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BEFORE THE  
ILLINOIS COMMERCE COMMISSION

Ameren Transmission Company )  
of Illinois REHEARING, )  
 ) DOCKET NO.  
Petition for a Certificate of Public ) 12-0598  
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 )

Springfield, Illinois

Thursday, December 19, 2013

Met, pursuant to notice at 9:00 A.M.

BEFORE:

John Albers, Administrative Law Judge  
Stephen Yoder, Administrative Law Judge

MIDWEST LITIGATION SERVICES, by  
Beth O. Zink  
CSR #084-004477

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1 (The proceedings commenced at 9:00 A.M.)

2 \* \* \* \* \*

3 JUDGE ALBERS: By the authority vested in me  
4 by the Illinois Commerce Commission, I will now call  
5 Docket Number 12-0598. This docket was initiated by  
6 Ameren Transmission Company of Illinois concerning its  
7 Petition for a Certificate of Public Convenience and  
8 Necessity for its Illinois Rivers project.

9 Rather than have the appearances entered  
10 individually, as you were instructed earlier, each party  
11 should file their appearance with the court reporter.  
12 Those who are on the line, phone line, here is her e-mail  
13 address so you can e-mail your appearance form to her.

14 (E-mail information was provided.)

15 JUDGE ALBERS: And I think Ms. Zink, since  
16 this is her first time here, the first time you speak,  
17 please state your name so she knows who's speaking. Any  
18 other preliminary matters before we go on with our  
19 witness today? All right. I'll go ahead and swear in  
20 Mr. Rockrohr.

21 (Whereupon, the witness was sworn.)

22 JUDGE ALBERS: Mr. Olivero.

23 MR. OLIVERO: Thank you, your Honor.

24 \* \* \* \* \*

25 GREG ROCKROHR,

1 of lawful age, produced, sworn and examined on behalf of  
2 the Staff, testifies and says:

3 EXAMINATION

4 QUESTIONS BY MR. OLIVERO:

5 Q. This is Jim Olivero. Good morning, Mr.  
6 Rockrohr.

7 A. Good morning.

8 Q. Would you please state your full name and  
9 spell your last name for the record.

10 A. My name is Greg Rockrohr, and it's  
11 R-o-c-k-r-o-h-r.

12 Q. And by whom are you employed and what is your  
13 business address?

14 A. I'm employed by the Illinois Commerce  
15 Commission at 527 East Capitol Avenue, Springfield,  
16 Illinois 62701.

17 Q. And what is your position with the Illinois  
18 Commerce Commission?

19 A. I'm a senior electrical engineer in the  
20 safety and reliability division.

21 Q. Mr. Rockrohr, have you prepared written  
22 testimony for purposes of this rehearing proceeding as  
23 well as providing an identification of alternative route  
24 from Pawnee to Mt. Zion through the Kincaid substation  
25 pursuant to the Commission's direction dated October 2nd,

1 2013?

2 A. Yes.

3 Q. And actually do you have before you a  
4 document which I'm going to identify as ICC Staff Exhibit  
5 5? Was that agreed to yesterday that we were going to  
6 number the identification?

7 JUDGE ALBERS: I don't know what you're --

8 MR. OLIVERO: Our identification of the  
9 alternative route.

10 JUDGE ALBERS: Oh, the route? Yes. If  
11 that's the next number, that's fine.

12 Q. (By Mr. Olivero) Okay. Do you have before  
13 you a document which we will identify and then re-file on  
14 E-Docket as ICC Staff Exhibit 5.0 consisting of the  
15 notice and identification of alternative route from  
16 Pawnee to Mt. Zion through the Kincaid substation  
17 pursuant to the Commission's direction dated October 2nd,  
18 2013, which consists of a notice and attachments A  
19 through C regarding the alternative route and was filed  
20 on the Commission's E-Docket system originally October  
21 16th, 2013?

22 A. Yes.

23 Q. And do you also have before you a document  
24 which has been marked for identification as ICC Staff  
25 Exhibit 2.0 entitled Direct Testimony of Greg Rockrohr

1 which consists of a cover page, a table of contents, 16  
2 pages of narrative testimony and attachments A and B  
3 which was filed on the Commission's E-Docket system on  
4 November 13th, 2013?

5 A. Yes.

6 Q. And do you have before you a document which  
7 has been marked for identification as ICC Staff Exhibit  
8 3.0 entitled Rebuttal Testimony of Greg Rockrohr which  
9 consists of a cover page, table of contents, 14 pages of  
10 narrative testimony and an Attachment A which was filed  
11 on the Commission's E-Docket system on December 2nd,  
12 2013?

13 A. Yes.

14 Q. And finally, do you have before you a  
15 document which has been marked for identification as ICC  
16 Staff Exhibit 4.0 entitled Surrebuttal Testimony of Greg  
17 Rockrohr which consists of a cover page, a table of  
18 contents, and 19 pages of narrative testimony which was  
19 filed on the Commission's E-Docket system on December  
20 10th, 2013?

21 A. Yes.

22 Q. And Mr. Rockrohr, do you have any corrections  
23 to make to your prepared direct, rebuttal or surrebuttal  
24 testimony?

25 A. No.

1           Q.    Is the information contained in ICC Staff  
2 Exhibits 2.0, 3.0 and 4.0 and the accompanying  
3 attachments true and correct to the best of your  
4 knowledge?

5           A.    Yes.

6           Q.    And if you were asked the same questions  
7 today, would your answers contained in the prepared  
8 testimony be the same?

9           A.    Yes.

10           MR. OLIVERO:  Your Honors, at this time we  
11 would move for admission into the evidentiary record  
12 Staff Exhibit -- and again, which we will file on  
13 E-Docket, 5.0 which is identified as the Notice and  
14 Identification of Alternative Route from Pawnee to Mt.  
15 Zion through the Kincaid Substation, with attachments;  
16 the direct testimony of Mr. Rockrohr identified as ICC  
17 Staff Exhibit 2.0 and Attachment A through B; ICC Staff  
18 Exhibit 3.0 and Attachment A; and ICC Staff Exhibit 4.0.  
19 And as previously noted, these were filed on the  
20 Commission's E-Docket system identified as the dates Mr.  
21 Rockrohr testified to earlier, and we would tender Mr.  
22 Rockrohr for cross-examination.

23           JUDGE ALBERS:  Thank you.  We'll rule on the  
24 admissibility following cross-examination.  And the first  
25 party to indicate they had cross was MSSCLPG.

1                   MR. MCNAMARA: Judge, I'm not going to have  
2 anything unless something comes up on cross that impacts  
3 my route.

4                   JUDGE ALBERS: All right. We have PDM.

5                                 \* \* \* \* \*

6                                 EXAMINATION,

7 QUESTIONS BY MR. WILKE:

8                   Q. Thank you. Mr. Rockrohr, my name is Kurt  
9 Wilke. I represent PDM and the Channon Trust. Let me  
10 start just by asking you to confirm a few points in your  
11 testimony at the outset, if you would. In Exhibit 4.0 on  
12 Page 13 you did note that you put forth proposed Mt. Zion  
13 and Kansas Route very similar to what PDM and the Channon  
14 Trust proposed, correct?

15                  A. Correct.

16                  Q. And you refer back -- at that point in your  
17 testimony you refer back to your direct testimony,  
18 Exhibit 2.0, Page 15, and there you noted that this route  
19 was a combination of ATXI's primary and alternate routes;  
20 is that correct?

21                  A. Yes.

22                  Q. And we'll get into this more later, but the  
23 only difference between the Channon route and the Staff  
24 route that you propose is an adjustment that you made  
25 near Sullivan Illinois in order to reduce potential

1 impact on an existing residential development; is that  
2 correct?

3 A. I think it was east of Sullivan, yes.

4 Q. Both the Channon route and your Staff route  
5 are made up entirely of routing segments developed and  
6 proposed by ATXI in this proceeding, correct?

7 A. That's correct.

8 Q. And so the three routes that you are  
9 evaluating on the Mt. Zion to Kansas segment are the  
10 Channon route, your Staff route and the MCPO route,  
11 correct?

12 A. Yes.

13 Q. And just to be clear, when in your testimony  
14 you refer to the ATXI-MCPO stipulated route, you're not  
15 talking about a route developed by ATXI, you're talking  
16 about a route originally proposed by MCPO that ATXI has  
17 stipulated to?

18 A. Exactly, yes.

19 Q. Now, you proposed two substation sites about  
20 three miles south of Mt. Zion which you've labeled Option  
21 1 and Option 2, correct?

22 A. Yes.

23 Q. And do you have -- you've got Exhibit 2.0,  
24 your direct testimony there?

25 A. Yes.

1 Q. Would you take a look on Page 9. And on Page  
2 9 you suggest, do you not, that the Commission select  
3 either of these two sites, Option 1 or Option 2, over  
4 ATXI's proposed site, correct?

5 MR. FITZHENRY: Counsel, just to help us  
6 along, could you identify the lines when you refer to a  
7 page and ask the witness to speak to his testimony.

8 Q. Okay. Sure, so line -- actually why don't  
9 you just read the sentence that commences on Line 180?

10 MR. OLIVERO: I'm sorry. Which line?

11 MR. WILKE: Line 180, Page 9.

12 MR. OLIVERO: Okay.

13 A. "Staff prefers either of these two substation  
14 locations over the location ATXI identified in its  
15 petition which is further to the north, because after the  
16 Decatur area, the next stop to the east for ATXI's  
17 proposed 345 kV transmission line is Kansas, which is  
18 approximately 13 miles south of ATXI's proposed  
19 substation site."

20 Q. Okay. And from your Option 1 and 2  
21 substation sites, the MCPO route runs straight north up  
22 Henry Road to within a half mile of the Mt. Zion Village  
23 limits; is that correct?

24 A. Correct.

25 Q. Wouldn't the adoption of this MCPO route

1 defeat the point of your argument that you just quoted as  
2 to why a more southern substation location is preferred?

3 A. Largely, yes. It would. It would defeat the  
4 purpose of that specific argument, yes.

5 Q. In response to a data request we sent to the  
6 Staff, No. 1.04, I believe you stated that Staff prefers  
7 Option 1 over Option 2 substation site; do you recall  
8 that?

9 MR. OLIVERO: I'm going to -- just for  
10 clarification, was that --

11 MR. WILKE: I've got copies here.

12 MR. OLIVERO: Do you have a copy of this,  
13 Greg?

14 A. I do not have a copy of that. Thank you.

15 Q. (By Mr. Wilke) And I apologize, but that --  
16 that is an exhibit, PDM Exhibit 8.1, so that is in  
17 evidence, yes.

18 JUDGE ALBERS: All right.

19 Q. And so my question was whether or not, in  
20 your response to that data request No. 1.04, you stated  
21 that Staff prefers the Option 1 over the Option 2  
22 substation site?

23 A. Yes, that's what it says.

24 Q. And would it be fair to say that the reason  
25 for that preference is the same as the reason you just

1 quoted from Page 9 of your testimony?

2 A. Yes.

3 Q. So because it is further south, more on a  
4 direct line to Kansas, that site is preferred over Option  
5 2 site?

6 A. The Option 1 site directly abuts the  
7 southern-most portion of ATXI's primary route in that  
8 specific area, so yes, I would say yes.

9 Q. And as you are comparing routes, there would  
10 not be too significant a difference whether you start  
11 from the Option 1 or the Option 2 site; is that correct?

12 A. I couldn't quite hear the first part of your  
13 question.

14 Q. As you're comparing the three routes on this  
15 segment, there would not be too much of a difference  
16 depending on whether you are leading from the Option 1  
17 site or the Option 2 site?

18 A. As I recall, the Option 2 site is four-tenths  
19 to half a mile further north, so there would be some  
20 difference.

21 Q. Okay. It wouldn't -- well, I'll get to that  
22 as we get through some of the factors. I'll strike that  
23 question, please.

24 And you also had an Option 3 site, the  
25 Moweaqua location, but it's your statement using this

1 site versus Option 1 and 2 doesn't change the route  
2 comparisons on the Mt. Zion to Kansas segment, correct?

3 A. That's correct.

4 Q. So what I would like to do with the rest of  
5 my time with you is just focus on a comparison, on the  
6 one hand of the MCPO route running from your Option 1 or  
7 Option 2 substation sites, and on the other hand, the  
8 Channon and Staff routes running from the Option 1 or  
9 Option 2 substation sites.

10 A. Okay.

11 Q. All right? And all of my questions that  
12 follow will be based on that comparison.

13 A. Sure.

14 Q. In your surrebuttal testimony, Exhibit 4.0  
15 Pages 13 to 17, you discuss the various routing criteria  
16 prior to making your recommendation, correct?

17 A. Yes.

18 Q. And I think you have noted on Page 13 that  
19 the 12 routing criteria are those which the Commission  
20 listed on Page 15 of its August 20th final order?

21 A. Yes.

22 Q. The first one of those is length, and this  
23 was a criteria you looked at, correct?

24 A. Yes.

25 Q. And there is no dispute, is there, that the

1 Channon and Staff routes are significantly shorter than  
2 the MCPO route?

3 MR. FITZHENRY: Object to the reference to  
4 significantly. I think it's vague.

5 Q. I can rephrase that. There's no dispute that  
6 the Channon and Staff routes are shorter than the MCPO  
7 route?

8 A. Correct.

9 Q. And your testimony is that the MCPO route is  
10 70.7 miles, I think you state on Page 13, and the Channon  
11 route is 61.65 miles, you state on Page 14, correct?

12 A. Yes.

13 Q. So the MCPO route is about nine miles longer  
14 than the Channon and Staff routes?

15 A. Yes.

16 Q. So this factor, in isolation, would favor the  
17 Channon and Staff routes over the MCPO route?

18 A. Correct.

19 Q. The next factor is difficulty/cost of  
20 construction, and you also looked at this criteria.  
21 Again, there's no dispute that the MCPO route is more  
22 expensive than the Channon and Staff routes to construct,  
23 correct?

24 A. I don't know if there's any dispute or not.  
25 The values that I placed on here is my assumptions based

1 on a cost provided by ATXI and Mr. Hackman's Exhibit 5.1.  
2 So I extrapolated from that exhibit. I don't know if all  
3 parties agree to that or not.

4 Q. Okay. But at least what you concluded is  
5 that the MCPO route baseline cost is about \$17 million  
6 more than the Channon and Staff routes?

7 A. Yes.

8 MR. ROBERTSON: There are three different  
9 routes, and which particular one are you talking about?

10 MR. WILKE: I'm talking about routes running  
11 from the Option 1 and Option 2 substation sites.

12 Q. (By Mr. Wilke) And in your testimony on this  
13 point, you did not indicate any unique features of either  
14 route that would make one more difficult to construct  
15 than the other, correct?

16 A. Correct.

17 Q. So this factor, in isolation, would favor the  
18 Channon and Staff routes over the MCPO?

19 A. That's true.

20 Q. The next one is difficulty/cost of  
21 maintenance, and you did not discuss this factor. I  
22 would like to show you your response to a data request  
23 from ATXI No. 3.05, if I can. I'm not going to mark it.

24 JUDGE ALBERS: Okay.

25 Q. Sir, have you -- well, I'll let you finish

1 reading it. Okay. So this data request is in reference  
2 to a different segment, correct, the Meredosia-Pawnee  
3 segment?

4 A. It refers to my testimony, Exhibit 2, at  
5 Lines 161, 163. So let me -- let me look at that. Yes,  
6 this is talking about the line between Pawnee and Mt.  
7 Zion, I believe.

8 Q. Okay. Okay. And I apologize. I just want  
9 you to confirm that you're not talking in this response  
10 about the Mt. Zion and Kansas segment. But you state  
11 there in response to Part 2 that you did not attempt to  
12 calculate the difference in maintenance costs, and that's  
13 also true -- that statement would also be true with  
14 respect to your comparison of the Mt. Zion to Kansas  
15 routes?

16 A. Yes, that is correct.

17 Q. And would you read, please, the balance of  
18 your answer to Part 2 there?

19 A. "Mr. Rockrohr did not attempt to calculate  
20 the difference in maintenance costs. Mr. Rockrohr's  
21 opinion is that if maintenance costs of two transmission  
22 lines are to be compared, and

23 - transmission line number one is  
24 significantly shorter than transmission line number two,  
25 and

1                   - both transmission lines have the same  
2 basic design, and

3                   - both transmission lines cross land with  
4 similar characteristics, transmission line number one  
5 will have lower maintenance costs than transmission line  
6 number two. This is the case primarily because there are  
7 fewer structures and spans of conductor associated with  
8 transmission line number one that could potentially  
9 require maintenance including vegetation clearing."

10           Q.    Thank you. And do you dispute, or would you  
11 dispute ATXI witness Trelles' testimony that this 345 kV  
12 line will average 5.4 to 5.5 support structures per mile?

13                   MR. FITZHENRY: Your Honor, without a  
14 citation to Mr. Trelles' testimony, it's hard to really  
15 evaluate whether what Mr. Wilke is speaking about is  
16 correct or not. Could you help us with that?

17                   MR. WILKE: I'm referring to his testimony at  
18 the underlying -- hearing in the underlying proceeding in  
19 this case on May 14th, Page 406, Line 17 of the  
20 transcript.

21                   MR. FITZHENRY: And the other objection would  
22 be to what was Mr. Trelles talking about. Was he talking  
23 about a particular route segment or the project overall.

24                   MR. WILKE: I think what he states is this  
25 345 kV line will average 5.4 to 5.5 support structures

1 per mile, and I just want to know if Mr. Rockrohr  
2 disputes that.

3 A. Subject to check with that quote, I don't  
4 have his testimony with me, but I have no reason to  
5 dispute that.

6 Q. Okay. And so you would not dispute that on a  
7 route that is nine miles longer, you'll have 48 to 50  
8 more structures and spans?

9 MR. FITZHENRY: Objection. There's no  
10 foundation laid that he could possibly answer that  
11 question. Mr. Trell's testimony, as made evident by Mr.  
12 Wilke's explanation, was a generalization across the  
13 entire route that there would be so many structures per  
14 mile. I think to ask Mr. Rockrohr a pointed question  
15 about how many structures there might be with regard to a  
16 particular route segment is questionable, given that  
17 there's a lack of foundation.

18 MR. WILKE: I simply asked him -- I think I  
19 simply asked him on a route that is nine miles longer --  
20 one route that is nine miles longer than another route,  
21 would he dispute that there's going to be 48 to 50 more  
22 structures and spans.

23 JUDGE ALBERS: You're not referring to a  
24 particular route, just saying generally?

25 MR. WILKE: Yeah, right.

1 JUDGE ALBERS: Objection is overruled.

2 A. I think the math works out to what you  
3 stated.

4 Q. And so based on the opinion you just read  
5 from your response to Data Request 3.05, would you expect  
6 that the Channon and Staff routes would have a lower cost  
7 of maintenance than the MCPO route?

8 MR. ROBERTSON: Excuse me. You've already  
9 had this witness admit that his estimate of cost of  
10 maintenance was a function of the characteristics of the  
11 land that was being crossed, and there's absolutely no  
12 foundation been laid to show that the land being crossed  
13 on the MCPO route or the Channon route is exactly the  
14 same as the characteristics of the land that was being  
15 crossed by the segment of the line that's referenced in  
16 this data request. And so unless a foundation is laid to  
17 show that the characteristics of the land are exactly the  
18 same in all instances, all the way across this route, I  
19 don't -- I object to asking the witness to offer a  
20 generalization.

21 MR. FITZHENRY: Your Honor, I was intending  
22 to offer a similar objection, and note that the evidence  
23 in the record actually is the MCPO route is more straight  
24 than the PDM Channon Trust route, which the argument has  
25 been laid before you is likely to result in more

1 structures. And again, to Mr. Robertson's point, they're  
2 much different in terms of the characteristics.

3 MR. WILKE: I can attempt to lay a  
4 foundation, but what we're looking for here is Mr.  
5 Rockrohr's opinion.

6 JUDGE ALBERS: I'll let you attempt to lay a  
7 foundation.

8 Q. (By Mr. Wilke) Okay. So going back to your  
9 response to 3.05, you stated that if three factors are  
10 present, being one line is shorter than the other line;  
11 number two, that both transmission lines have the same  
12 basic design; and number three, that both transmission  
13 lines cross land with similar characteristics, then you  
14 would expect the shorter line to have lower maintenance  
15 costs, correct?

16 A. That's correct.

17 Q. And did you -- you've already noted that the  
18 MCPO route is nine miles longer, correct?

19 A. Correct.

20 Q. And you have not indicated anywhere in your  
21 testimony that the two routes have different basic  
22 design, have you?

23 A. No.

24 Q. And you have not indicated anywhere in your  
25 testimony that the routes cross land with different

1 characteristics, have you?

2 A. I have not.

3 Q. And so given that those three factors are  
4 met, would you agree that the MCPO -- you would expect  
5 the MCPO route to have higher maintenance costs than the  
6 Channon and Staff route?

7 MR. FITZHENRY: Objection.

8 MR. ROBERTSON: He's just testified he hasn't  
9 determined the characteristics --

10 MR. FITZHENRY: Yeah.

11 MR. ROBERTSON: So I don't see how he can  
12 offer an opinion. I don't think you've laid the  
13 foundation.

14 MR. FITZHENRY: The questions were about what  
15 Mr. Rockrohr didn't testify to. So again, there's been  
16 no foundation laid.

17 JUDGE ALBERS: If you want a foundation, you  
18 should do better than that.

19 MR. WILKE: We'll move on.

20 JUDGE ALBERS: The objections are sustained.

21 Q. (By Mr. Wilke) Do you recall -- let's see.  
22 Would you look at your rebuttal testimony, Exhibit 3,  
23 Page 2, please.

24 A. Page 2?

25 Q. Yes.

1 MR. OLIVERO: You said surrebuttal?

2 MR. WILKE: Rebuttal.

3 MR. OLIVERO: Rebuttal.

4 Q. Would you read the sentence starting on Line  
5 27, please?

6 A. "Even impacts identified as equal within the  
7 table such as social and land use impacts and visual  
8 impacts would actually favor the MSSCLPG route simply  
9 because there would be 21 fewer miles of transmission  
10 line causing those impacts."

11 Q. Okay. I apologize, because I had you read  
12 the wrong quote. What I meant to ask you about is the  
13 rebuttal testimony of Donell Murphy filed as Exhibit --  
14 ATXI Exhibit 3.0.

15 MR. FITZHENRY: Mr. Wilke, are you speaking  
16 about Ms. Murphy's rehearing rebuttal or direct or in the  
17 case-in-chief?

18 Q. I'm going to just ask him the question,  
19 because I got the wrong reference here. I apologize.  
20 I'm sorry. I want to go back to your Exhibit 3, your  
21 rebuttal testimony, and I just gave you the wrong line.  
22 Take a look at Line 33, please, and read the sentence  
23 that starts with "The only entry."

24 A. "The only entry in Ms. Murphy's table that I  
25 disagree with is in the row labeled Difficulties/Cost of

1 Operation and Maintenance. Ms. Murphy's table appears to  
2 ignore the difficult/cost of operation and maintenance of  
3 21 miles of extra transmission line."

4 Q. Would it be fair for me to make the same  
5 criticism of your testimony on the Mt. Zion to Kansas  
6 segment that you stated about Ms. Murphy's on that  
7 segment; that you have chosen to ignore the  
8 difficulty/cost of operation and maintenance of nine  
9 miles of extra transmission line?

10 MR. FITZHENRY: Could I have the question  
11 read back, please?

12 (Whereupon, the requested material was read  
13 by the reporter.)

14 MR. FITZHENRY: Your Honor, as I heard back  
15 the question the second time, it just sounded as if Mr.  
16 Wilke was offering into the record his criticism of what  
17 Mr. Rockrohr did or did not do. I, frankly, don't even  
18 understand what question is being posed.

19 JUDGE ALBERS: Maybe if you could just  
20 rephrase the question, that might help me as well.

21 Q. So what I'm trying to get at here is you were  
22 evaluating Ms. Murphy's testimony on a different segment  
23 when you say that she didn't comment on the fact that  
24 you're going to have -- with 21 extra miles of line,  
25 you're going to have additional costs of maintenance and

1 operation and you thought she should have mentioned that.  
2 And so my question is isn't that criticism which you  
3 leveled against her equally applicable to you here on  
4 this segment because there's nine extra miles of  
5 transmission line?

6 A. Yeah, I think that -- I think that's true. I  
7 think that the criticism that I did state here regarding  
8 Ms. Murphy's table, that same criticism could be applied  
9 to my application of the 12 criteria, so yes.

10 Q. If you would take a look at the next page of  
11 your testimony, Exhibit 3.0, Page 3, and I'm looking at  
12 the top four lines there and you are referring to --  
13 you're commenting on testimony by Mr. Hackman, correct?

14 MR. FITZHENRY: Could you identify the line  
15 number, please?

16 MR. WILKE: 45 through 49.

17 MR. FITZHENRY: Thank you. It doesn't refer  
18 to a complete sentence, just so that we're clear  
19 beginning on line --

20 MR. WILKE: Yeah, I'm just asking him to --  
21 if in those lines he's commenting on testimony of Mr.  
22 Hackman.

23 MR. FITZHENRY: Okay. Thank you, Mr. Wilke.

24 A. Yes, I am referring to the testimony of Mr.  
25 Hackman.

1           Q.    And you note, do you not there, that Mr.  
2 Hackman has testified to operations and maintenance  
3 concerns that result from constructing parallel lines in  
4 close proximity?

5           A.    Correct.

6           Q.    And then in the next sentence, which begins  
7 on Line 48, you state that you agree those concerns need  
8 to be considered?

9           A.    That's what I said.

10          Q.    Do you agree that all else being equal, a  
11 mile of 345 kV line closely parallel to one or more  
12 existing transmission lines has more operations and  
13 maintenance concerns than a mile of 345 kV line that does  
14 not parallel existing transmission lines?

15          A.    I can't make that statement universally, no.

16          Q.    Let me ask you one more question then about  
17 parallel transmission lines. The Commission, in its  
18 final order, mentions issues with parallel transmission  
19 lines, and then it states on Page 96 that, "If sufficient  
20 space is provided, such problems can be avoided or  
21 mitigated." And my question is the 13 miles of parallel  
22 transmission lines on the proposed MCPO route consists of  
23 easements immediately adjacent to each other; is that  
24 correct?

25          A.    If you're asking me about the section of the

1 MCPO route on the far east end.

2 Q. Yes, sir.

3 A. Where it goes nearly directly south into  
4 Kansas, I can give you my understanding is that the  
5 proposal is for the new 345 kV line easement to abut  
6 existing easements.

7 Q. Okay. So the -- let me ask another question.  
8 You're familiar with the 345 kV lines running north out  
9 of the Kincaid park land?

10 A. There's -- yes, there's two.

11 Q. And they're separated by a mile or more; is  
12 that correct?

13 A. For much of the distance, yes. Obviously  
14 right when they leave Kincaid, they can't be.

15 Q. Would you agree that that separation between  
16 those two lines is an example of how a route designer  
17 could avoid or mitigate problems associated with parallel  
18 lines?

19 A. Yes.

20 Q. The next factor is environmental impacts, and  
21 you have not noted any significant environmental factors;  
22 is that correct?

23 A. That's correct. I was not aware of  
24 differences between -- that does not mean that  
25 environmental impacts do not exist for the routes. It

1 just means I'm not aware of a significant difference  
2 between them.

3 Q. I want to see if you would agree with a  
4 statement made by Donell Murphy in Exhibit 3.0 of her  
5 rehearing testimony at Page 7, Table 1. She states with  
6 respect to environmental impacts, no unique  
7 considerations, though this route is shorter, so it would  
8 result in incrementally less ground disturbance. Would  
9 you agree that would be true on Mt. Zion to Kansas?

10 A. I haven't found that testimony, but I agree  
11 that that statement makes sense, yes. I mean I think  
12 that would be true for comparing any two routes.

13 Q. Next one is No. 5, impacts on historical  
14 resources, and you've noted no significant historical  
15 factors; is that correct?

16 A. Correct.

17 Q. Did you consider Bob Doan's testimony in this  
18 case?

19 A. I'm sure I read Bob Doan's testimony.

20 Q. Well, let me ask you this. Do you think it  
21 would be appropriate, as you're considering this factor,  
22 to consider testimony in the record that the MCPO route  
23 cuts directly through the triangle of Amish communities,  
24 Arthur, Tuscola and Arcola, which is what Bill Doan  
25 testified to in the PDM Exhibit 4.0, Page 4, Line 48?

1           A.    I think it would be appropriate to consider  
2 all testimony, yes.

3           Q.    And in connection with the historical impact  
4 issues surrounding the Amish community, do you think it  
5 would be worth considering, as you evaluate this factor,  
6 that over 80 members of the PDM group that oppose the  
7 MCPO route are residents of Arthur, Illinois?

8           MR. ROBERTSON:  I'm going to object.  There's  
9 no foundation in the record for that fact.

10          MR. FITZHENRY:  It assumes facts not in  
11 evidence either.

12          MR. WILKE:  Actually we have filed a  
13 supplemental appearance and petition to intervene which  
14 shows over 80 members with Arthur residents.

15          MR. FITZHENRY:  That's not --

16          MR. ROBERTSON:  That's not a fact in  
17 evidence.

18          MR. WILKE:  I'll withdraw the question.

19          JUDGE ALBERS:  Objection sustained.

20          Q.    All right.  The next one is social and land  
21 use impacts, and you did not discuss this factor,  
22 correct?

23          A.    I believe that's true.

24          Q.    Do you have hearing testimony in the  
25 Robinette proceeding?

1           A.    I'm sorry.  I couldn't quite hear you.

2           Q.    Do you have your testimony in the rehearing  
3 on the Robinette proceeding with you?

4           MR. OLIVERO:  Counselor, are you talking  
5 about Exhibit 2?

6           MR. WILKE:  Yes.

7           MR. OLIVERO:  The first like six pages of  
8 that?

9           MR. WILKE:  It's ICC Staff Exhibit 2.0 (RRH).

10          A.    I have the same testimony that is part of my  
11 Exhibit 2.0.  2.0 (RRH) was just pulled from the first  
12 six or so pages of 2.0.

13          Q.    Okay.  And the reason I'm drawing your  
14 attention to that is because on Page 4, Line 73 you were  
15 comparing the two alternatives on the Robinette -- in the  
16 Robinette proceeding and you noted that there was one  
17 route would likely cause support structures to be located  
18 in areas that are cultivated.  The other route  
19 alternative, that that could be largely avoided.  Do you  
20 recall that testimony?  And I'm on -- if you want to  
21 reference it, I'm on ICC Staff Exhibit 2.0 (RRH) Page 4,  
22 Lines 72 to 79.

23          MR. OLIVERO:  Just for clarification, I mean  
24 I don't think Mr. Rockrohr indicated he had the revised  
25 version that we filed for purposes of Robinette.  We had

1 the one that we included in Exhibit 2.0, which has a  
2 little different pagination, I think, at the beginning.

3 MR. WILKE: Okay.

4 MR. OLIVERO: I mean I --

5 MR. WILKE: I can just show him this one. Is  
6 that all right?

7 MR. OLIVERO: Yeah. I mean I think he can  
8 then reference it with the --

9 A. That would be easier for me. Thank you.

10 MR. FITZHENRY: Is this what you're referring  
11 to?

12 A. Thank you. In reviewing this testimony, I  
13 see where I have stated that because the long road is  
14 very narrow, support structures will likely be located in  
15 areas that are now cultivated.

16 Q. And that was important, you thought, to  
17 consider as a means of distinguishing between the two  
18 routes?

19 A. I was basically stating here that -- or  
20 attempting to state here that both routes would impact  
21 cultivated areas, but that the Robinette suggestion, it  
22 appeared to me, could allow structures to be placed --  
23 the foundations for structures to be placed in areas  
24 where farming equipment might not travel.

25 Q. Okay.

1           A.     So that was the purpose of this Q and A here.

2           Q.     Okay.  And do you disagree with Mr. Reinecke  
3     that the Channon/Staff routes impact less prime farmland  
4     than the MCPO route?

5           A.     Do I disagree with whom?

6           Q.     Mr. Reinecke, MCPO's witness.  He testified  
7     to that yesterday.

8           MR. ROBERTSON:  He did not testify to that  
9     yesterday.  If you want to quote from the transcript, get  
10    it out.  He did not testify to that.

11          Q.     (By Mr. Wilke) Well, let me quote it from his  
12    testimony, Exhibit 2.0, Page 6, Line 27.

13          MR. OLIVERO:  Who was this again?

14          MR. WILKE:  Rudolph Reinecke.

15          JUDGE ALBERS:  What was the page and line  
16    again, please?

17          MR. WILKE:  Exhibit 2.0, Page 6, Line 27.

18          MR. FITZHENRY:  Can you give us a moment to  
19    find that reference, Mr. Wilke?

20          MR. WILKE:  Sure.

21          MR. FITZHENRY:  You didn't share your cross  
22    outline with us in advance.  What page was that again?  
23    I'm sorry.

24          MR. WILKE:  Page 6, Line 27.

25          MR. FITZHENRY:  Thank you.

1 MR. OLIVERO: When was that filed, his  
2 testimony?

3 MR. WILKE: That's his rebuttal testimony.

4 MR. OLIVERO: Okay. December 2nd. I guess I  
5 should ask, Mr. Rockrohr, do you have a copy of that?

6 A. I do.

7 MR. OLIVERO: Okay.

8 A. I found it.

9 Q. Okay. So -- well, first of all, do you agree  
10 that Mr. Reinecke testifies that the Channon/Staff routes  
11 impact less prime farmland than the MCPO route?

12 A. I do agree that he testified to that.

13 Q. And do you disagree with that statement?

14 A. I don't disagree. I don't agree. I don't  
15 know. I didn't include that in my surrebuttal testimony.

16 Q. So that's not something you looked at?

17 A. Correct.

18 Q. How about did you compare how the routes  
19 based on how many farm tracts are bisected?

20 A. No.

21 Q. But based on the testimony you just reviewed  
22 from the Robinette proceeding, you would agree that  
23 bisecting farms and placing support structures in the  
24 middle of cultivated fields is a negative impact as far  
25 as this criterion is concerned?

1           A.    That's my belief, yes.

2           Q.    And would you agree that for those farmers  
3 who are negatively impacted in that way, there would be  
4 an economic cost associated with that impact, just like  
5 there's an economic cost associated with placing a line  
6 next to a house?

7           A.    I believe that's true.

8           Q.    As you considered this factor, land use  
9 impacts, did you consider the public input information  
10 that ATXI obtained by meeting with land owners across the  
11 route line?

12          A.    No.

13          Q.    So you're not aware of what the public  
14 preference is as far as sensitivities; is that correct?

15          A.    I'm not aware of what the public's input --  
16 sitting here, I'm not aware of what the public's  
17 preference expressed in the public meetings were. I  
18 reviewed some of the information in ATXI's, I think it  
19 was Ms. Murphy's testimony in the initial hearing where  
20 she discussed summaries of public input, but I did not  
21 include that in my surrebuttal testimony on rehearing.

22          Q.    If I just show this to you from afar, do you  
23 recall looking at the public input areas most sensitive  
24 to which Ms. Murphy referred in her testimony?

25               MR. FITZHENRY: Can we get an identification

1 for the record? Holding up a chart is not going to be  
2 helpful for the transcript.

3 MR. WILKE: I appreciate that. ATXI Exhibit  
4 4.3, Appendix C, Part 8, Page 5.

5 A. I'm sure I looked at it. Right sitting here,  
6 I don't recall it.

7 Q. But you wouldn't dispute anyway then that  
8 agricultural use impacts is the area most sensitive to  
9 the public based on the information ATXI had?

10 MR. OLIVERO: I guess I'm going to object  
11 because I think Mr. Rockrohr said he didn't really recall  
12 what was I guess in that exhibit if he -- when he did  
13 look at it, so. . .

14 JUDGE ALBERS: All right. If you want to try  
15 to refresh his recollection, that's fine, but the  
16 objection is sustained.

17 Q. (Mr. Wilke) I'm just going to show it to you  
18 real quick. Okay. Showing you what's been marked as  
19 ATXI Exhibit 4.3, Appendix C, Part 8, Page 5. Have you  
20 had a chance to take a look at that?

21 A. Yes. Thank you.

22 Q. And that document states that the areas most  
23 sensitive to the public are, number one, agricultural use  
24 areas, correct?

25 A. Well, it's titled Areas Most Sensitive to

1 You. If this is a representation of the total input from  
2 the public meetings, then that's what this appears to  
3 show.

4 Q. Okay. Did you consider on this criteria,  
5 land use impacts, Dr. Tom Emanuel's testimony in the  
6 record regarding the negative impacts aligned with cost  
7 to facilitate for the University of Illinois' Aviation  
8 program?

9 A. Yes, I did.

10 Q. And would you consider that to be a social  
11 and land use impact?

12 A. Yes, I think it would be a land use impact.

13 Q. And that is a negative impact applicable to  
14 the MCPO route, correct?

15 A. Yes. I think you could characterize it as a  
16 negative impact.

17 Q. Can you go back to your rebuttal testimony,  
18 Page 2, Line 27.

19 A. Did you say Line 27?

20 Q. Yes. That's the one I had you read before.  
21 Would you mind reading it again?

22 A. Did you mean Robinette?

23 Q. No. I'm talking about your Exhibit 3.0.

24 A. 3.0. I'm sorry. I heard 2. "Even impacts  
25 identified as equal within the table such as social and

1 land use impacts and visual impacts would actually favor  
2 the MSSCLPG route simply because there would be 21 fewer  
3 miles of transmission line causing those impacts."

4 Q. And again, is it fair for you to ask the  
5 Commission to consider that opinion on the  
6 Meredosia-Pawnee segment, but then fail to mention it on  
7 the Ms. Zion and Kansas segment?

8 MR. OLIVERO: Your Honor, I'm going to object  
9 as argumentative. I think he can ask it in terms of each  
10 segment, that he didn't point it out, but --

11 JUDGE ALBERS: Sustained.

12 MR. WILKE: I can rephrase that question.

13 JUDGE ALBERS: Go ahead.

14 Q. Would the statement you just made -- that you  
15 just quoted be applicable to the Mt. Zion-Kansas segment  
16 because there would be nine fewer miles of transmission  
17 line causing those impacts?

18 MR. FITZHENRY: Your Honor, again, there's a  
19 foundation issue here, because looking at Mr. Rockrohr's  
20 testimony, he couldn't possibly answer that question  
21 without some foundation as to whether the social and land  
22 use impacts and visual impacts associated with the MCPO  
23 north route are the same or near the same as the MSSCLPG  
24 route which he testifies to here.

25 MR. WILKE: And the reason he made the

1 statement is because there were no significant factors  
2 noted, so he said just the length alone would lead one to  
3 conclude that there would be fewer social and land use  
4 impacts and visual impacts simply because by virtue of  
5 having a shorter line, so --

6 MR. FITZHENRY: Well, my objection -- hold on  
7 here. No, that's the point. I mean the point is that  
8 Mr. Rockrohr has identified residential structures in  
9 proximity to the line. There is evidence about the  
10 amount of paralleling, which obviously affects the social  
11 and land use impacts and visual impacts that relate to  
12 the MCPO north route versus the PDM Channon route and  
13 ATXI's primary and alternate routes in this area, which  
14 are not the same as this particular route.

15 MR. ROBERTSON: I agree with the objection  
16 and join the objection and would point out that the  
17 record here shows that there -- in the case of  
18 residences, there are substantially fewer social and land  
19 use impacts associated with that factor and with the  
20 paralleling than on the Channon proposed route, and I  
21 don't think it's appropriate to have this witness crossed  
22 on his examination of another route and taking the  
23 standard that appears to be all else equal, when we know  
24 that all else is not equal on the MCPO route. So that  
25 this is a generalization that he's attempting to apply to

1 this particular -- these particular routes and he's not  
2 laid a foundation to show that the social and land use  
3 factors were the same on the proposed routes in Mt.  
4 Zion-Kansas as they are on routes being discussed here.

5 MR. WILKE: And again, these gentlemen are  
6 free to criticize Mr. Rockrohr's opinion, but all I'm  
7 asking is what his opinion is, and he's already testified  
8 that he notes no significant distinctions between the two  
9 routes on this factor. And so I'm just asking if he  
10 would give the same opinion on this segment that he gave  
11 on the Meredosia-Pawnee segment.

12 JUDGE ALBERS: All right. You're both citing  
13 number of residents in the objections, I believe you both  
14 did that, and that's a different criteria. And you're  
15 just worried about the social and land use criteria?

16 MR. WILKE: Yes. Yes, sir.

17 JUDGE ALBERS: All right. Overrule the  
18 objection.

19 A. In my opinion, if the impacts are equal, if  
20 the type of impacts are equal, certainly the longer line  
21 would have a more negative -- could be viewed more  
22 negatively, you know, if all impacts along both lines are  
23 equal.

24 Q. And that's the observation you were making on  
25 Page 3, Line 27 of your testimony, correct?

1           A.    That was my attempt, yes.

2           Q.    All right.  The next one is number of  
3 affected land owners and other stakeholders, and again,  
4 you did not discuss this factor, correct?

5           A.    Correct.

6           Q.    Okay.  Do you have -- if you could look at  
7 your direct testimony, Exhibit 2.0, Page 8, Line 161.

8           A.    The sentence that starts, "As a?"

9           Q.    "As a result."  Yes.  Would you read that,  
10 please?

11          A.    "As a result of eliminating the 25 miles in  
12 question, construction costs and maintenance costs would  
13 be lower, many land acquisitions will be avoided and  
14 there will be less impacts on land owners."

15          Q.    That observation that you made there with  
16 respect to the Meredosia to Pawnee segment can equally be  
17 made, or would you equally make that observation with  
18 respect to the Mt. Zion to Kansas segment?

19               MR. FITZHENRY:  Objection.  Again, this goes  
20 back to earlier questions by Mr. Wilke where he tended to  
21 extrapolate Mr. Rockrohr's commentary on the Meredosia to  
22 Pawnee route and his testimony there now with other  
23 testimony Mr. Rockrohr has offered regarding what we call  
24 the Kincaid option, and then trying to extrapolate that  
25 as to somehow bearing on Mr. Rockrohr's opinions

1 regarding the MCPO north route or -- and the routes going  
2 through Moultrie County. There's a lack of foundation.

3 MR. WILKE: Again, his testimony is that the  
4 differential in route length alone reduces the impacts on  
5 land owners. That was his testimony, and I want to  
6 simply ask him if he agrees that that statement is true  
7 with respect to Mt. Zion to Kansas segment.

8 MR. FITZHENRY: I understood that to be a  
9 different question, and so I would withdraw my objection.

10 JUDGE ALBERS: All right.

11 A. Again, same comment as last time. If the  
12 routes are equal in all other ways and length is the only  
13 difference, then I would say yeah, a longer route would  
14 have more negative impacts.

15 Q. Okay. The next one is proximity to homes and  
16 other structures, and you do discuss this factor,  
17 correct?

18 A. Yes.

19 Q. And you stated that you reviewed the routes  
20 on the internet with aerial maps, correct?

21 A. Yes.

22 Q. And you have also, I assume, reviewed the  
23 exhibits and data responses of ATXI and intervenors with  
24 respect to residences and structures?

25 A. Yes.

1           Q.    First I want to ask you a question just on  
2   the issue of methodology.  On Page 119 of this final  
3   order, the Commission makes a statement that it is  
4   hesitant to accept numbers of residences as accurate in  
5   light of testimony that a ground level assessment of the  
6   structures along the routes was not done and that  
7   decisions and assumptions remain simply from aerial  
8   surveys.  Do you agree with that concept expressed by the  
9   Commission?

10           A.   I agree with that concern, yes.

11           Q.    And you would agree then that any analysis of  
12   residences and structures that is done simply by looking  
13   at aerial maps, without a ground level assessment, well  
14   may well be inaccurate?

15           A.    Yes, they may be inaccurate, yes.

16           Q.    Do you have the same opinion regarding an  
17   analysis of residences and structures such as schools,  
18   for example, that is done simply by reviewing government  
19   or other databases on the internet without a ground level  
20   assessment, such an analysis may well be inaccurate?

21           A.    Just generally, because conditions can change  
22   in the field post any data that is reviewed on the  
23   internet, if it's a school, if it's a residence, no  
24   matter what it is, there's potential for error there,  
25   yes.

1 Q. Were you here yesterday for Mr. Reinecke's  
2 testimony?

3 A. Yes.

4 Q. Did you find any schools on the Channon/Staff  
5 route?

6 A. No.

7 Q. Now, based on review of the aerial maps, you  
8 found certain residences to be in close proximity to the  
9 routes, correct?

10 A. Yes.

11 Q. And when you say close proximity, can you  
12 define that for us?

13 A. Generally 400 feet-ish. Because the proposed  
14 right-of-way is fairly wide at 150 feet, and because the  
15 transmission line can potentially be shifted within that  
16 right-of-way, it's pretty hard to tell exactly how many  
17 feet any particular structure is going to be from the  
18 ultimate line. So my review consisted of about 400 feet,  
19 and I -- candidly, I did not scale every map that I  
20 looked at. I used my approximation as to what 400 feet  
21 would be.

22 Q. Okay. If we could look at the list of four  
23 residences that you've got on Page 15, do you see that?

24 MR. FITZHENRY: What was that again? I'm  
25 sorry.

1 MR. WILKE: This is on Page 15 of Exhibit  
2 4.0.

3 MR. FITZHENRY: Thank you.

4 Q. Have you got that? And the reason you say  
5 there are three homes on the MCPO route, but then list  
6 four, is because the first house is only applicable if  
7 the MCPO route runs from the Sulphur Springs substation  
8 site, correct?

9 A. Yes.

10 Q. And the second home is only applicable if  
11 we're running the route from the Option 1 and Option 2  
12 substation sites?

13 A. Exactly correct.

14 Q. So let's start with that second house you  
15 noted there. That's on Henry Road; is that right?

16 A. Yes.

17 Q. And so that is on the MCPO route from the  
18 Option 1 or Option 2 substation sites?

19 A. I would classify it as on ATXI's primary  
20 route going north to the intersection with the original  
21 MCPO route, so I think we're saying the same thing.

22 Q. That's how MCPO and ATXI proposed to connect  
23 the original MCPO route to your substation sites?

24 A. Yes.

25 Q. Do you recall Mr. Reinecke's testimony

1 yesterday that he was confident that there were 12 homes  
2 on the MCPO route running from the Option 1 and 2  
3 substation sites and that the locations of these 12 homes  
4 were all shown on his list which was introduced as PDM  
5 Cross Exhibit 3?

6 A. I don't recall that specific testimony, no.

7 Q. I just want to show you an exhibit. What I'm  
8 showing you is ATXI Exhibit 4.2, Part 74, Page 3. And  
9 can you confirm that the Henry Road house that you're  
10 referring to is in Section 15 of Mt. Zion Township?

11 (Technical difficulties.)

12 JUDGE YODER: Off the record. Let's take 10  
13 minutes.

14 (A recess was taken.)

15 JUDGE ALBERS: Go back on the record. Sorry  
16 for the interruption. Mr. Wilke, you were in  
17 mid-question.

18 Q. Yes. I think where we left off is I was  
19 asking if you could confirm that the Henry Road residence  
20 that you referenced south of Wheeler Road is in Section  
21 15 of Mt. Zion Township?

22 A. Yes. It's right east of -- Henry Road is the  
23 boundary between Section 16 and 15, and it's just east of  
24 Henry Road.

25 Q. Okay. Now, you indicated a little earlier

1 that you define close proximity as 400 feet. What I'm  
2 showing you there is what's been marked as PDM --

3 MR. ROBERTSON: Cross Exhibit 3.

4 Q. Thank you. PDM Cross Exhibit 3, which is Mr.  
5 Reinecke's listing of the 12 homes he contends are within  
6 500 feet of the MCPO route on Option 1 and Option 2  
7 substation sites. And first of all, you can confirm that  
8 he has listed quite a few more homes within 400 feet of  
9 the center line than the three that you have mentioned?

10 MR. OLIVERO: Your Honor, I wasn't here  
11 yesterday, so I guess I'm not really sure. How do we  
12 know that this is Mr. Reinecke's, I guess, response?

13 MR. WILKE: He testified to that yesterday.

14 MR. OLIVERO: Okay. I'm sorry.

15 MR. WILKE: The reference to MZK 1 and MZK 2  
16 are the two substation sites.

17 MR. OLIVERO: All right. Thank you.

18 A. So Mr. Wilke, your question was?

19 Q. I'm just asking you to confirm that there --  
20 that whereas you indicated you had located three homes in  
21 close proximity to the MCPO route, and you defined that  
22 as 400 feet, that Mr. Reinecke has listed quite a few  
23 more here within 400 feet.

24 A. Yes. It looks like there's 12 lines on this  
25 table.

1 Q. Okay. And do you note a home and -- a  
2 residence listed on that sheet for Mt. Zion Township  
3 Section 15?

4 A. No.

5 Q. So I was going to have you go through some of  
6 these locations, but maybe I can cut this short simply by  
7 asking you if you think, in light of the list that Mr.  
8 Reinecke prepared, is it well possible that you may have  
9 just simply missed a number of homes that were within --  
10 that were in close proximity to the MCPO route when you  
11 reviewed the aerial surveys?

12 MR. OLIVERO: Your Honor, I guess I'm going  
13 to object. I know I wasn't here yesterday to understand  
14 I guess the context of this DR response, but I don't know  
15 that -- if there was a foundation in terms of how Mr. --  
16 if it was Reinecke, or whoever it was that produced this  
17 document, you know, actually calculated these distances  
18 and that. I guess for Mr. Rockrohr to comment on any of  
19 them, I know he said assuming that these are correct, but  
20 like I said, I guess I just have some concerns with how  
21 Mr. Reinecke determined these and how he measured them,  
22 what have you.

23 Q. I can maybe rephrase the question. All I'm  
24 trying to get at is whether you're confident that by  
25 reviewing the aerial surveys, that there are only three

1 homes in close proximity to the MCPO route?

2 A. In viewing the aerial photography, just  
3 candidly off -- using Google Maps and Bing Maps publicly  
4 available, I'm confident that the route that I understood  
5 to be MCPO's route, only three locations raised concern  
6 for me in terms of being in very close proximity.

7 As I said earlier, I didn't use a scale or  
8 anything like that when I was doing my review, so it's  
9 possible that there is more than three within 400 feet,  
10 and I'm looking at the distance from the home itself  
11 instead of a garage or a different kind of structure. I  
12 don't know how Mr. Reinecke viewed things versus how I  
13 viewed things. I can only tell you that when I looked at  
14 it, I only saw three.

15 Q. In that case, I think I want to maybe have  
16 you take a look at a couple here. All right. I'm  
17 showing you two exhibits which are already in the record.  
18 The first is MCPO's Corrected Exhibit 2.2 which is for  
19 the MCPO route, the original MCPO route, and the second  
20 one is MCPO Cross Exhibit No. 1 which is measurements and  
21 photographs prepared by Mary Burns for residences in  
22 proximity to the MCPO route.

23 First of all, would you take a look at this  
24 Exhibit 2.2, Page 18.

25 A. Page 18?

1 Q. Yes. Do you see where Highway 133 intersects  
2 with the MCPO route?

3 A. Yes.

4 Q. And immediately in the southeast corner of  
5 that junction point, did you note any residence?

6 MR. FITZHENRY: What was the last part of  
7 your statement or question, Mr. Wilke?

8 MR. WILKE: Whether Mr. Rockrohr noted any  
9 residences in the immediate vicinity of the southeast  
10 corner of that junction point.

11 MR. FITZHENRY: In relation to the aerial  
12 photography and Google Maps and based on his automobile  
13 review?

14 MR. WILKE: Based on his aerial surveys that  
15 he's been discussing.

16 MR. FITZHENRY: Let me -- I'm not -- so I do  
17 not understand the question. There's been no foundation  
18 laid that Mr. Rockrohr would rely upon this exhibit in  
19 coming to the opinions that he did in his testimony.

20 MR. WILKE: No, I understand that. I'm just  
21 identifying the location -- using this exhibit to  
22 identify a particular location and I'm asking him --

23 MR. FITZHENRY: But that's my point. We  
24 don't know, based on the evidence that he relied upon,  
25 without a foundation that what he relied upon is

1 different or the same as what's here. You're just  
2 putting this before him and asking him if there's a house  
3 there, and I don't -- I don't understand the relevance as  
4 it relates to what he relied upon.

5 MR. WILKE: Well, we know that the route  
6 crosses County Road 133 in that location. He reviewed  
7 aerial maps of that. I'm simply trying to pinpoint him  
8 to this location so that we can ask if he located a house  
9 there.

10 MR. FITZHENRY: But that's -- you could  
11 impeach him based on the evidence upon which he relied,  
12 not on the evidence that's been proffered by another  
13 party.

14 JUDGE ALBERS: Well, I think, as I understand  
15 the question, you're just using this as a reference  
16 point?

17 MR. WILKE: Yes.

18 JUDGE ALBERS: Okay. If something else  
19 develops here, you can make your objection again, but I  
20 think we're just trying to refer him to a particular  
21 geographical point.

22 MR. WILKE: That's correct.

23 MR. ROBERTSON: There's one other thing I  
24 want to point out that I just noticed on here. These  
25 maps are all dated in April or May of 2012, and there has

1 been no foundation established to show that these are the  
2 same as or equivalent to the maps this witness used, and  
3 I'm not sure that, given the date of the material, that  
4 they are necessarily an accurate reflection of what's  
5 there now or what was there or maybe --

6 JUDGE ALBERS: And maybe I misunderstood Mr.  
7 Wilke's question, but I think what I heard was he just  
8 wants to refer Mr. Rockrohr to a particular point on a  
9 map. I don't think he's using the map as --

10 MR. ROBERTSON: Oh, I'm sorry.

11 JUDGE ALBERS: -- was this your map, Mr.  
12 Rockrohr, that you relied upon. I think that's what I --  
13 okay.

14 MR. ROBERTSON: I'm sorry. You're talking  
15 about the exhibit from the original -- exhibit in the  
16 case.

17 MR. WILKE: 2.2.

18 MR. ROBERTSON: Excuse me.

19 JUDGE ALBERS: I'm looking at Page 18 on  
20 Exhibit 2.2.

21 MR. ROBERTSON: Okay. Excuse me.

22 A. I'm looking at that as well. So, I'm sorry,  
23 I kind of lost what your question was.

24 Q. My only question was did you happen to notice  
25 a residence in close proximity at the southeast to the

1 route -- at the southeast corner of the intersection of  
2 State Highway 133 and the MCPO route?

3 JUDGE ALBERS: Using whatever he used to come  
4 to his position?

5 MR. OLIVERO: As opposed to this document,  
6 correct?

7 JUDGE ALBERS: Correct. That was my  
8 understanding.

9 A. The only residences that I noted I listed in  
10 the hopes of making it clear which residence I noted, and  
11 I listed those on Page 15 and 16. I don't see the  
12 location that you describe on here listing -- in my  
13 listing, so my assumption would be no.

14 Q. Okay.

15 A. I believe the last entry that I have, the  
16 fourth bullet on Page 15 is further south from where you  
17 just described on this map.

18 Q. And would you recognize a picture of that  
19 house if you saw it, do you think?

20 A. Which one?

21 Q. The one you just mentioned, further south,  
22 the fourth house on the list.

23 A. I doubt it.

24 Q. Okay. Well, go ahead and take a look on --  
25 can I have that --

1                   MR. ROBERTSON: I'm sorry. I don't know if I  
2 want to help you or not.

3                   MR. WILKE: The other one.

4                   MR. ROBERTSON: Here it is.

5           Q.     (By Mr. Wilke) If you take a look at the  
6 other exhibit, which is MCPO Cross Exhibit No. 1, and  
7 turn to the photo that's identified as No. 12, and if you  
8 don't recognize it, just say so, but I'm just asking if  
9 you recognize that as the house that you looked at.

10                  MR. OLIVERO: Mr. Wilke, just to be clear,  
11 are you still talking about that fourth item on this  
12 Exhibit 4?

13                  MR. WILKE: Yes.

14                  MR. OLIVERO: Okay. The residence.

15           A.     The best I can do is it might be, because I  
16 recall the home being near a pond.

17           Q.     Okay.

18           A.     So that's about the best I can do sitting  
19 here.

20           Q.     Okay. Do you happen to recall that Mr.  
21 Howard Kamm testified in this case, which is PDM Exhibit  
22 2, that his home is on -- is located just 135 feet from  
23 the MCPO route?

24           A.     Not specifically with that detail. I  
25 remember reading that there was concern about a home

1 close to proposed route.

2 Q. And if he testified that he lives on County  
3 Road 125 East and that is in Section 5 of Garrett  
4 Township shown on MCPO Exhibit 2.2, Page 9 --

5 A. MCPO Exhibit 2, Page 9?

6 Q. That's this one.

7 A. Okay.

8 Q. And again, all I'm asking is I just want to  
9 confirm that Mr. Kamm who has testified that he lives on  
10 County Road 125 East there in Section 5, that's not a  
11 home that is on your list of four?

12 A. I would say that's true. I don't see it on  
13 here.

14 Q. Okay. I'll move on. What you've done on  
15 those two pages of your testimony, though, is you've  
16 listed these homes, you found three that you stated were  
17 in close proximity on the MCPO route that you found, I  
18 think you said 15 on the Staff and the Channon routes?

19 A. That's correct.

20 Q. And so there's a net difference of 12?

21 A. Yes.

22 Q. And you would agree that that number could  
23 easily be higher or could be lower if homes were missed  
24 based on simply looking at the aerial maps?

25 A. Based on whether homes were missed or if

1 somebody else had a different interpretation as to how  
2 close a line must be to cause impact.

3 Q. You're not suggesting that any of these 12  
4 home owners, this net difference of 12 home owners,  
5 you're not suggesting that any of them are going to lose  
6 their home; is that correct?

7 A. No, I have not suggested that.

8 Q. But there is some cost in terms of diminished  
9 value for a home that's in close proximity to a  
10 transmission line?

11 MR. OLIVERO: Your Honor, I guess I'm going  
12 to object. I'm not sure that that was testified to by  
13 Mr. Rockrohr in terms of diminished value for a line  
14 being close to homes.

15 MR. WILKE: What I'm getting at is how he  
16 compares, for example, this factor, extra residences  
17 versus extra costs and how he would make that --

18 MR. OLIVERO: I thought this factor was just  
19 proximity to structures.

20 MR. ROBERTSON: Also I think it's asking the  
21 witness to make some assumptions about the law about  
22 what's compensable and what's not. Diminished value, you  
23 know, I guess you could make the argument that if you  
24 were 1,000 feet from a line, it might diminish the value  
25 because you might be looking out the back door, so I

1 think it's asking the witness to make some assumptions  
2 about what's compensable and what's not. It's not  
3 specific enough.

4 MR. WILKE: Well, I don't want him to make an  
5 assumption. I just simply want to know if he made any  
6 judgments on this topic in doing his analysis and  
7 weighing these factors.

8 JUDGE ALBERS: So did he consider it or not?  
9 Objection is overruled.

10 A. The closest thing to that that I considered  
11 would have been home owner concerns. I don't personally  
12 have any idea how the proximity to the transmission line  
13 affects that, but I know that parties have expressed that  
14 concern; that it would negatively affect the valuation of  
15 their property, so. . .

16 Q. But you don't assign that any quantitative  
17 value for purposes of looking at, for example, the extra  
18 \$17 million in cost of the MCPO route?

19 A. That's correct.

20 Q. And would it also be true that you didn't  
21 form any judgment as to what the quantitative value might  
22 be for the additional impacts to farmland on the MCPO  
23 route?

24 A. Yes, it was -- it is correct.

25 Q. Okay. The ninth criteria is -- we'll move

1 through the rest of these more quickly now -- is existing  
2 and planned development, and you did discuss that on Page  
3 17?

4 A. Yes.

5 Q. And you made a statement that the Channon  
6 route in particular passes through a development area  
7 east of the community of Sullivan, correct?

8 A. Yes.

9 Q. And you refer to ATXI Exhibit 4.2, Part 70,  
10 Page 1.

11 A. Yes.

12 Q. And let me just show that to you real quick,  
13 and can you confirm that what you're talking about is  
14 right where the route -- the blue route shown crosses  
15 Route 121 east of Sullivan?

16 A. Yes, I can confirm that.

17 Q. And what exactly did you find at that  
18 location?

19 A. Would appear to be residential expansion east  
20 of Sullivan.

21 Q. The area on which the route is proposed to be  
22 located is farmland; is that correct?

23 A. That's correct. It appears to be between  
24 existing developments.

25 Q. And do you have any sense of how far those

1 developments are separated from the proposed route?

2 A. Only using the scale that's on the exhibit  
3 that you provided --

4 (Interruption.)

5 A. It appears to be between a tenth and .15  
6 miles based on the scale.

7 Q. And then you note that that's -- again, we've  
8 already discussed this. The difference between the  
9 Channon route and your proposed route, because your route  
10 avoids this impact?

11 A. Yeah, really this was the only reason that I  
12 went with the other route.

13 Q. So this particular factor is -- well, this  
14 particular impact is not a factor on the Staff route?

15 A. I think you asked me if this impact would  
16 apply to Staff's, and no, I don't think it would apply to  
17 Staff's.

18 Q. Right. Since you mentioned this area by  
19 Sullivan, is there any reason why you didn't mention any  
20 towns or subdivisions along the MCPO route?

21 A. I did not see similar -- I did not note in my  
22 review similar close residential development; otherwise,  
23 I would have.

24 Q. If you had noted residential developments  
25 within a half mile or even a quarter mile, would you have

1 considered those or not?

2 A. Probably not. I would consider it -- this  
3 is, like I said, a tenth to .15 mile. Definitely in that  
4 range I -- you know, if there is such a thing and I  
5 missed it, I should have noted that on the MCPO route as  
6 well.

7 Q. Okay. But regardless of whether there are  
8 such impacts on the MCPO route or not, you would agree  
9 that no route out-performs your Staff route on this  
10 particular criteria?

11 A. Yeah. Well, none of the three routes that  
12 are in discussion, correct.

13 Q. The next one is community acceptance, No. 10,  
14 and you didn't discuss that factor, correct?

15 A. Correct. The next one I discussed was 12.

16 Q. Okay. And just to hit quickly on No. 11,  
17 visual impacts, you did not discuss, but again, when you  
18 -- you recall quoting earlier a statement you made with  
19 reference to land impacts and visual impacts that are  
20 shorter line -- all else being equal, a shorter line will  
21 be more favorable than a longer line in terms of visual  
22 impacts?

23 A. Correct. All else being equal, I think that  
24 would apply to any of the route segments.

25 Q. Okay. And the last one is presence of

1 existing corridors, and on this one you just simply make  
2 a single statement noting that the MCPO route parallels  
3 existing transmission lines for several miles, and then  
4 that's all you state with respect to that criteria,  
5 correct?

6 A. Yes.

7 Q. And we've already discussed paralleling  
8 transmission lines, so I won't go through that again, but  
9 would you agree that this criteria involves more than  
10 just parallel transmission lines?

11 MR. OLIVERO: Your Honor, could counsel just  
12 explain what he means by more?

13 Q. (By Mr. Wilke) By more I mean this criteria  
14 would involve existing corridors. It's not just existing  
15 transmission lines; it means roads and section lines and  
16 things of that nature?

17 A. Yes. I agree that existing corridors could  
18 be any number of things including roads, section lines,  
19 transmission lines.

20 MR. WILKE: Okay. Well, thank you very much.  
21 That's all I have.

22 JUDGE ALBERS: All right. Next on our list  
23 is Mt. Zion, Mr. Nicholas. Do you have any questions for  
24 Mr. Rockrohr?

25 MR. NICHOLAS: I'm not from Mt. Zion. I'm

1 from Macon County Conservation District.

2 JUDGE ALBERS: That's right. I'm sorry.

3 MR. NICHOLAS: Yeah, I do. I do have a  
4 couple.

5 JUDGE ALBERS: You're welcome to go next.

6 MR. NICHOLAS: Is it okay to just stay here?

7 JUDGE ALBERS: Actually we need you on  
8 microphone.

9 \* \* \* \* \*

10 EXAMINATION,

11 QUESTIONS BY MR. NICHOLAS:

12 Q. Good morning. How are you?

13 A. Good morning.

14 Q. I have just a couple of questions related to  
15 the proposed transmission line from Kincaid to the Mt.  
16 Zion substation which was the Staff recommendation,  
17 correct?

18 A. Yes, it was identified by Staff, yes.

19 Q. And at the time that route was recommended,  
20 it goes somewhat south of the Village of Macon, correct?

21 A. Yes, I believe where it crosses Highway 51.  
22 Give me just a moment to pull the map.

23 Q. Sure.

24 A. Where it crosses Highway 51, it is south of  
25 Macon.

1 Q. Okay. And are you aware of the fact that  
2 just before it crosses Route 51, it traverses a part of  
3 the Macon County Conservation District property?

4 A. When you say just before it --

5 Q. Well, not immediately before, but --

6 A. On the west side or on the east side?

7 Q. It would be on the west side.

8 A. Okay. I was not aware it traversed it. I  
9 thought that it -- I thought that it was on the border of  
10 it.

11 Q. And what does on the border of it mean?

12 A. On the property line.

13 Q. Okay. And at the time that route was  
14 proposed, were you aware that conservation district  
15 property couldn't be condemned or taken by imminent  
16 domain?

17 A. I believe that I would have been aware of  
18 that had I realized that that particular parcel was owned  
19 by Macon County Conservation District. When I reviewed  
20 the list of land owners at the time that that was  
21 presented, it did not register for me that that ownership  
22 existed.

23 Q. All right. Are you aware that there's no  
24 authority for the Conservation District to even sell the  
25 land?

1           A.    The only thing I'm aware of about the land is  
2 what was filed, I believe by you last week, regarding the  
3 parcel.

4           Q.    All right.  If you cannot take it by  
5 condemnation or imminent domain and we can't sell it, how  
6 will that impact that proposed line?

7           A.    If ATXI cannot condemn the property and the  
8 property owner is unwilling to grant rights across it,  
9 that would render that route not viable.

10           MR. NICHOLAS:  All right.  That's all the  
11 questions I have.  Thank you.

12           JUDGE ALBERS:  Thank you.  I guess earlier I  
13 was looking for Mr. Flynn from Mt. Zion, but I don't see  
14 him in the room.  So moving along.  I think Farm Bureau  
15 indicated they had no questions.  And MCPO.

16           MR. ROBERTSON:  Just a second.  I don't think  
17 so, your Honor.

18           JUDGE ALBERS:  All right.  Thank you.  And  
19 Spragues?

20           MR. SHAY:  Yes, your Honor.  Thank you, if I  
21 may.

22                           \* \* \* \* \*

23                           EXAMINATION,

24           QUESTIONS BY MR. SHAY:

25           Q.    Good morning, Mr. Rockrohr.  My name is Bill

1 Shay. I'm an attorney for the Spragues, Eric and Julia  
2 Sprague. I wanted to let you know, as well as the others  
3 in the room, I might have a question or two for you about  
4 the Commission's order entered in this proceeding in  
5 August of this year. I don't know if you have that order  
6 with you.

7 A. No.

8 Q. Okay. I can probably show you the portion  
9 that I will ask you about when we get to that point. I'm  
10 going to try to confine my questions to the area of  
11 concern for the Spragues, and that is the portion of the  
12 Pana to Mt. Zion segment that Mr. Sprague referred to in  
13 his testimony as the hitch. Do you have a preference  
14 whether we call it the hitch or jog in the line?

15 A. No preference.

16 Q. No preference, okay. Is it true that in your  
17 surrebuttal, Exhibit 4.0 you commented on the Spragues'  
18 testimony and exhibits and proposal at Page 11 and 12?

19 A. Yes.

20 Q. Okay. So you reviewed --

21 (Interruption.)

22 Q. Mr. Rockrohr, so is it true that you did  
23 review Mr. Sprague's testimony and exhibits in the course  
24 of preparing your surrebuttal?

25 A. Yes.

1 Q. Thank you. Do you have in front of you an  
2 exhibit that was entered into the record on Tuesday of  
3 this week labeled Sprague Cross Exhibit 1?

4 A. Yes.

5 Q. Okay. I would like to refer you to the map  
6 that's attached to the data request response that's part  
7 of that exhibit. Page 1 of the map, it's actually the  
8 second of three pages of this entire exhibit. Do you  
9 have that?

10 A. You said it was attached as part of a data  
11 request?

12 Q. Well, the cross exhibit is a copy of a data  
13 request and response, and then attached to the response  
14 was a map.

15 A. Is the map you're talking about Sprague  
16 Exhibit 1.2, Page 2 of 2?

17 Q. I think it's Page 1 of 2. It appears both in  
18 the Cross Exhibit 1 and as part of Mr. Sprague's exhibits  
19 offered in his rebuttal testimony, I think Exhibit 1.2.

20 A. Perhaps you could just come and tell me if  
21 this is the right document.

22 MR. SHAY: May I approach, your Honor?

23 JUDGE ALBERS: Sure.

24 MR. FITZHENRY: All right. Then we kind of  
25 know what that looks like. Thank you.

1 MR. SHAY: Your Honors, do you have it?

2 JUDGE ALBERS: Yes.

3 Q. Okay. Is that document that you have in  
4 front of you part of the Pana to Mt. Zion primary route  
5 segment proposed by the petitioner in this case?

6 A. That's what it looks like to me.

7 Q. Okay. And does it include the so-called  
8 hitch?

9 A. Yes.

10 Q. Can you tell from that, relative to the  
11 existing 138 kV line that most of that new route  
12 parallels, can you tell on which side of the 138 kV line  
13 the new 345 kV line is depicted?

14 A. It's depicted on the west side.

15 Q. Okay. And in the area of the hitch where the  
16 route runs north and south, can you tell from there on  
17 which side of that county road the line would run?

18 A. I can only tell that it appears to be  
19 depicted on the west side of the road.

20 Q. Okay. Thank you. Mr. Rockrohr, were you  
21 here on Tuesday during testimony of the petitioner's  
22 witnesses?

23 A. Yes, I've been here throughout.

24 Q. Okay. And do you recall some questions and  
25 answers about the cost of the line and certain towers or

1 poles along this segment, questions specifically of Mr.  
2 Hackman?

3 A. Yes, I believe Mr. Hackman was asked about  
4 the costs of various options offered by Mr. Sprague.

5 Q. Okay. Do you recall Mr. Hackman testifying  
6 that, on average, for this whole project, the cost per  
7 mile of this line is approximately \$2 million?

8 A. Yes, I do.

9 Q. Is that consistent with what your knowledge  
10 and experience would suggest?

11 A. The values for other segments of this line  
12 have been slightly less than that, but depending on how  
13 you round, it would be close.

14 Q. Okay. Thank you. And do you recall  
15 questions and answers about these turns, four turns that  
16 would be required to incorporate the hitch in this  
17 segment of the line?

18 A. Yes.

19 Q. Okay. And there was some discussion about  
20 the particular structures at those corners for those  
21 turns; do you recall that?

22 A. I do.

23 Q. Okay. Would it appropriately -- would it be  
24 appropriate to call structures at those 90 degree turns  
25 dead-end towers?

1 A. Yes.

2 Q. Okay. And would structures placed along a  
3 straight linear path be referred to appropriately as  
4 tangent structures?

5 A. Yes.

6 Q. So do you recall during -- let me strike  
7 that. Were you a witness for the Staff in the original  
8 proceeding in this case?

9 A. Yes.

10 Q. Do you recall Staff evidence regarding the  
11 cost of dead-end towers versus tangent towers?

12 A. Yes. I don't recall those costs. I recall  
13 that we entered the response of ATXI to an intervenor  
14 data request as an attachment to testimony, I believe,  
15 and so that, in essence, the evidence would have come  
16 from ATXI that we --

17 Q. That Staff would have cited in its --

18 A. Yes.

19 Q. -- testimony? Okay. Do you recall the order  
20 entered by this Commission in August making reference to  
21 those costs?

22 A. I don't.

23 MR. SHAY: May I approach?

24 JUDGE ALBERS: Yes.

25 MR. SHAY: Just for the attorneys' benefit,

1 I'm going to refer -- or hand the witness a page from the  
2 final -- from the order, specifically Page 22. I don't  
3 have extra copies.

4 MR. FITZHENRY: I've got it. I don't need  
5 it. Thank you.

6 MR. SHAY: Do your Honors have reference to  
7 that?

8 JUDGE ALBERS: I do.

9 Q. Mr. Rockrohr, I'm going to represent to you  
10 that this page is from a portion of the order entered in  
11 this case in August that was addressing the segment of  
12 the line that was referenced as the Mississippi River to  
13 Quincy segment, and that this Page 22 that you have in  
14 front of you is part of the Commission's recitation of  
15 the Staff's position on that segment. Is that fair?

16 A. Sure.

17 Q. Okay. And I would like to read you a small  
18 part of this page and ask you a question or two about  
19 that, if I may. I'm starting on Line 4 of this page, in  
20 the middle of the line, the sentence starting "In  
21 addition." Do you see that?

22 A. I do.

23 Q. Okay. And that reads, "In addition, Staff  
24 states that the structures used for a straight route are  
25 normally less costly than structures that must support

1 the uneven forces from conductors due to a route that  
2 changes direction. Staff notes that ATXI's estimated  
3 average price for each tangent structure, which would be  
4 used to support transmission lines with angles of 1  
5 degree or less is \$33,000. In contrast, ATXI's estimated  
6 average cost for a structure supporting a transmission  
7 line angled at from 1 to 15 degrees for that of a tangent  
8 structure, otherwise known as a "running angle" is  
9 \$74,250; more than double that of a tangent structure.

10 Staff states that it costs ATXI an estimated  
11 \$107,250 to construct a dead-end structure, which is  
12 required for angles above 15 degrees, which is more than  
13 three times the cost of a tangent structure. Staff  
14 believes that these factors should be considered when  
15 evaluating all segments, although staff will not  
16 reiterate them in detail."

17 Is that a fair characterization of Staff's  
18 position?

19 A. Yes. The cost of structures is certainly  
20 part of the cost of any segment.

21 Q. Okay. Would it be your understanding that by  
22 incorporating this so-called hitch in the segment of the  
23 line, that that would result in replacement, the possible  
24 replacement of two tangent structures with two dead-end  
25 structures as well as adding two additional dead-end

1 structures to accommodate the turns?

2 A. Yes, plus additional conductor, yes.

3 Q. Okay. So what I would like to do is ask if  
4 you could calculate the added costs attributable to these  
5 dead-end structures for this segment of the line compared  
6 to have run -- the line having been run straight along  
7 the 138 kV line. And I can help you with that, if you  
8 would like, but if you can do it yourself, that's fine.

9 A. If you're talking about just for the  
10 structures?

11 Q. Yes, just for the structures.

12 A. Well, I'm just going to round. I would say  
13 \$450,000 maybe.

14 Q. Okay. Would you accept, because we're  
15 replacing -- maybe replacing two tangent structures, that  
16 the costs would be avoided, that that total number would  
17 be close to \$360,000? Would you accept that, subject to  
18 check?

19 A. Sure.

20 Q. Okay. Is it your understanding that ATXI  
21 provided for using this hitch in the segment of the line  
22 rather than continuing along the 138 kV pathway, so to  
23 speak, was to avoid two houses in the area of this hitch?

24 A. Correct, just north of 1900 north.

25 Q. Okay. Recalling earlier original portion of

1 this proceeding when parties were proposing various  
2 routes on various segments, did any parties ever propose  
3 any route that would result in the displacement of any  
4 residences?

5 A. I don't recall.

6 Q. You don't recall? Okay. Well, according to  
7 -- is it your understanding that according to ATXI,  
8 continuation of the route along the 138 kV line rather  
9 than using the hitch, would require displacement of a  
10 residence?

11 A. I don't dispute that that's -- I just don't  
12 -- sitting here, I don't recall that statement.

13 Q. Okay. But assuming that that is the case, if  
14 that were true, in your view, is the displacement of a  
15 residence sort of the end of the consideration of that  
16 route alternative or should that factor and that possible  
17 displacement of residence be weighed against other  
18 factors that would apply to the alternative?

19 A. It needs to be weighed.

20 Q. Okay. And those other factors against which  
21 the displacement of the residence would be weighed, would  
22 it be true that those other factors could include, and I  
23 have a list I'm going to read to you, so if you need me  
24 to slow down or break it up, just let me know. Would  
25 those other factors include the additional length of the

1 line and the cost of the line, the use of additional and  
2 higher cost structures such as dead-ends versus tangents,  
3 proximity to residences that would come into play using  
4 the alternate route, whether timber would be destroyed or  
5 clear cut, the challenges posed by routing the line  
6 alongside an existing electric co-op line, and proximity  
7 to a cemetery; would all those be relevant factors that  
8 should be considered in the weighing that we referred to  
9 earlier?

10 MR. OLIVERO: I guess I just want to clarify.  
11 Is that just what Mr. Rockrohr would consider or are you  
12 talking about the Commission or what ATXI --

13 MR. SHAY: I'm asking for Mr. Rockrohr's view  
14 of it, yes.

15 A. My view of it would be all except for the  
16 last two. I probably -- knowing where the cemetery is  
17 located and knowing that I don't consider it a major  
18 issue to coexist with a co-op line. Other than that,  
19 other than those two, I think that the rest should be  
20 considered.

21 Q. Okay. You are aware, aren't you, that Ms.  
22 Murphy, the routing expert for the petitioner in this  
23 case, categorized cemeteries as a high sensitivity  
24 factor?

25 A. I believe Ms. Murphy's characterizations are

1 based upon the public input from the public meetings.  
2 I'm not aware of the Public Utilities Act going into that  
3 much detail.

4 Q. Okay. Fair enough. Do you know whether ATXI  
5 presented any evidence in this proceeding that conducted  
6 such a comparative analysis that we're talking about;  
7 that is, the factor of displacing a residence, on one  
8 hand, by continuing the line along the existing 138 kV  
9 line, versus these other factors that we just recited  
10 that would come into play if the hitch was utilized?

11 A. Am I aware of her doing that? I'm not aware  
12 of whether she did that or not.

13 Q. Okay. Do you know if ATXI even considered  
14 those other factors that we just recited that are  
15 attendant to the hitch portion of this route?

16 MR. FITZHENRY: Your Honor, I'm going to  
17 object. I meant to object a few questions ago to this  
18 line of questioning. It seems it would be more  
19 appropriate to ask Mr. Rockrohr about his testimony and  
20 why he gives the reasons he does about the hitch and the  
21 Sprague position than what Ms. Murphy or an ATXI witness  
22 had to say about it. So it's not relevant. These  
23 questions aren't relevant I think as it relates to Mr.  
24 Rockrohr's testimony.

25 MR. SHAY: Well, your Honor, they are

1 relevant. This witness has testified regarding this  
2 portion of the route. It's in his -- it's in his  
3 prepared testimony and he even offered opinion as to what  
4 of Mr. Sprague's alternatives he might favor over others,  
5 and so I'm just asking him about factors that may have  
6 been considered that are relevant to those routing  
7 choices.

8 MR. FITZHENRY: Again --

9 MR. SHAY: And I'm at the end of it, by the  
10 way.

11 MR. FITZHENRY: Oh, well, that -- but I think  
12 the objection stands. The argument is the same.

13 JUDGE ALBERS: Objection is overruled.

14 A. I don't remember the question, I'm sorry.

15 Q. Maybe we can have it read back.

16 (Whereupon, the requested material was read  
17 by the reporter.)

18 A. I don't know what factors ATXI considered.

19 Q. Okay. That's fine. Okay. I'm just about  
20 finished. You mentioned in your testimony, did you not,  
21 that of the various alternative routes that Mr. Sprague  
22 offered, that you would favor Alternative 3, which is  
23 shown on Sprague Exhibit 1.4 relative to the other  
24 alternatives he offered; is that correct?

25 A. That's correct.

1 Q. Okay. And do you have the map that appears  
2 on that Exhibit 1.4 in front of you?

3 A. Soon I will. Yes.

4 Q. Okay. What I would like to do is just  
5 judging from this map, where the route would veer off of  
6 the existing 138 kV pathway to the west.

7 A. Which route, sir?

8 Q. Well, it would be both -- I'm going to refer  
9 you both to the ATXI proposed route and then to Mr.  
10 Sprague's alternative.

11 A. Okay.

12 Q. Okay. Can you give a rough idea from this  
13 document about the relative distance east-west of the  
14 ATXI proposed route versus the Sprague Alternative 3  
15 proposed route, and just the east-west portion as it  
16 comes off of the 138 kV line?

17 MR. FITZHENRY: So I'm clear about the  
18 question, Mr. Shay, you mean in terms of its proximity to  
19 the Adams property that's been referred to in the record?

20 Q. No, I'm just talking about the length, the  
21 relative length of those two alternatives, the east-west  
22 portion.

23 A. Each east-west portion appears to be about  
24 half.

25 Q. About half, okay. And would that be true

1 coming back the other way, comparing those two  
2 alternatives coming back from the west to the east to  
3 rejoin the 138 kV pathway?

4 A. Yeah, for both east-west segments, yes.

5 Q. Thank you. And do you recall from Tuesday  
6 testimony that that ATXI proposed route along this hitch  
7 would increase the length by approximately one-half mile  
8 when you add both the east-to-west segment and then the  
9 returning west-to-east?

10 A. I recall that testimony.

11 Q. That was about a half mile, okay. And so  
12 would it be fair to say then if, based on what you just  
13 stated, that that east-to-west distance for Mr. Sprague's  
14 Alternative 3 would be about half of that or a quarter  
15 mile?

16 A. That's what I would assume from the map.

17 Q. And based on \$2 million a mile as a rough  
18 average cost of the line, would that difference then  
19 amount to about \$500,000, just for the distance  
20 difference?

21 A. I think you could make that assumption.

22 Q. Okay. Now, you stated that you favor Sprague  
23 Alternative 3 among the alternatives he offered. In  
24 light of the testimony on Tuesday by the ATXI witnesses,  
25 could I ask you if you still favor that alternative or if

1 you would instead favor one of the others?

2 A. No, I haven't changed my opinion.

3 MR. SHAY: Okay. Fine. I have no further  
4 questions. Thank you, your Honor. Thank you, Mr.  
5 Rockrohr.

6 JUDGE ALBERS: I think Ameren had reserved an  
7 hour. You said it was going to be less than that. Given  
8 the time of the morning, we're pondering breaking for  
9 lunch, but first we'll give Mr. Nicholas an opportunity,  
10 if he wants it, to move for the admission of his witness'  
11 testimony, because I don't know if you're wanting to  
12 spend your lunch hour in Springfield, so --

13 MR. FITZHENRY: I always do, but I don't have  
14 any cross for Mr. Rockrohr.

15 JUDGE ALBERS: You don't?

16 MR. FITZHENRY: We do have an agreement with  
17 the Commission Staff and OGC to introduce certain of Mr.  
18 Rockrohr's responses as a cross examination exhibit.

19 JUDGE ALBERS: All right.

20 MR. FITZHENRY: And we can take care of that  
21 as well. It's been marked for identification as ATXI  
22 Cross Exhibit 2, and we'll have this filed in e-Docket.

23 JUDGE ALBERS: Give her a copy.

24 MR. FITZHENRY: I'm sorry?

25 JUDGE ALBERS: If you just want to give her a

1 copy.

2 MR. FITZHENRY: Yeah. Let me just identify  
3 it for the record, DR responses, if I could. Again,  
4 these are Staff responses to ATXI ICC 3.15, 4.02, 4.04,  
5 5.03, 6.02, 6.03, and his responses to Channon, ICC 1.03,  
6 and 1.05.

7 JUDGE ALBERS: Has everybody had a chance to  
8 look at that?

9 MR. SHAY: Not yet, your Honor. Getting  
10 there. I have no objection to these exhibits.

11 JUDGE ALBERS: Anyone else have any  
12 objections?

13 (No response.)

14 JUDGE ALBERS: Hearing no objection, ATXI  
15 Cross Exhibit 2 is admitted.

16 MR. FITZHENRY: Another matter, I know Mr.  
17 Nicholas we can take care of, but I think actually Staff  
18 is asking for the Company to permit the introduction into  
19 the record Mr. Kramer's response to ENG 8.07. As a  
20 condition to the Company agreeing to allow that to be in  
21 the record, Staff has agreed that the Company could do  
22 some brief re-direct of Mr. Kramer on that data request  
23 response. And again, our expectation, that's a two or  
24 three minute event, so we could continue on and finish in  
25 the next 15 to 20 minutes.

1 JUDGE ALBERS: Okay. That's fine. Go ahead  
2 and take care of Mr. Kramer here, since you're sitting  
3 here. Go ahead, Mr. Nicholas. Do you have re-direct?

4 MR. OLIVERO: I was going to ask if I could  
5 just have two minutes to talk to Mr. Rockrohr, then we  
6 can come back and do that if we don't have any. Thank  
7 you.

8 (Whereupon, a recess was taken.)

9 JUDGE ALBERS: Back on the record. Mr.  
10 Olivero?

11 MR. OLIVERO: Your Honor, Staff would have no  
12 re-direct.

13 JUDGE ALBERS: All right. Any objection then  
14 to Staff Exhibit 2.0, Attachments A and B, 3.0 Attachment  
15 A, and 4.0 and 5.0? Hearing none, they are admitted.  
16 Thank you, Mr. Rockrohr.

17 MR. NICHOLAS: Can I make my motion?

18 JUDGE ALBERS: Go ahead.

19 MR. NICHOLAS: To admit the testimony of  
20 Kathleen Merner which was filed December 11th.

21 JUDGE ALBERS: I think we'll call that MCCD  
22 Exhibit A.

23 MR. NICHOLAS: Fine.

24 JUDGE ALBERS: The attachments, do you have  
25 those all?

1 JUDGE YODER: Could you just identify the  
2 attachments to that, just by number?

3 MR. NICHOLAS: I can. MCCD 1 is a photograph  
4 overlaid with the transmission line and the property of  
5 the Macon County Conservation District. MCCD 2 is an  
6 aerial photograph outlining the Macon County Conservation  
7 District properties in blue, as is Exhibit 3. MCCD 4 is  
8 the plat of survey of the territory in question. MCCD 5  
9 is the tax assessment documents for the Macon County  
10 Conservation District, and 6 is for the property, that at  
11 the time this was filed, was owned by the Natural  
12 Heritage Wildlife Foundation, but is now owned by Macon  
13 County Conservation District pursuant to deed of December  
14 5th.

15 MCCD 7 is a diagram provided by the Macon  
16 County Conservation -- or excuse me -- by the Macon  
17 County Assessor's Office showing properties 004 and 001.  
18 MCCD 8 is the deed to the property owned by the Macon  
19 County Conservation District, as is MCCD 9 and MCCD 10.  
20 MCCD 11 is a plat of survey of territory that's not  
21 adjacent to, but east of the territory in question with  
22 regard to the transmission line that's owned by the  
23 Conservation District. MCCD 12 is the deed for that, and  
24 MCCD --

25 JUDGE YODER: It's actually labeled 13.

1 MR. NICHOLAS: What?

2 JUDGE YODER: Exhibit 13 as filed in the  
3 chief clerk's office.

4 MR. NICHOLAS: I'm sorry.

5 JUDGE YODER: There was no 12 filed with the  
6 chief clerk.

7 MR. NICHOLAS: MCCD 12 and 13 are both deeds  
8 to the property not directly affected by the transmission  
9 line, but in the general area.

10 JUDGE YODER: MCCD 12 was not filed with the  
11 chief clerk. It goes from 11 to 13, and then 14.

12 MR. NICHOLAS: All right. Then 13 is --

13 JUDGE YODER: That is -- it's a warranty deed  
14 for PIN 16-20-08-14-008.

15 MR. NICHOLAS: Right.

16 JUDGE YODER: Is number 13.

17 MR. NICHOLAS: MCCD 14 is the plat of survey  
18 for that territory.

19 JUDGE ALBERS: So are you in agreement there  
20 is no 12?

21 MR. NICHOLAS: I guess there is no 12, yeah.

22 JUDGE ALBERS: All right.

23 MR. NICHOLAS: I'm not sure that it really  
24 matters, because it's not along the transmission line.

25 JUDGE ALBERS: That's fine. I wanted to make

1 sure we were on the same page as far as what you're  
2 moving to admit.

3 MR. NICHOLAS: I am moving to admit.

4 JUDGE ALBERS: Any objection then to the  
5 exhibits?

6 (No response.)

7 JUDGE ALBERS: Hearing none, MCCD Exhibit A  
8 with Attachments 1 through 11, 13 and 14 are admitted.  
9 And then turning back to Mr. Olivero.

10 MR. OLIVERO: Yes. I think Mr. Fitzhenry had  
11 indicated that we wanted to move to admit as what I'm  
12 identifying as ICC Staff Cross Exhibit 3 which was the  
13 data request response of ENG 8.07 by Mr. Kramer, and then  
14 I believe ATXI may have had some re-direct on this  
15 document.

16 JUDGE YODER: What was the number again, Mr.  
17 Olivero?

18 MR. OLIVERO: ENG 8.07.

19 JUDGE YODER: You want Mr. Kramer re-called;  
20 is that correct?

21 MR. STURTEVANT: Yes, re-call Mr. Kramer.

22 JUDGE YODER: Mr. Kramer, with the  
23 understanding you're still under oath from the previous  
24 appearance here.

25 MR. KRAMER: Yes.

1                   MR. STURTEVANT: May I approach the witness,  
2 your Honor? I just want to give him a copy of the Cross  
3 Exhibit.

4                   JUDGE YODER: Fine.

5                                 \* \* \* \* \*

6                   DENNIS KRAMER,  
7 having been previously sworn, was examined on behalf of  
8 ATXI, testifies and says:

9                                 RE-DIRECT EXAMINATION,  
10                   QUESTIONS BY MR. STURTEVANT:

11                   Q. Mr. Kramer, you have in front of you what's  
12 marked as ICC Staff Cross Exhibit 3, a copy of the  
13 response you prepared to ENG 8.07; is that correct?

14                   A. Yes, it is.

15                   Q. And Mr. Kramer, can you explain what scenario  
16 the data response ENG 8.07 was addressing?

17                   A. Yes. It was addressing the analysis of a  
18 specific type of system configuration which actually is  
19 identical to what was earlier and previously discussed in  
20 the sequence in Exhibit 11.1.

21                                 The configuration is a 345 line from Pawnee  
22 to Pana, and then a continuation of 345 line from Pana to  
23 Kansas. The Pana to Kansas line is an almost straight  
24 line; in other words, it does not go north towards  
25 Decatur or Mt. Zion. The Mt. Zion substation, which I'll

1 call the Mt. Zion south substation, is assumed to be  
2 located along and connected to the 345 line that goes  
3 from Pana to Kansas and it is about 10 miles -- assumed  
4 to be 10 miles east of the Pana substation.

5           From that substation location there would be  
6 two 138 kV lines which would run northward to the Decatur  
7 area and connect to the Decatur PPG substation which is  
8 an existing 138 substation, and as I said, that's the  
9 same configuration as ENG 8.07 and also Exhibit 11.1.

10           Q.    Okay.  And then what's the difference then  
11 between the analysis shown in ENG 8.07 and the evaluation  
12 of this far south substation referenced in or shown in  
13 Exhibit 11.1?

14           A.    I'll start with 11.1 because that was the  
15 first in chronological order.  11.1 looked at the  
16 impedance of a 138 kV substation, 138 kV lines, and what  
17 would be the post contingency voltage recovery.  If you  
18 will recall, in my previous testimony I explained how  
19 when a system fault occurs, the system will isolate that  
20 piece of equipment and then it will readjust, so to  
21 speak, or restabilize with certain voltages on certain  
22 substation buses.  And as we've indicated in my earlier  
23 testimony, we assume that a recovery of 95 percent of  
24 normal is our goal.

25           We performed the analysis assuming that the

1 Oreana substation transformers 1 and 2 were out of  
2 service, and with this particular system configuration  
3 with the Mt. Zion south substation and the 138 kV lines  
4 running from Mt. Zion south to Decatur, which is  
5 approximately -- well, at least 30 miles based on Google  
6 Earth, the voltage recovery was noticeably below the goal  
7 of 95 percent and that's what's documented in Exhibit  
8 11.1.

9                   Subsequently we received the data request  
10 that is Staff Cross Exhibit 3, which is ENG 8.07, which  
11 asked for additional information regarding the analysis  
12 performed in 11.1, but also hypothesize a request of what  
13 would be the voltage recovery percentage if a different  
14 type of 138 kV conductor was used which would result in a  
15 reduction in the impedance of the 138 kV line.

16                   Impedance being, I guess you would say if you  
17 compared it to water flowing in a pipe, impedance is how  
18 small is the pipe that you're trying to push the water  
19 through. So as I said earlier, we do not have the -- or  
20 have not established as of yet the exact type of  
21 conductor that's going to be used for the 138 kV lines,  
22 so in order to address the Staff's request, we took a  
23 rather drastic reduction in the impedance.

24                   We thought, well, let's look at a -- really a  
25 best-case scenario and say that we could reduce the

1 impedance on those 138 kV lines by 50 percent, which is a  
2 substantial amount. To try to help you visualize what  
3 that means, to reduce it by 50 percent where we  
4 originally would have two 138 kV lines going north, we  
5 would have to go to at least four, probably five, and  
6 maybe even more transmission lines. You would have to  
7 double, at least, the number of transmission lines from  
8 this Mt. Zion south location to the Decatur area to even  
9 approximate a 50 percent reduction in impedance.

10 Then using that 50 percent reduction in  
11 impedance, we reran the exact same analysis as we did in  
12 11.1. We used the same system configuration. We used  
13 the same assumed loads in the Decatur area, and we still  
14 did not see a voltage recovery post contingency of 95  
15 percent, and that's what's reflected in 8.07.

16 Q. And then Mr. Kramer, how does the analysis of  
17 the MZ far -- or sorry -- Mt. Zion far south substation  
18 that you just explained as set forth in ENG 8.07 compare  
19 to your rehearing rebuttal analysis of Staff's proposed  
20 substation site at Moweagua?

21 A. It's a very different system configuration.  
22 First of all, just by the physical location, Moweagua was  
23 -- I did some math -- at least 30 miles away from the Mt.  
24 Zion far south substation location. The Moweagua  
25 substation is not connected to a 345 line that runs from

1 Pana to Kansas, and it's just very different. It doesn't  
2 -- it's not a same type of electrical configuration and  
3 it's simply not appropriate or applicable to try to use  
4 it or connect the two.

5 MR. STURTEVANT: All right. We have no  
6 further questions, your Honor.

7 JUDGE YODER: Anything from Staff?

8 MR. OLIVERO: No, your Honor.

9 JUDGE YODER: Any objection to the admission  
10 of Staff Cross Exhibit 3? Hearing no objection, Staff  
11 Cross Exhibit 3 will be admitted into evidence in this  
12 docket.

13 MR. SHAY: Could I ask who's going to post  
14 that on e-Docket?

15 JUDGE YODER: Probably be on there in a day  
16 or two.

17 MR. OLIVERO: You can actually have this, if  
18 you want to have this copy.

19 JUDGE ALBERS: I think that's all we have as  
20 far as witnesses today and the rest of the case, for that  
21 matter. Just a reminder, Gentlemen, the joint proposed  
22 outline is due December 23rd. Initial briefs are due  
23 December 30th. Reply briefs are due January 7th.  
24 Anything else for the record today?

25 MR. MCNAMARA: Can we talk about the briefing

1 schedule?

2 JUDGE ALBERS: Well, we set that a few months  
3 ago.

4 MR. MCNAMARA: I know. In retrospect, can we  
5 live with something maybe a week later? That's my only  
6 question.

7 JUDGE ALBERS: I think that gets us running  
8 up against a deadline for --

9 MR. MCNAMARA: Pardon?

10 JUDGE ALBERS: We're running up against a  
11 deadline for getting something to the Commission and give  
12 them a chance to look at it.

13 MR. MCNAMARA: Okay. I thought maybe in  
14 retrospect we could look at the record and see if we  
15 could live with one week later, if it would work with  
16 people. I think we would get better quality work if we  
17 pushed it back a week, that's all I've got to say.

18 JUDGE ALBERS: If you want to waive reply  
19 briefs. All right. Well, I think we've taken care of  
20 that then. Just so we don't -- just in case we have any  
21 loose ends that come up, why don't we continue this  
22 generally as opposed to record heard and taken. So with  
23 that, thank you all and Merry Christmas.

24 (The hearing concluded at 11:45 A.M.)

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CERTIFICATE OF REPORTER

I, Beth O. Zink, a Registered Professional Reporter, Certified Shorthand Reporter and Notary Public within and for the State of Illinois, do hereby certify that the hearing aforementioned was held on the time and in the place previously described.

IN WITNESS WHEREOF, I have hereunto set my hand and seal.

\_\_\_\_\_

Beth O. Zink  
IL CSR #084-004477