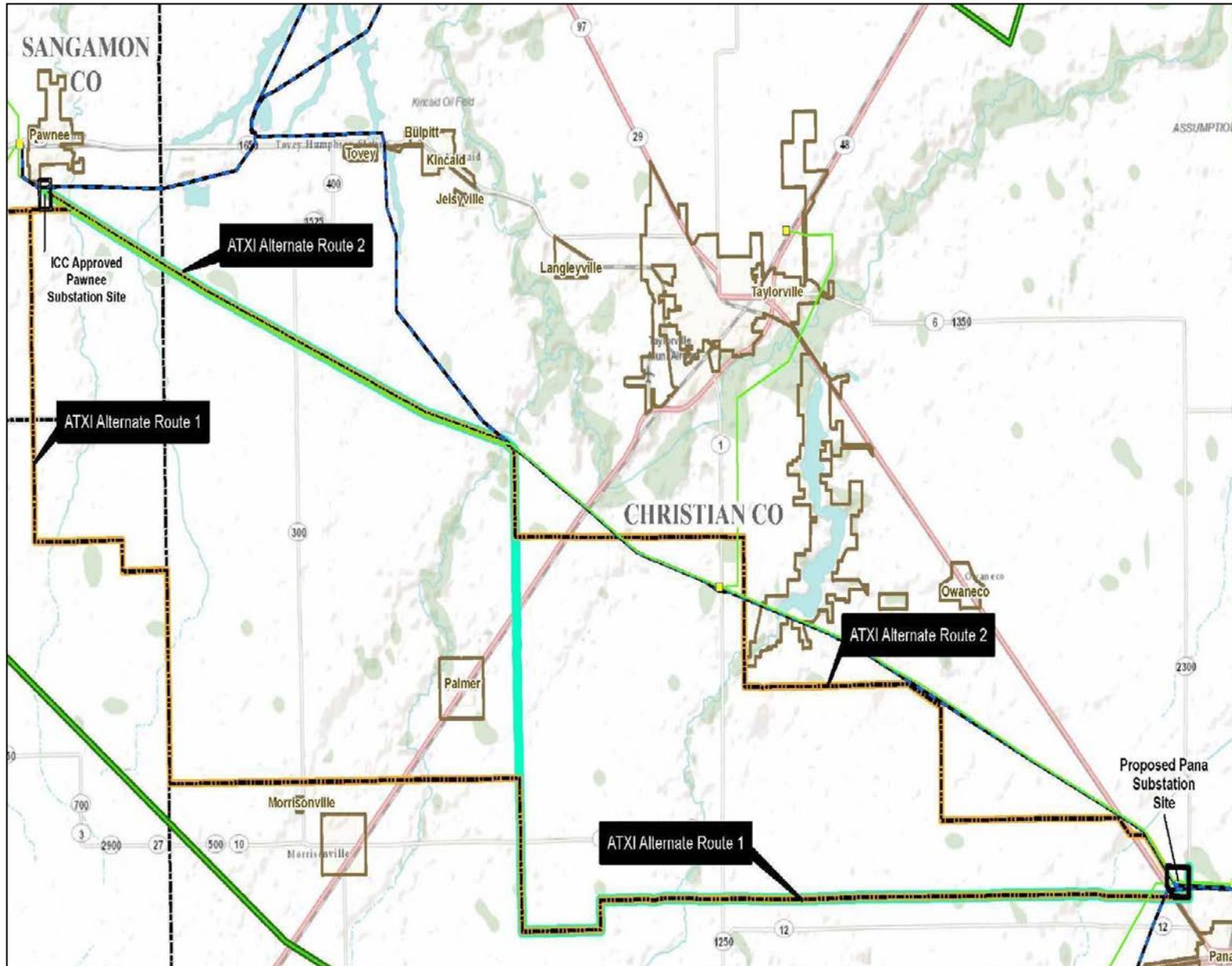
116 **A.** Yes. I recommend the Commission should re-approve ATXI's recommended, stipulated  
117 route, otherwise referred to as ATXI's Alternate Route. This route represents the best balancing  
118 of the various tradeoffs identified above and the compromise reached by ATXI, MSCLTF and  
119 FutureGen.

120 **IV. PAWNEE TO PANA**

121 **Q. Did ATXI propose a route for the Pawnee to Pana portion of the Transmission**  
122 **Line?**

123 **A.** Yes. At the beginning of the case, ATXI presented a primary and two alternate routes for  
124 this segment. Figure 3 below shows the three routes ATXI proposed in the initial proceeding:  
125 (1) ATXI Primary Route (aqua line, comprised of western half of ATXI Alternate Route 2 and  
126 eastern half of ATXI Alternate Route 1); (2) ATXI Alternate Route 1 (orange line, southern  
127 alternate route); and (3) ATXI Alternate Route 2 (orange line, northern alternate route).

Figure 3.



129 **Q. Which route did ATXI recommend for approval in the initial proceeding?**

130 **A.** ATXI recommended approval of its Alternate Route 2. Only one landowner objected to  
131 this route, but the Commission rejected this landowner's concerns as "property-specific" and  
132 "general." (Order, 83.)

133 **Q. Did the Commission approve this route?**

134 **A.** No. Rather than addressing the merits of this route or other proposed route alternatives,  
135 the Commission stated it could not find ATXI's Pawnee to Pana route the least cost option, as  
136 compared to a possible Kincaid connection. (Order, 83.)

137 **Q. Has ATXI presented alternative routes for the Pawnee to Pana segment in the**  
138 **rehearing proceeding?**

139 **A.** No, ATXI continues to recommend approval of its Alternate Route 2. ATXI's Alternate  
140 Route 2 was largely unopposed. And the only party that objected to the route did not propose an  
141 alternative. The issue on rehearing is not which route to choose, but whether the unopposed  
142 route should be chosen at all. This question is addressed by Mr. Hackman and Mr. Kramer.

143 **Q. Do you have a recommendation for the Commission?**

144 **A.** Yes. If the Commission determines that a Pawnee to Pana segment is necessary, I  
145 recommend that the Commission approve ATXI's Alternate Route 2. Again, this is the only  
146 route that has been recommended for this portion of the Transmission Line.

147 **V. PANA TO MT. ZION**

148 **Q. Did parties in the initial proceeding agree to a route for the Pana to Mt. Zion**  
149 **portion of the Transmission Line?**

150 **A.** Yes. ATXI and Moultrie County Property Owners (MCPO) stipulated to support  
151 approval of the route that ATXI identified as its Primary Route for this segment of the line.

152 **Q. Did other parties also propose routes?**

153 **A.** Yes. Intervenor Mr. Corzine testified in support of a route originally developed by the  
154 Assumption Group. The Assumption Group did not present testimony regarding this route.

155 **Q. Did the Commission approve a route for the Pana to Mt. Zion portion of the**  
156 **Project?**

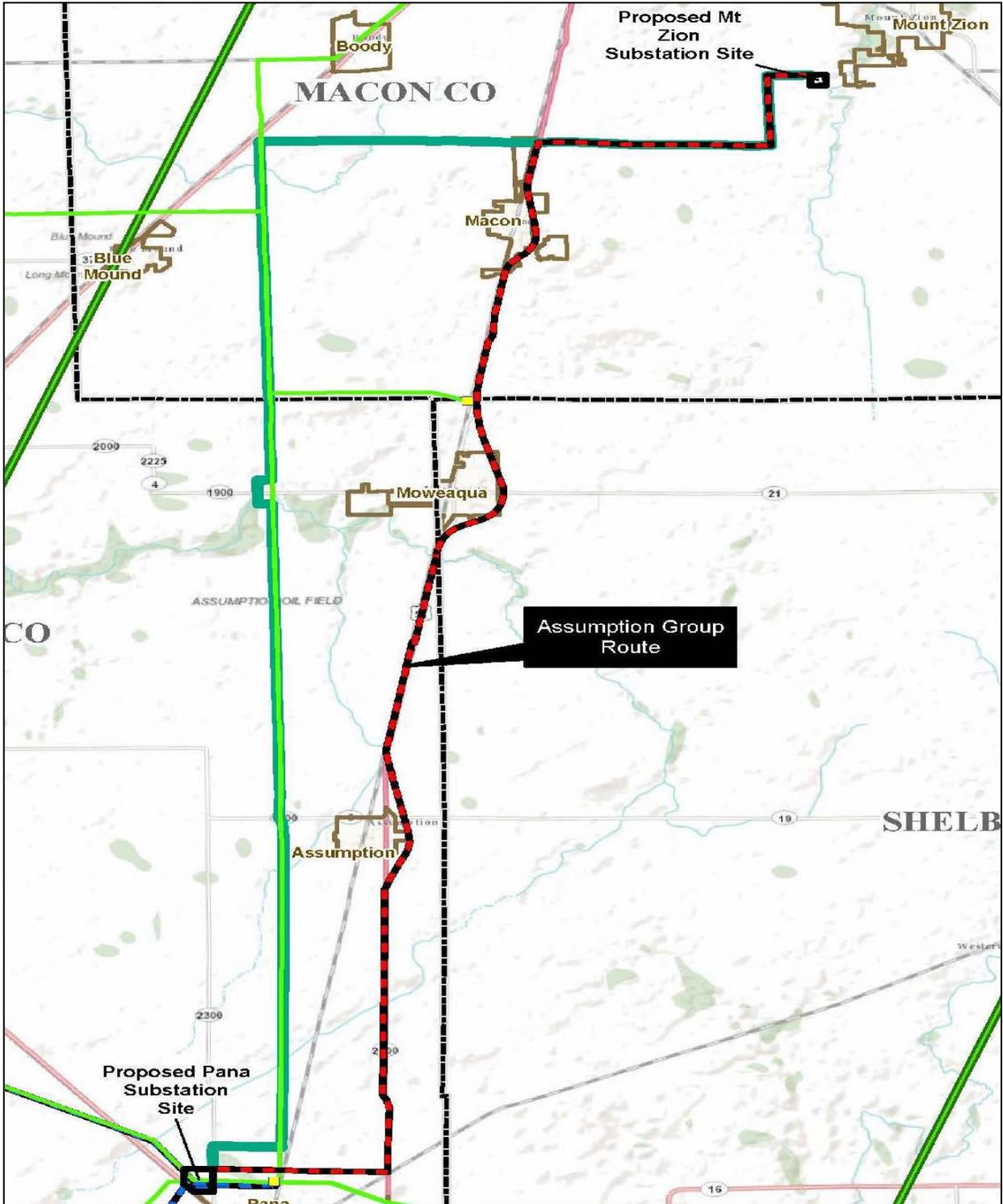
157 **A.** It did not. Rather than addressing the merits of the stipulated route or other proposed  
158 route alternatives, the Commission stated it could not find ATXI's Pana to Mt. Zion route the  
159 least cost option, as compared to a possible Kincaid connection. (Order, 84.)

160 **Q. Have you prepared a figure showing which route options are being advocated on**  
161 **rehearing for Pana to Mt. Zion?**

162 **A.** Yes. Figure 4 below shows two alternatives available to the Commission: (1) the  
163 ATXI/MCPO route (teal green line); and (2) the Corzine/Assumption Group route (red and black  
164 dashed line).

165

Figure 4.



166 **Q. Have you compared these route alternatives based on the 12 factors outlined in the**  
 167 **Commission’s Order?**

168 **A.** I have. Table 2 below summarizes my observations and findings for the ATXI/MCPO  
 169 route and the Corzine/Assumption Group route for each of the 12 factors.

170 **Table 2.**

<b>Criteria</b>	<b>Route Alternatives</b>	
	<b>ATXI/MCPO Route</b>	<b>Corzine/Assumption Group Route</b>
Length	Longer (approx. 35 miles)	Shorter (approx. 33 miles)
Difficulty/cost of construction	No unique consideration(s)	Route parallels and crosses an existing transmission line and state roadway being widened
Difficulty/cost of operation and maintenance	No unique consideration(s)	No unique consideration(s)
Environmental impacts	No unique consideration(s) though this route is slightly longer so it would result in incrementally more ground disturbance	No unique consideration(s) though this route is slightly shorter so it would result in incrementally less ground disturbance
Impacts on historical resources	0 archaeological sites and 0 historic structures are known to occur along this route; all sites can be spanned	14 archaeological sites and 0 historic structures are known to occur along this route; all sites can be spanned
Social and land use impacts	Affected primary land use/setting (agricultural/rural) is the same	Affected primary land use/setting (agricultural/rural) is the same
Number of affected landowners/stakeholders	118 (approx.) affected landowners	101 (approx.) affected landowners

Criteria	Route Alternatives	
	ATXI/MCPO Route	Corzine/Assumption Group Route
Proximity to homes/other structures	0 assumed residences within 75-ft and 17 assumed residences within 500-ft	2 assumed residences within 75-ft and 26 assumed residences within 500-ft
Proximity to planned development	Not applicable	Not applicable
Acceptance by parties in proceeding	Stipulation among ATXI and MCPO	Preferred by Corzine
Visual impact	Affected primary land use/setting (agricultural/rural) is the same	Affected primary land use/setting (agricultural/rural) is the same
Presence of existing corridors	Parallels an existing 138 kV transmission line for a portion of its length	Parallels and crosses a foreign overhead transmission line, and parallels road right-of-way

171 **Q. Are there any key distinctions between the ATXI/MCPO route and the Corzine**  
 172 **route?**

173 **A.** The ATXI route parallels an existing 138 kV line for a portion of its length. The  
 174 Corzine/Assumption Group route generally parallels Highway 51. The Corzine/Assumption  
 175 Group route would require the displacement of two homes and a significant increase in the  
 176 number of angle structures which, would result in a significantly higher cost.

177 **Q. Mr. Corzine testified at the evidentiary hearing that a number of structures along**  
178 **his route were abandoned or unoccupied. Did you attempt to verify that claim?**

179 **A.** I did, and Mr. Corzine is mistaken. I flew this route alternative in a helicopter on October  
180 21, 2013, and team members under my supervision also drove this route. I personally captured  
181 photos, as did my team members. Below are photos of the two residences that would be  
182 displaced if the route is constructed as proposed.

183

**Photo 1.**



184

185

**Photo 2.**



186

187 **Q. Does the ATXI/MCPO route have any significant advantages over the Corzine**  
188 **route?**

189 **A.** Yes. The ATXI/MCPO route would not require the displacement of any residences and  
190 requires fewer angle structures. As a result of these differences, the ATXI/MCPO route is likely  
191 less costly than the Corzine route.

192 **Q. Do you have a recommendation for the Commission?**

193 **A.** Yes. If the Commission determines that a Pana to Mt. Zion segment is needed, I  
194 recommend approval of the ATXI/MCPO Pana to Mt. Zion route the Commission should  
195 approve ATXI's recommended route (Stipulated/Primary Route).

196 **Q. ATXI opposes a Meredosia to Pawnee route that would parallel existing**  
197 **transmission lines, but is recommending a Pana to Mt. Zion line that parallels existing**  
198 **transmission lines. Can you explain this apparent contradiction?**

199 **A.** There is no contradiction. The presence of existing transmission lines is but one of many  
200 factors in developing a route. As Mr. Hackman explains, ATXI weighed the risks associated  
201 with paralleling against other factors such as societal and environmental considerations, to select  
202 the least-cost route for each portion of the line. Sometimes the balance warranted paralleling;  
203 sometimes it did not. My recommendation is based on consideration of all the relevant routing  
204 factors, and not simply whether or not a proposed route parallels existing transmission lines.

205 **VI. MT. ZION TO KANSAS**

206 **Q. Did the Commission approve a route for the Project between Mt. Zion and Kansas?**

207 **A.** Not entirely. The Commission approved a route from the Macon County line to the  
208 Kansas substation. It did not approve a location for the Mt. Zion substation, or a route from that  
209 substation to the Macon County line.

210 **Q. Has ATXI identified a location for the substation?**

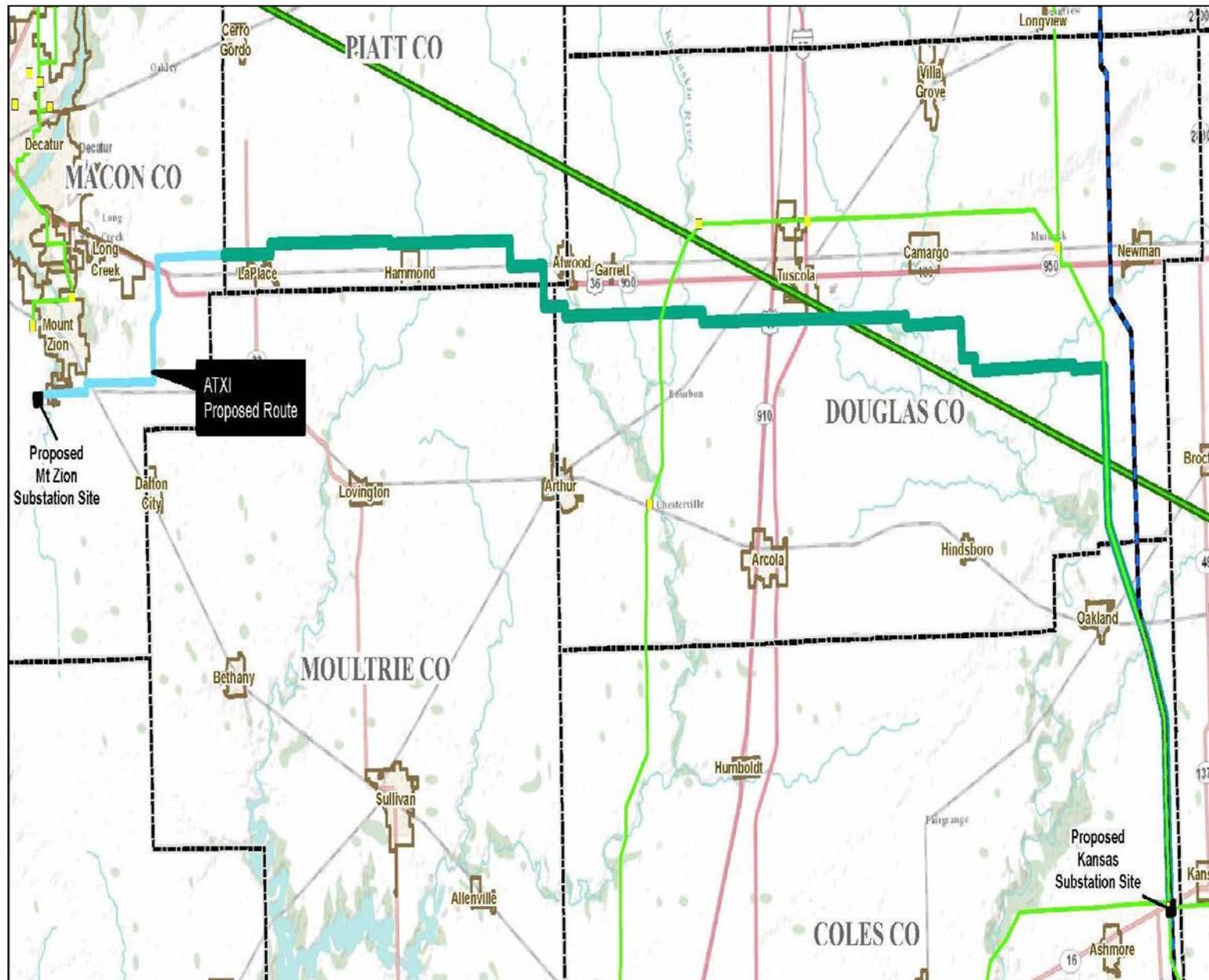
211 **A.** Yes. Please see Mr. Hackman's direct testimony on rehearing (ATXI Ex. 2.0 RH).

212 **Q. Is ATXI proposing a route to connect the Mt. Zion substation to the remaining part**  
213 **of the route that has been approved?**

214 **A.** Yes. Figure 5 below shows the substation location and new route that connects to the  
215 approved portion of the line in Macon County.

216

Figure 5.



217 **Q. Have any other parties proposed alternatives to ATXI's routes at this time?**

218 **A.** No. Although the Coalition of Property Owners in Piatt, Douglas, and Moultrie Counties  
219 (PDM) and the Channon Family Trust were granted rehearing, their application for rehearing did  
220 not identify a proposed alternative location for the Mt. Zion substation. Nor did their application  
221 indicate whether they intended to submit evidence supporting different routes once a substation  
222 location is determined. PDM and the Chammon Family Trust's testimony is due the same day as  
223 this testimony. At this point in time, ATXI does not know whether PDM and the Channon  
224 Family Trust will find ATXI's rehearing proposals objectionable. If they do, ATXI will respond  
225 in due course.

226 **VII. PAWNEE-KINCAID-MT. ZION**

227 **Q. Is ATXI proposing a Pawnee to Kincaid to Mt. Zion route?**

228 **A.** No. ATXI did not propose such a route in the initial proceeding and it is not proposing  
229 one now. The Commission's Order specifically directed Staff to identify a route connecting  
230 these segments. ATXI will review Staff's proposal and respond as necessary in rebuttal  
231 testimony.

232 **VIII. CONCLUSION**

233 **Q. Do you anticipate that you will continue to analyze routes as this case progresses?**

234 **A.** Yes. Given the different rehearing requests, uncertainty concerning certain parties'  
235 positions and potential disagreement over the scope of rehearing, I anticipate reviewing and  
236 evaluating routing proposals submitted for the first time in other parties' direct and rebuttal  
237 testimony during rehearing.

238 **Q.** Does this conclude your direct testimony on rehearing?

239 **A.** Yes, it does.