MCPO Exhibit 3.0 (RH) C

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 Public Utilities Act, and an Order pursuant to Section 8-503 of the Public Utilities Act, to Construct, Operate and Maintain a New High Voltage Electric Service Line and Related Facilities in the Counties of Adams, Brown, Cass, Champaign, Christian, Clark, Coles, Edgar, Fulton, Macon, Montgomery, Morgan, Moultrie, Pike, Sangamon, Schuyler, Scott and Shelby, Illinois**	)	**Docket No. 12-0598 (Rehearing)**

Corrected Surrebuttal Testimony on Rehearing of

James R. Dauphinais

On behalf of

Moultrie County Property Owners ("MCPO")

December 16, 2013

BRUBAKER & ASSOCIATES, INC.

Project 9837

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

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Surrebuttal Testimony on Rehearing of James R. Dauphinais

I. Introduction

Q PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.

A James R. Dauphinais. My business address is 16690 Swingley Ridge Road, Suite 140, Chesterfield, MO 63017.

Q ARE YOU THE SAME JAMES R. DAUPHINAIS WHO FILED DIRECT TESTIMONY, REBUTTAL TESTIMONY AND REBUTTAL TESTIMONY ON REHEARING IN THIS PROCEEDING ON BEHALF OF MCPO?

A Yes.

Q WHAT IS THE SUBJECT MATTER OF YOUR SURREBUTTAL TESTIMONY?

A I respond to the rebuttal testimony on rehearing of PDM/CFT witness Ms. Burns on the selection of a route between Mt. Zion and Kansas. I also discuss the rebuttal testimony on rehearing of ATXI witness Mr. Kramer on the powerflow analysis he performed for the ICC Staff Option #1, Option #2 and Option #3 sites for the proposed Mt. Zion substation. Finally, I also note the correction in ATXI witness Mr. Hackman's rebuttal testimony on rehearing of ATXI's baseline cost estimate for MCPO Route MZK from ATXI's proposed Sulphur Spring Road site for Mt. Zion substation to Kansas substation (Route MZK) and identify revisions to some of the cost estimate numbers provided in my rebuttal testimony on rehearing that result from ATXI's correction.

My silence with regard to any other portions of the rebuttal testimony on rehearing of these witnesses or any of the other rebuttal testimony on rehearing of ATXI, ICC Staff or any other party in this proceeding, should not necessarily be taken as an endorsement of any position taken by ATXI, ICC Staff or any other party has taken in this proceeding.

Q HAS THE REBUTTAL TESTIMONY ON REHEARING OF ATXI, ICC STAFF OR ANY OTHER PARTY WITH RESPECT TO THE PANA TO MT. ZION TO KANSAS PORTION OF THE ILLINOIS RIVERS PROJECT ("IRP") PROVIDED ANY NEW INFORMATION THAT WOULD CHANGE YOUR REBUTTAL TESTIMONY ON REHEARING CONCLUSIONS AND RECOMMENDATIONS?

A No. I continue to stand by my rebuttal testimony on rehearing conclusions and recommendations.

Q FOR THE CONVENIENCE OF THE COMMISSION, PLEASE SUMMARIZE THE ROUTE NAMING CONVENTION YOU HAVE BEEN USING IN YOUR TESTIMONIES ON REHEARING FOR THE VARIOUS MOULTRIE COUNTY PROPERTY OWNER ("MCPO") AND CHANNON FAMILY TRUST ("CFT") PROPOSED ROUTES FOR THE PORTION OF THE IRP BETWEEN MT. ZION AND KANSAS.

A The MCPO and CFT proposed routes from Mt. Zion to Kansas are as follows:

- Using ATXI's Sulphur Spring Road Mt. Zion substation location:
  - **Route MZK** – MCPO's Mt. Zion to Kansas route.
  - **Route CFT** – ATXI's Mt. Zion to Kansas route from ATXI's Sulphur Spring Road Mt. Zion substation site to the junction with ATXI's Mt. Zion to Kansas Alternate Route in East Nelson Township and then ATXI's Mt. Zion to Kansas Alternate Route from the junction to Kansas substation.
- Using ICC Staff's Option #1 Mt. Zion substation location:
  - **Route MZK-1** – ATXI's Mt. Zion to Kansas Primary Route from ICC Staff's Option #1 Mt. Zion substation site <u>north</u> to the junction with MCPO's Mt. Zion to Kansas route and then MCPO's Mt. Zion to Kansas route from the junction <u>east</u> to Kansas substation.
  - **Route CFT-1** – ATXI's Mt. Zion to Kansas Primary Route from ICC Staff's Option #1 Mt. Zion substation site to the junction with ATXI's Mt. Zion to Kansas Alternate Route in East Nelson Township and then ATXI's Mt. Zion to Kansas Alternate Route from the junction to Kansas substation.
- Using ICC Staff's Option #2 Mt. Zion substation location:
  - **Route MZK-2** – ATXI's Mt. Zion to Kansas Primary Route from ICC Staff's Option #2 Mt. Zion substation site <u>north</u> to the junction with MCPO's Mt. Zion to Kansas route and then MCPO's Mt. Zion to Kansas route from the junction <u>east</u> to Kansas substation.
  - **Route CFT-2** – ATXI's Mt. Zion to Kansas Primary Route from ICC Staff's Option #2 Mt. Zion substation site to the junction with ATXI's Mt. Zion to Kansas Alternate Route in East Nelson Township and then ATXI's Mt. Zion to Kansas Alternate Route from the junction to Kansas substation.

Maps for each of these six route options from Mt. Zion to Kansas are provided in Mr. Reinecke's Exhibit 2.1 (RH). Routing factors and paralleling information for each of the six routes is provided in Mr. Reinecke's MCPO Exhibits 2.2 (RH) and 2.3 (RH) as well as my MCPO Exhibits 1.2 (RH) through 1.4 (RH).

II. Response Rebuttal Testimony on Rehearing of PDM/CFT Witness Burns

Q HAVE YOU REVIEWED THE REBUTTAL TESTIMONY OF PDM/CFT WITNESS MS. BURNS?

A Yes.

Q MS. BURNS COMPARES THE TOTAL LENGTH OF ROUTE MZK, MZK-1, MZK-2, CFT, CFT-1 AND CFT-2 (PDM EXHIBIT 7.0 AT PAGE 4, LINES 54 THROUGH PAGE 5, LINE 81). DO YOU DISPUTE ANY OF HER TOTAL LENGTH NUMBERS?

A Yes. At lines 73 through 74, she states Route CFT-2 is 9.0 miles shorter than Route MZK-2. This is incorrect. Mr. Reinecke has determined Route MZK-2 has a total length of 70.2 miles and Route CFT-2 has a total length of 61.9 miles (MCPO Exhibit 2.2 (RH) at page 1). Route CFT-2 is only 8.3 miles shorter than Route MZK-2.

Q MS. BURNS PRESENTS ADDITIONAL TESTIMONY WITH REGARD TO "OFF-COURSE ROUTING" (PDM EXHIBIT 7.0 AT PAGE 6). HOW DO YOU RESPOND?

A As I discussed at length in my rebuttal testimony on rehearing (MCPO Exhibit 1.0 (RH) at pages 20 through 22), deviation from a straight line course is a common

practice in transmission line routing when the adverse impacts to the public that are avoided by that deviation outweigh the incremental adverse impact associated with that deviation. Furthermore, her claim of "13.5 off-course, unnecessary miles" is meaningless. A route that deviates from a straight line to avoid adverse impacts to the public does not result in "unnecessary miles". While deviations from a straight line increase line length and estimated construction cost, what matters in selecting a transmission line route is how the available routes compare with regard to all the factors considered by the Commission in aggregate, not just total line length and estimated construction cost. Finally, Routes MZK, MZK-1, MZK-2 are not 13.5 miles longer than CFT's shortest route -- Route CFT-1. They are only 8.1 miles (13.3%) to 9.6 miles (15.7%) longer than Route CFT-1.

Q MS. BURNS ALSO PRESENTS ADDITIONAL TESTIMONY WITH RESPECT TO PARALLEL ROUTING (PDM EXHIBIT 7.0 AT PAGE 6, LINE 10 THROUGH PAGE 7, LINE 120). HOW DO YOU RESPOND?

A First, I would note some of her numbers are incorrect. Route MZK has a total length of 69.2 miles of which 14.7, <u>not</u> 14, miles parallel existing transmission lines (Exhibit MCPO 2.3 (RH) at page 1). Route CFT-1 has a total length of 61.1 miles of which only 1.0 mile parallels existing transmission lines. While Route MZK is 8.1 miles longer than Route CFT-1, <u>all</u> 8.1 miles of that additional length, plus an additional 5.6 miles of length, parallel existing linear infrastructure that already has generally similar visual, noise and environmental fragmentation impact. Thus, it can be said that Route CFT-1, compared to Route MZK, introduces 13.7 more miles of new visual, noise and environmental fragmentation impact where such impact does not already exist. Furthermore, as I discussed at length in my rebuttal testimony on

rehearing (MCPO Exhibit 1.0 (RH) at pages 22 through 23), the issue, as with all others pro or con, must be considered on a holistic basis. Ms. Burns does not do so.

Q MS. BURNS INDICATES IN HER CONCLUSION THAT ROUTE CFT-1 SUPPORTS THE COMMISSION'S DESIRE TO MOVE THE MT. ZION SUBSTATION FURTHER SOUTH (PDM EXHIBIT 7.0 AT PAGE 7, LINES 129 THROUGH 131). HAS THE COMMISSION ISSUED ANY ORDER SPECIFYING A DESIRE TO MOVE THE MT. ZION SUBSTATION FURTHER SOUTH?

A No, it has not.

Q MS. BURNS ALSO INDICATES IN HER CONCLUSION THAT THE COMMISSION'S MANDATE IS TO SELECT THE LEAST COST AND MOST EFFICIENT ROUTE (PDM EXHIBIT 7.0 AT PAGE 7, LINES 132 THROUGH 134). IS THAT THE COMMISSION'S MANDATE?

A No. As I discussed in my direct testimony in this proceeding (MCPO Exhibit 1.0 at page 6), Section 8-406.1(f) of the Public Utilities Act specifies what the Commission must consider in granting a Certificate of Public Convenience and Necessity ("CPCN") for a proposed transmission line including the selection of a route for that proposed transmission line. Furthermore, with respect to the "least-cost means of satisfying service needs" portion of Section 8-406.1(f), the Commission in its August 20, 2013 Order in this proceeding indicated:

> "Resolving the question of least-cost involves a comprehensive consideration and balancing of the overall costs and externalities of each proposed route against the benefits of each proposed route. The costs and externalities include not just a financial tally for manpower and equipment, but also the impact on local residences and resources and present and future land uses." (August 20, 2013 Order at page 14).

As an example, as I discussed in my direct testimony in this proceeding (MCPO Exhibit 1.0 at page 21) in Docket No. 06-0179, the Commission selected a route that had a higher estimated construction cost, but a lower number of residences in proximity.

Q MS. BURNS ALSO CONCLUDES ROUTE CFT-1 PROVIDES A "NET REDUCTION" IN IMPACT WHILE THE MCPO ROUTE RESULTS IN AN INCREASED NEGATIVE IMPACT (PDM EXHIBIT 7.0 AT PAGE 7). HOW DO YOU RESPOND?

A She made a similar conclusion in her direct testimony on rehearing. As I indicated in my rebuttal testimony on rehearing, this is simply inaccurate (MCPO Exhibit 1.0 (RH) at page 24). Ms. Burns has not performed a "net reduction" analysis at all. As I have just noted, the Commission has indicated the selection of a route involves a comprehensive consideration and balancing of the overall cost and externalities of each proposed route against the benefits of each proposed route. Simply (i) comparing total length, (ii) comparing estimated construction cost and (iii) asserting

there is less "environmental impact" due to shorter length[1] does not amount to a comprehensive consideration and balancing of the overall cost and externalities of each proposed route against the benefits of each proposed route. Such a comprehensive consideration and balancing involves considering the detailed characteristics of the route alternatives that have been compiled by experts such as Mr. Reinecke and ATXI witness Donnell Murphy as they roll up under the categories of characteristics the Commission used in its August 20, 2013 Order including the relative severity of the adverse impacts associated with those characteristics. It is unreasonable to simply state less length means less environmental impact. This especially true when one considers that Routes MZK, MZK-1 and MZK-2 introduce 13.7 less miles of new visual, noise and environmental fragmentation impact where it does not already exist than Route CFT-1. It is also unreasonable to completely ignore the proximity of each route alternative to residences and non-residential structures.

As I discussed in my rebuttal testimony on rehearing, the principal incremental adverse impacts of Routes MZK, MZK-1 and MZK-2 compared to Route CFT-1 (the best performing of the six CFT and ATXIA route options) are as follows:

[1]It should also be noted that Ms. Burns does not define her use of the term "environmental impact." It is not clear whether she is referring to: (i) the total acreage of the 500 foot analysis corridor for routes, (ii) all of the factors considered by the Commission in aggregate besides total length and construction cost or (iii) adverse impact to the subset of the factors the Commission considers that relate to adverse impact to natural features in the environment such as deciduous forest, wooded areas, wetlands, open water, streams, lakes, protected species, rookeries and natural areas. With regard to total acreage, that is not a measure of environmental impact, but rather simply another way of stating total length since total acreage is simply the product of total length and the 500 foot study corridor width. With regard to all of the factors considered by the Commission in aggregate besides total length and construction cost, as I showed in my rebuttal testimony on rehearing, and will show again below, the MCPO routes outperform the CFT routes in this regard despite the MCPO routes have additional total length. With regard to adverse impact on natural features in the environment, Mr. Reinecke concludes in his surrebuttal testimony on rehearing (MCPO Exhibit 4.0 (RH)) that the MCPO and CFT routes have comparable adverse impact on natural features in the environment despite the MCPO routes having additional total length in comparison to the CFT routes.

- 8.1 miles (13.3%) to 9.6 miles (15.7%) of additional route length (MCPO Exhibit 2.2 (RH) at page 1);

- $14.4 million (12.2%) to $17.8 million (15.0%) of greater estimated baseline construction cost (ATXI Exhibit 5.1 (RH) at page 2 and MCPO Exhibit 1.5 (RH)); and

- 90 (5.3%) to 108 (6.4%) more acres of Prime Farmland within the 500 foot analysis corridor (MCPO Exhibit 1.2 (RH)).

In exchange, versus Route CFT-1, Routes MZK, MZK-1 and MZK-2 have:

- 15 (48.4%) to 19 (61.3%) fewer residences within 500 feet of the centerline of the route (MCPO Exhibit 1.2 (RH));

- 14 (66.7%) to 16 (76.2%) fewer residences within 300 feet of the centerline of the route (*Id.*);

- 7 (77.8%) fewer residences within 150 feet of the centerline of the route (*Id.*);

- 77 (60.0%) to 78 (60.5%) fewer non-residential structures within 500 feet of the centerline of the route (MCPO Exhibit 2.2 (RH) at page 4);

- 46 (71.9%) to 54 (84.4%) fewer non-residential structures within 300 feet of the centerline of the route (*Id.*);

- 19 (79.2%) to 22 (91.7%) fewer non-residential structures within 150 feet of the centerline of the route (*Id.*);

- 6 fewer non-residential structures within the 150 foot easement of the route that might have to be removed (*Id.*);[2] and

- 11.7 (8.2%) to 32.6 (22.8%) fewer acres of wooded areas within the 500 foot analysis corridor (MCPO Exhibit 1.3 (RH)).

In addition, while 8.1 to 9.6 miles of additional length is needed for Routes MZK, MZK-1 and MZK-2 versus Route CFT-1, <u>all of that additional length</u>, plus an additional 4.1 to 5.6 miles of existing length is closely parallel to existing electric transmission lines, which helps to mitigate the visual, noise and environmental

[2]There are no non-residential structures within the 150 foot easement of Routes MZK, MZK-1 and MZK-2.

fragmentation of the new transmission line by placing it where similar such visual, noise and environmental fragmentation already exits.

Finally, as I discussed in my rebuttal testimony on rehearing (MCPO Exhibit 1.0 (RH) at page 19), it is important to recognize the limited nature of the adverse impact to Prime Farmland being placed within the 500 foot analysis corridor. Specifically, the placement of a new transmission line in cultivated lands or pasture land (even where there is Prime Farmland) only removes from production the land at, and very close to, the foundation of the structures. In addition, the overhead wires between the structures neither remove land from production nor introduce any significant agricultural fragmentation.

In sum, the adverse impacts avoided by Routes MZK, MZK-1 and MZK-2 exceed the incremental adverse impacts associated with those routes versus Route CFT-1, which, as I noted in my rebuttal testimony on rehearing, is the best performing of the three CFT routes (Routes CFT, CFT-1 and CFT-2). In other words, analyzed on a holistic basis, Routes MZK, MZK-1 and MZK-2 all have better routing factor performance in aggregate than Routes CFT, CFT-1 and CFT-2.

III. Mt. Zion Powerflow Analysis of ATXI Witness Kramer

Q IN ITS REBUTTAL TESTIMONY ON REHEARING, DID ATXI PRESENT ANY POWERFLOW ANALYSIS REGARDING THE VIABILITY OF THE ICC STAFF OPTION #1, OPTION #2 AND OPTION #3 SITE FOR MT. ZION SUBSTATION?

A Yes. Mr. Kramer presents the results of the powerflow analysis in his rebuttal testimony on rehearing (ATXI Exhibit 4.0 (RH) at pages 6 through 9), Exhibit 4.1 (RH), Exhibit 4.2 (RH), Exhibit 4.3 (RH) and Exhibit 4.4 (RH). His powerflow analysis showed ICC Staff's Option #1 and Option #2 sites for Mt. Zion substation are

not as effective, as ATXI's proposed Sulphur Spring Road site for Mt. Zion substation with respect to the low voltage issue that is being addressed by Mt. Zion substation (*Id.* at pages 6 through 7). It also showed that the ICC Staff Option #3 site was not sufficient to address the low voltage issue (*Id.* at pages 7 through 8). These results are generally consistent with my rebuttal testimony on rehearing conclusions with respect to the location of Mt. Zion substation.

IV. ATXI's Correction of the Baseline Cost Estimate For MCPO Route MZK from ATXI's Proposed Sulphur Spring Road Site for Mt. Zion Substation to Kansas Substation

Q PLEASE EXPLAIN THE COST ESTIMATE CORRECTION ATXI MADE IN THE REBUTTAL TESTIMONY ON REHEARING OF MR. HACKMAN.

A On page 2 of ATXI Exhibit 5.1 (RH), Mr. Hackman presented a correction to ATXI's baseline cost estimate for MCPO Route MZK from ATXI's proposed Sulphur Spring Road site for Mt. Zion substation to Kansas substation to Kansas substation (Route MZK). Specifically, Mr. Hackman has raised the baseline cost estimate for Route MZK from $126,511,000 to $132,531,000. All of my testimony herein reflects ATXI's correction.

Q DOES THIS AFFECT THE ATXI BASELINE COST ESTIMATES FOR EITHER ROUTE MZK-1 OR ROUTE MZK-2 THAT YOU PRESENTED IN YOUR REBUTTAL TESTIMONY?

A No. ATXI's correction in its rebuttal testimony on rehearing only affects the baseline cost estimate for Route MZK. The current baseline cost estimates for Routes MZK-1 and MZK-2 were provided in ATXI's revised response to Data Request MCPO-ATXI 17.01. Those cost estimates were included in my MCPO Exhibit 1.5 (RH) and relied

upon in my rebuttal testimony on rehearing for Routes MZK-1 and MZK-2. They have not been changed or updated by ATXI.

Q DOES ATXI'S CORRECTION TO ITS BASELINE COST ESTIMATE FOR ROUTE MZK IN ANY WAY AFFECT THE CONCLUSIONS OR RECOMMENDATIONS CONTAINED IN YOUR REBUTTAL TESTIMONY ON REHEARING?

A No, it does not.

Q WILL REVISIONS BE MADE TO YOUR REBUTTAL TESTIMONY ON REHEARING TO REFLECT ATXI'S CORRECTION OF ITS COST ESTIMATE FOR ROUTE MZK?

A Yes. The revisions will be as follows:

- MCPO Exhibit 1.0 (RH), page 12, line 277:
  - Change "16.3 (Rev.)" to "5.1 (RH)."
- MCPO Exhibit 1.0 (RH), page 14, line 325:
  - Change "$8.3 million (7.1%)" to "$14.4 million (12.2%)."
- MCPO Exhibit 1.0 (RH), page 18, line 423:
  - Change "$8.3 million (7.1%)" to "$14.4 million (12.2%)."
- MCPO Exhibit 1.0 (RH), page 21, line 481:
  - Change "$8.3 million (7.1%)" to "$14.4 million (12.2%)."
- MCPO Exhibit 1.2 (RH), Route MZK:
  - Change "$126.51" in yellow to "$132.53" in orange.
- MCPO Exhibit 1.3 (RH), Route MZK:
  - Change "$126.51" in yellow to "$132.53" in orange.

A revised version of each of the exhibits referenced above will be filed with the Commission to reflect ATXI's correction.

V. Conclusions and Recommendations

Q HAS THE REBUTTAL TESTIMONY ON REHEARING OF ATXI, ICC STAFF OR ANY OTHER PARTY WITH RESPECT TO THE PANA TO MT. ZION TO KANSAS PORTION OF THE ILLINOIS RIVERS PROJECT ("IRP") PROVIDED ANY NEW INFORMATION THAT WOULD CHANGE YOUR REBUTTAL TESTIMONY ON REHEARING CONCLUSIONS AND RECOMMENDATIONS?

A No, it has not. I continue to recommend the Commission select ATXI's proposed Sulphur Spring Road site for Mt. Zion substation. In addition, regardless of the site for Mt. Zion substation chosen by the Commission, I continue to recommend the Commission select MCPO's proposed route from Mt. Zion substation to Kansas substation.

Q DOES THIS CONCLUDE YOUR SURREBUTTAL TESTIMONY ON REHEARING?

A Yes, it does.

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