

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

AMEREN TRANSMISSION COMPANY OF
ILLINOIS

Petition for Certificate of Public Convenience and Necessity, pursuant to Section 8-406 of the Illinois Public Utilities Act, and an Order pursuant to Section 8-503 of the Public Utilities Act, to Construct, Operate and Maintain a New High Voltage Electric Service Line and Related Facilities in the Counties of Adams, Brown, Cass, Champaign, Christian, Clark, Coles, Edgar, Fulton, Macon, Montgomery, Morgan, Moultrie, Pike, Sangamon, Schuyler, Scott and Shelby, Illinois.

Docket No. 12-0598
(Rehearing)

BRIEF of PDM* and THE CHANNON TRUST

*(*Coalition of Property Owners and Interested Parties in Piatt, Douglas and Moultrie Counties)*

R. Kurt Wilke - 06190769
Brittany Kink Toigo - 06306334
Barber, Segatto, Hoffee, Wilke & Cate
831 E. Monroe, P.O. Box 79
Springfield, IL 62705-0079
(217) 544-4868
(217) 544-5225 - fax
wilke@barberlaw.com
bk@barberlaw.com

Table of Contents

Summary of Argument 3

IV. Rehearing Routes 4

 B. Location of Mt. Zion Substation 4

 D. Mt. Zion to Kansas 6

 1. Length of Line 6

 2. Difficulty and Cost of Construction 9

 3. Difficulty and Cost of Operation and Maintenance 11

 4. Environmental Impacts 16

 5. Impacts on Historical Resources 18

 6. Social and Land Use Impacts 21

 7. Number of Affected Landowners and Stakeholders 25

 8. Proximity to Homes and Other Structures 27

 9. Proximity to Existing and Planned Development 55

 10. Community Acceptance 56

 11. Visual Impact 58

 12. Presence of Existing Corridors 59

Conclusion 64

Summary of Argument

Staff's preferred Option 1 substation site about three miles south of Mt. Zion is consistent with the Commission's Final Order in the underlying proceeding, which agreed with Staff that a more preferable location for the Mt. Zion substation is further south – nearer a line between Pana and Kansas. Unlike the Channon and Staff routes, the MCPO route would defeat the purpose of moving the substation site to the south.

The Channon and Staff routes substantially outperform the MCPO route on the 12 factors identified by the Commission:

- (1) The MCPO route is 9 miles longer.
- (2) The MCPO route is \$17,000,000 more costly to construct.
- (3) The MCPO route is more costly to operate and maintain because it immediately abuts existing transmission lines, because of its additional length, because it crisscrosses existing transmission lines, because it requires some 50 additional structures and spans, because it is less accessible to roads, and because there are greater impedance and exposure risks on the longer line.
- (4) The longer MCPO route will have more adverse environmental impacts.
- (5) The MCPO route has a direct and adverse impact on the historical Amish area at Arthur, Illinois, and cuts right through a Native American archaeological site.
- (6) MCPO admits its route impacts more prime farmland. In addition, the MCPO route excessively splits farm tracts, places multiple dead-end turns in the middle of single tracts, and increases the risks to students of the University of Illinois' aviation program.
- (7) The longer MCPO route impacts more landowners and also impacts those landowners more adversely by splitting over 100 farms, four times as many as the Channon/Staff routes.

(8) No clear conclusion can be drawn on the residences factor because the Commission is left to make assumptions on data that is demonstrably inaccurate. Yet two points are clear: the MCPO route avoids houses only by splitting over 100 farm properties, and the structure counts, whatever they may accurately be, do not warrant the \$17,000,000 additional cost of the MCPO route.

(9) The MCPO route runs unnecessarily close to multiple towns, negatively impacting existing developments and limiting opportunities for future developments.

(10) The Channon and Staff routes not only align with the interests of every intervenor group in this case other than MCPO, but also with over 500 individual intervenors from every county and community across the entire span of the MCPO route.

(11) The longer MCPO route will have 50 additional towers and spans, travel in close proximity to multiple towns, and place six 90-degree turns right at the northern gateway to the Amish community, all of which adverse visual impacts can be avoided by adoption of the Channon or Staff routes.

(12) As MCPO admits, the Channon and Staff routes clearly outperform the MCPO route in regard to use of existing corridors. MCPO's routing that splits over 100 farm properties does not respect the public's stated preference for routing along roads, section lines, and property lines.

In summary, the collective economic and societal impacts of all of these factors substantially favor the Channon and Staff routes over the MCPO route.

IV. Rehearing Routes.

B. Location of Mt. Zion Substation.

ATXI originally proposed to locate the Mt. Zion substation on Sulphur Springs Road,

adjacent to the Village of Mt. Zion. The Commission declined to approve this location in the underlying proceeding, finding “Staff’s argument most persuasive” (Final Order, p. 86) that “a preferable location for the Mt. Zion substation is further south - nearer a line between Pana and Kansas” (Id., p.84). Staff later proposed two alternate sites about three miles south of Mt. Zion, designated as Option 1 and Option 2 (Tr. p.325, 1.19-22). Staff witness Greg Rockrohr testified that “Staff prefers either of these two substation locations over the location ATXI identified in its petition” (Tr. p.326, 1.13-15). Mr. Rockrohr stated that the reason for Staff’s preference of these two sites over ATXI’s site is because the next stop to the east for the transmission line is Kansas, which is to the south of all three sites (Tr. p.326, 1.15-19). This is the same reasoning the Commission agreed with in the underlying proceeding: “Staff contends that it is more economical for AIC to extend two 138kV lines further south to the 345kV line than for ATXI to extend two 345kV lines north to Mt. Zion” (Final Order, p.84). PDM and the Channon Trust agree with Staff’s position.

As between the Option 1 and Option 2 sites, Mr. Rockrohr stated Staff’s preference was for the Option 1 site, again because it is further south, more on a direct line to Kansas (Tr. p.327, 1.19 - p.328, 1.8). PDM and the Channon Trust agree with Staff’s position. If the routing that Staff developed to and from the Mt. Zion substation is used, the Option 1 site will result in three-quarters of a mile less of 345kV line as compared to Option 2, and will result in about 5 miles less of 345kV line as compared to ATXI’s Sulphur Springs site (PDM Ex. 6.0, p.4, 1.50-52).

Mr. Rockrohr also proposed a third substation site, but stated that adoption of the Option 3 site would not change the route comparisons on the Mt. Zion to Kansas segment (Tr. p.328, 1.24 - p.329, 1.3).

D. Mt. Zion to Kansas.

Three alternative routes have been proposed on rehearing: (1) the Channon route, (2) the Staff route, and (3) the MCPO route. Staff witness Rockrohr testified that the Channon and Staff routes are nearly identical (Tr. p.324, 1.12-15). Both of these routes are simply combinations of ATXI's own routing segments (Tr. p.325, 1.4-7).¹ The MCPO route was proposed by MCPO as an alternate route, to which ATXI later stipulated (Tr. p.325, 1.13-18).

1. Length of Line.

The Commission's prior finding. The Commission recognized in the underlying proceeding that MCPO's route was the longest of the competing routes (Final Order, p.98). On rehearing, MCPO's route not only remains the longest of the competing routes, but indeed, if the Commission accepts Staff's recommendation of the Option 1 or 2 substation sites, the length differential between MCPO's route, as compared to the Channon and Staff routes, becomes even greater. Accordingly, this factor unequivocally favors the Channon and Staff routes.

The MCPO route is 9 miles longer. Mr. Rockrohr testified that the MCPO route is about 9 miles longer than the Channon and Staff routes, running from Staff's preferred Option 1 site (Tr. p.330, 1.13-15). Mr. Rockrohr testified that where routes are equal in all other ways and length is the only difference, a longer route will have more negative impacts (Tr. p.356, 1.11-14). PDM witness Mary Burns reached the same conclusion as Staff. The Channon route from the Option 1

¹For example, the Channon route is the ATXI primary route from the Staff Option 1 substation site to Moultrie County, East Nelson Township, where the ATXI primary route and the ATXI alternate route meet, near the junction of Sections 2, 3, 10, and 11. From there, the Channon hybrid route is the ATXI alternate route to the Kansas substation (PDM Ex. 6.0, p. 4, 1.60-64).