

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

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

BRIEF ON EXCEPTIONS OF THE MACON COUNTY PROPERTY OWNERS

The Macon County Property Owners ("Intervenors"), pursuant to Section 200.830 of the Commission's Rules of Practice, (83 Ill. Adm. Code 200.830), respectfully submits their Brief on Exceptions to the Second Proposed Order on Rehearing ("PO or Proposed Order") issued by the Administrative Law Judges (ALJ) on January 17, 2014 in the above-captioned matter.:

I. INTRODUCTORY SUMMATION

Put simply, it appears that Option #2 was chosen over Option #1 for no other reason that ATXI and the Village of Mt. Zion stipulated to using that site. As discussed below, Option #1 enjoyed just as much support as Option #2, and it will cost considerably less. Now that the Project is no longer going north from the Mt. Zion substation to follow US Route 36, and is instead going south through Moultrie County, and all other things being relatively equal, Option #1 should be chosen over Option #2.

II. EXCEPTION: SUGGESTED REPLACEMENT STATEMENT OR FINDING

Intervenors suggest that Section VII, F, of the PO, "Commission Conclusion," be replaced with the following:

F. Commission Conclusion

The Commission has considered the parties' arguments and finds that the most appropriate location for the Mt. Zion substation is at the site identified as Staff Option #2~~1~~. While it may be possible to alleviate some of the voltage concerns associated with Staff Option #3, the post-contingency voltages at Option #2~~1~~ remain more favorable than those at Option #3. Moreover, Option #2~~1~~ enjoys more support overall among the parties. The Commission has also reviewed the FAA provisions concerning structures

near VORs and concludes that ATXI's assessment is accurate. In the event that applicable FAA provisions are later found to conflict with Staff Option #21, the Commission trusts that this will be brought to the Commission's attention and efforts will be made to remedy the situation. Accordingly, Staff Option #2-1 is selected as the site for the Mt. Zion substation.

In coming to this conclusion, the Commission is also compelled to comment on an inconsistency in the record. As noted above, ATXI and Mt. Zion entered into a stipulation supporting Staff Option #2 as the location of the Mt. Zion substation. This 12-0598 Proposed Second Order on Rehearing stipulation was filed on December 16, 2013. Earlier in this proceeding, however, ATXI and Moultrie PO entered into a stipulation supporting ATXI's original Sulphur Springs Road site as the location of the Mt. Zion substation. This stipulation was filed on May 10, 2013. The Commission recognizes that Staff had not identified Option #2 until after rehearing was granted in this docket, so it would not have been available for Moultrie PO's consideration in May of 2013. Nevertheless, the latter stipulation does not reflect any recantation of the earlier stipulation. Fortunately for the Commission, Moultrie PO has not objected to latter stipulation. The Commission makes these observations simply to acknowledge the stipulations and the parties' apparent changing positions."

III. ARGUMENT IN SUPPORT OF EXCEPTION

The Illinois Rivers Project approval process has been ongoing for almost two years in the public forum and for seven plus in the private arena. Because of its immense span of terrain stretching from Missouri to Indiana, it has taken many twists and turns along the way. The most recent PO addressed the final decisions which were subject to rehearing. One of these was to choose substation Option #2. Intervenors respectfully request that the Commission reconsider this decision in light of the fact that their choice of the PDM/Channon route necessitates a comparison of substation Option #1 and Option #2. Option #1 was not given sufficient consideration in the decision. The following comparison uses the Commission's twelve point agenda to demonstrate why Option #1 is preferable to Option #2.

a) Length of Line: Option #1 will result in three-quarters to a mile less of 345 kV line as compared to Option #2, and will result in about 5 miles less of 345 kV line as compared to ATXI's Sulphur Springs Road site. [PO, Sec. VII. D.; Staff Identification of Alternate Route from Kincaid to Mt. Zion, Ex. A., p. 15].

b) Difficulty and Cost of Construction: A mile less 345kV line will result in savings. Using the previously submitted estimate of \$2,000,000 per mile, that Option #1 results in a savings of up to \$2,000,000. Option #1 also presents a less difficult construction as it does not involve crossing any roads, while Option #2 involves crossing Macon County Highway #32 (Andrews Road) not once, but twice within 1/4 mile of each other. The criss crossing of 138kV lines (see (c) below) would also necessarily add to the difficulty of construction.

c) Difficulty and Cost of Operation and Maintenance: Shorter length translates into

reduced operation and maintenance costs. Extra mileage=more structures and wire=increased maintenance. Rick Trelz testified that the 345kV line averages 5.4 to 5.5 support structures per mile (Tr. of 5/14, p. 406, 1.17).

Furthermore, it would appear that diverting the line north to get to Option #2 would require twice crossing a set of 138kV lines which are located on the north side of the county highway running east-west. ATXI argued in its brief in the underlying proceeding that additional operational and maintenance concerns are presented where the proposed transmission line crosses an existing transmission line. See ATXI Initial Brief, p. 62-63, where ATXI argued that such a crossing "increases the reliability risks associated with one or more of the following: common structure, shield wire failure affecting lower conductors, conductor or insulator failure resulting in conductor vertical displacement and external common-mode failure event". Intervenors cannot help but think that the two crossings being 1/4 apart would potentially magnify any adverse situation.

d) Environmental Impacts: ATXI witness Murphy testified with respect to another segment of the transmission project that the competing routes (and in this brief, substations and their attached routes) had no unique environmental considerations, but that the shorter route "would result in incrementally less ground disturbance" (ATXI Ex. 3.0, p. 7, Table 1). Mr. Rockrohr testified that he agreed that statement would be true for comparing any two routes (Tr. p. 343, 1.10-12). Therefore, ATXI and staff agree that when all other environmental factors are equal, a shorter route will have less environmental impact than a longer route.

In her testimony, Ms. Cooley objected to Option #2 location due to potential adverse effects on her land and other land in the Mt. Zion 1 drainage district, which is located downstream from the Option #2 site. Ms. Cooley and Intervenors maintain this position.

e) Impacts on Historical Resources: There do not appear to be any significant differences regarding this factor.

f) Social and Land Use Impacts: Using Option #2 results in more structures, which creates more impact on land use, particularly farming operations.

g) Number of Affected Landowners and Other Stakeholders: Option #2 would result in at least one additional landowner being affected (the owner of the land for Option #2) and numerous other stakeholders potentially affected by any adverse effect on the already overly burdened Mt. Zion Drainage District #1. The record indicates no specific Intervenor concerns with Option #1 as compared to Option #2..

h) Proximity to Homes and Other Structures: Option #1 is further from the VOR and for this reason provides a slight preference over Option #2 should applicable FAA provisions be later found to conflict with Staff Option #2 and ATXI and the Commission be unable to remedy the situation Also, should future additional lines to the substation

be added, Option #1 would hold a logistical preference over Option #2 for configuring those lines and maintaining distance from the VOR.

j) Proximity to Existing and Planned Development: There do not appear to be any significant differences regarding this factor.

j) Community Acceptance: Ultimately, Staff preferred the Moweaqua site, ATXI preferred the original Sulfer Spings site, PDM/CFT preferred Option #1, and the Village of Mt. Zion stipulated to Option #2 over Sulfer Springs. Given the choice between Option #1 or Option #2, Staff preferred Option #1 and ATXI is presumably indifferent despite stipulating to Option #2 as part of a compromise with the Village of Mt. Zion.

Accordingly, the common denominator of the stipulations was the MCPO route. The remaining parties either prefer Option #1 or are indifferent. Since the MCPO route was not chosen, then Option #1 should be favored over Option #2.

k) Visual Impact: As referenced above in (b), using Option #2 site would have 345kV lines traversing a county highway twice and only 1/4 mile apart. Using Option #1 site would have 138kV lines crossing the county highway only once. Of note is that from Andrews Road north along Henry Road is completely devoid of any electrical lines, as is the staff route coming into either Option #1 or Option #2. Choosing Option #2 would have a negative visual impact more than would Option #1.

l) Presence of Existing Corridors: There do not appear to be any significant differences regarding this factor.

IV. CONCLUSION

From the above analysis, and when using the PDM/CFT route, Option #1 is favored in 9 of the 12 Commission points and the other 3 are neutral.

DATED this 29th day of January, 2014

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PROOF OF SERVICE

I, Christopher M. Ellis, being an attorney admitted to practice in the State of Illinois, and one of the attorneys for Macon County Property Owners, herewith certify that I did on the 29th day of January, 2014, electronically file with the Illinois Commerce Commission, Intervenors' Brief on Exceptions, and electronically served same upon the persons identified on the Commission's official service list.

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