

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 on EXCEPTIONS

of

PDM* and THE CHANNON TRUST

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

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Introduction.

This Brief on Exceptions is limited to a few specific findings on pages 75 and 76 of the Proposed Order, regarding the Mt. Zion to Kansas segment. The Proposed Order correctly finds that the PDM/CFT/Staff route (i.e., the PDM/CFT Route with Staff's modification¹) is:

. . . clearly the least cost option which has been presented to the Commission, it presents no difficulties in construction or maintenance, and affects fewer property owners than the other options presented. It also appears to better utilize existing corridors such as roads, section lines, and property lines. (p. 77).

The sole purpose of this Brief on Exceptions is to suggest to the Commission additional specific findings that should be considered and included in the Final Order, and which further support the Commission's approval of the PDM/CFT/Staff route.

1. Difficulty and Cost of Maintenance (p. 75)

On this factor, the Proposed Order makes only the following finding: "As to the 'Difficulty and Cost of Operation and Maintenance,' it appears there is no material difference between the routes in question" (p. 75).

Based on a review of the evidence, this factor clearly favors the PDM/CFT/Staff route, and to better support the Commission's approved route, the Final Order should state such finding. There are at least 3 reasons in the record why the MCPO route would be more *difficult* to operate and maintain, and in addition, at least 3 reasons in the record why the MCPO route would be more *costly*

¹ The PDM Coalition and the Channon Family Trust (CFT) proposed a hybrid of ATXI's original routes, and Staff proposed a slight modification to that hybrid route, again using only ATXI's own routing segments. This route, with Staff's modification, is the route approved by the Commission, and is referred to herein as "the PDM/CFT/Staff route." This route is shown in its entirety on the map included at the end of this brief.

to operate and maintain. Neither ATXI (see Proposed Order p. 52) nor MCPO (see Proposed Order p. 60) even argued that the MCPO route is preferred on this factor.

The MCPO route would be more difficult to operate and maintain. First, over 20% of the MCPO easement right-of-way abuts existing transmission line easements, which creates operation and maintenance difficulties, as well as reliability issues. The Commission acknowledges these difficulties in the Proposed Order. At page 28, the Commission's conclusion on the Meredosia to Pawnee segment was based on the "deciding factor" of operational reliability, which overcame a shorter and less expensive alternative route.

ATXI witness Maureen Borkowski testified that constructing the proposed new 345kV line adjacent to an existing transmission line (1) increases the risk of outages (Ex. 10.0, p.8, l.158), (2) fails to maximize the reliability benefits of the new line (Id. l.158-59), (3) reduces benefits to customers (Id. l.160), and (4) erodes reliability (Id. l.165). ATXI deemed these issues to be the "determinative factor" on the Meredosia to Pawnee segment (Ex. 7.0, p.8, l.157), and the Commission has agreed on this point. All of these concerns are clearly present on the MCPO route, one-fifth of which would parallel existing transmission lines; in fact, some of this paralleling involves not just one but two existing transmission lines. None of these concerns are present on the PDM/CFT/Staff route.

Similarly, ATXI witness Hackman testified that paralleling does not reduce operation and maintenance expenses (ATXI Ex. 12.0, p.5, l.106), testimony the Commission cites on page 28. He testified that with paralleling lines, maintenance of either line may require both lines to be taken out of service due to their proximity (Id.). For this reason, Mr. Hackman testified that paralleling is "undesirable from an operations perspective," and having two lines down risks the reliability of the

system at large (Id., p.6, l.116). He also noted that parallel lines on adjoining rights of way are susceptible to common-mode failures, such as weather events (Id., l.117-19; p.7, l.139-48).

When ATXI developed its routing from Mt. Zion to Kansas, it chose not to parallel existing transmission lines, except in a very limited area at the Kansas substation. This is consistent with ATXI witness Murphy's testimony that ATXI's preference is to not parallel existing transmission lines when other route options are available (ATXI Ex. 3.0 (RH), p.9, l.103-105).

On the Meredosia to Pawnee segment, the Commission's challenge was to weigh these serious operational difficulties against the benefits of a shorter and less expensive route. On the Mt. Zion to Kansas segment, no such challenge exists, because the PDM/CFT/Staff route not only avoids these serious operational difficulties, but is also both shorter *and* less expensive than the MCPO route.

The Commission is also not confronted on this segment with having to weigh these serious operational difficulties against environmental or societal and land use issues. ATXI witness Hackman stated, “. . . parallel lines should only be constructed when the environmental, societal and land use issues resulting from a particular route outweigh the potential operational, maintenance and reliability issues that result from constructing parallel routes” (ATXI Ex. 5.0 (RH), p.4, l.83-85). On this segment, the Commission has already found the environmental, societal and land use issues are either neutral or favor the PDM/CFT/Staff route.

A second reason the MCPO route would be more difficult to maintain is because the MCPO route would not only closely parallel existing lines, it would cross back and forth over them. 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 events” (Id.).

This argument has particular application to the MCPO route because there are not one but three instances where the MCPO route would cross existing transmission lines: (1) the MCPO route would cross an existing 138kV line approximately fourteen miles north of the Kansas substation; (2) at the location where the existing 345kV line begins paralleling the 138kV line, the MCPO line would cross the existing 345kV line; and (3) north of the Kansas substation, the MCPO line would cross back over the existing 345kV line and run between it and the 138kV line (PDM Ex. 8.0, p.17, l.331-338).

A third reason the MCPO route would be more difficult to operate and maintain is because the MCPO route would be less accessible to roads. ATXI witness Jerry Murbarger, in response to a question from the bench in the underlying proceeding, testified that routing along roads is a consideration when looking at maintenance, because the lines are more accessible (Tr. of 5/14, p.388, l.4-11). The Commission also noted this point in its Proposed Order on the Robinette Rehearing, stating at page 11 that “the usefulness of access during weather events that damage electric lines should not be undervalued.”

By MCPO’s own admission, the PDM/CFT/Staff route has more than double the routing along roads that the MCPO route would have. In fact, MCPO reports that 11.2 miles of the PDM/CFT/Staff route runs along roads from Staff’s Option 2 site (MCPO Ex. 2.3 (RH)); whereas, the MCPO route, despite its longer overall length, would only run along roads for 5.5 miles from

the Option 2 site (Id.).

The MCPO route would be more costly to operate and maintain. First, as Staff has testified, the MCPO route, being longer, would cost more to operate and maintain. Mr. Rockrohr stated his opinion that if the following three factors are present – (1) one line is shorter than the other, (2) both transmission lines have the same basic design, and (3) both transmission lines cross land with similar characteristics – then he would expect the shorter line to have lower maintenance costs (Tr. p.336, 1.8-16). Here, there is no dispute that (1) the approved PDM/CFT/Staff route is shorter than MCPO’s route. There is also no dispute that (2) the 345kV line will have the same basic design regardless of which route is chosen (the Proposed Order confirms this fact on p. 75). And ATXI witness Murphy has confirmed that (3) the MCPO route would cross land with the same characteristics as ATXI’s routing (ATXI Ex. 13.0, p.53, 1.1148-50), which the Proposed Order also confirms on p. 75. Therefore, the PDM/CFT/Staff route will have lower maintenance costs.

The Proposed Order notes on p. 22 that on the Meredosia to Pawnee segment, Staff concluded the 21-mile longer ATXI route would result in more operation and maintenance costs as compared to the MSSCLTF route. Again, on the Pawnee to Pana segment, Staff concluded that the Reynolds/Ramey modification would shorten the line, and would therefore “cost somewhat less to maintain and operate” (Proposed Order, p. 41). The same is true here, where the approved PDM/CFT/Staff route is 9 miles shorter than the MCPO route.

Second, the MCPO route would have 50 additional towers and spans. ATXI witness 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). Therefore, the MCPO route would require the use of 50 more support structures than the PDM/CFT/Staff route.

Third, the longer MCPO route would have a greater risk of exposure. MSSCLPG witness Steven Lazorchak, P.E., C.E.M., a senior electrical engineer at Southern Illinois University, testified that a longer line will definitely be less efficient, because “less line equals less impedance” (MSSCLPG Ex. 12.0, p.2, 1.39-41). He also testified that a shorter line has less exposure to “lightning strikes, storm, and airborne debris putting the line out of service” (Id. 1.35-38).

Proposed Substitute Language. PDM/Channon propose that the following statement on page 75 of the Proposed Order be stricken: *“As to the ‘Difficulty and Cost of Operation and Maintenance,’ it appears there is no material difference between the routes in question.”*

PDM/Channon propose that the following statement be substituted: *As to the “Difficulty and Cost of Operation and Maintenance,” this factor clearly favors the PDM/CFT/Staff route. Operational, maintenance and reliability concerns exist for the MCPO route due to the paralleling of existing transmission lines, lack of separation from those lines, and multiple criss-crossing of existing transmission lines. The longer MCPO route would clearly have a proportionate increase in operation and maintenance costs as a direct result of the 50 additional structures and spans required in its construction. Also, the MCPO route would have less accessibility to roads, which would hinder maintenance and repair efforts. Finally, the longer MCPO route would have greater impedance and exposure issues than the PDM/CFT/Staff route.*

2. Community Acceptance (p. 75)

On this factor, the Proposed Order finds that “the Commission believes there is no clear preference between the routes presented” (p. 75). However, this factor clearly favors the PDM/CFT/Staff route, and the Final Order should make such a finding.

The PDM group consists of over 500 Intervenors from every affected community and rural area along the MCPO route, *all* of whom are parties in this proceeding, and through the pleadings and evidence submitted by PDM on their behalf, stand in opposition to the MCPO route. There is no comparable opposition to the PDM/Channon route or to Staff's modification. Indeed, no Intervenor other than MCPO submitted testimony in opposition to the PDM/CFT/Staff route. In stark contrast, the MCPO route was originally submitted by a group of just 6 Moultrie County landowners. The MCPO group was later expanded, but there remain 10 times as many formal Intervenors on file with the ICC opposing the MCPO route than advocating for it. In fact, PDM's First Amended Petition to Intervene, filed on November 18, 2013, clearly shows that the PDM group not only dwarfs the MCPO group in regard to the sheer number of formal Intervenors, but also in the diversity of locations, counties, and communities represented.

In addition, ATXI witness Borkowski stated that she was not aware of any landowner parties that opposed the PDM/Channon route other than MCPO (Tr. p.194, 1.20-22). The Commission should carefully distinguish between a party's testimony in support of or in opposition to the MCPO route, versus a recital in a stipulation.² While the Village of Mt. Zion stipulated to recommend the MCPO route, this was done only in order to get ATXI to agree to a substation site more distant from the village limits (Tr. p.192, 1.5-6, 13-21). No one would suggest that the Village of Mt. Zion prefers to have an obtrusive 345kV transmission line located within one-half mile of its village limits (as the MCPO route would do) rather than having the line placed three miles distant, as the approved PDM/CFT/Staff route does. Again, there is absolutely no testimony in the record to support the

²The Commission noted in the underlying proceeding that routes are evaluated on their own merits regardless of any stipulations (Final Order, p.98).

conclusion that the Village of Mt. Zion would prefer to have the MCPO 345kV line close to its borders.

The same point should be made regarding ATXI's stipulation to recommend the MCPO route. As with the Mt. Zion stipulation, Ms. Borkowski testified that the stipulated route with MCPO came about as a compromise (Tr. p.195, l.16-19). The MCPO route was clearly not ATXI's preferred route (Id. p.199, l.13-14). ATXI gave up its advocacy of its own preferred routing, but ATXI's own routing is what all of ATXI's testimony supports.

ATXI witness Murphy testified that after she reviewed the MCPO route, ATXI's routing was the only viable routing from Mt. Zion to Kansas (Ex. 13.0C, p.53, l.1135). She also testified as to several reasons why MCPO's route was not viable (Ex. 13.0C, p.53, l.1143). Her testimony, that ATXI's routing was the "least-cost" taking "all factors into account" (Ex. 13.0C, p.7, l.137) has never been retracted, modified, or supplemented. Indeed, no ATXI witness has ever testified that the MCPO route, considering all 12 factors, is the "least-cost" route or for that matter, better than ATXI's original, carefully studied, routing. Therefore, the Commission should be skeptical of MCPO's claims that other parties, such as ATXI or Mt. Zion, "support" the MCPO route.

It should also be noted that the PDM/CFT/Staff route uses the ATXI alternate route for the eastern half of the Mt. Zion to Kansas segment, it therefore aligns with the interests of multiple Intervenor including Tarble Limestone Enterprises, Coles County Landowners, Reed Interests, and Coles and Moultrie County Land Interests, all of whom stated support for the ATXI alternate route in the underlying proceeding.

On pages 73 and 74 of the Proposed Order, the Commission summarizes the position of Brock-Jones Partnership, but the Commission should give no weight to this Intervenor's arguments,

because Brock-Jones is entirely unaffected by either of the competing routes (neither the MCPO route nor the PDM/CFT/Staff route). Like the other Intervenor mentioned earlier, Brock-Jones has previously stated that it is opposed to the use of ATXI's primary route in Coles County, which no party is currently advocating.

In addition, the Commission should note that nearly 200 public comments (indeed, well over half of all the public comments that have been filed for the entire 380-mile Illinois Rivers Project) are comments *opposing* the MCPO route. There is no such opposition in the ICC's public comment site to the PDM/CFT/Staff route.

The Commission may also note that over 80 residents of the Arthur community in particular are members of the PDM group opposing the MCPO route, and specific testimony was presented in the record that the MCPO route "cuts directly through the 'triangle' of Amish communities - Arthur, Tuscola and Arcola" (Testimony of Bob Doan, PDM Ex. 4.0, p. 4, 1.48-49). Mr. Doan is the Community Development Coordinator for the Arthur area (which is the uncontested historic and cultural center of the Amish Community), and Mr. Doan also manages the Arthur Amish Country Welcome Center, which welcomes visitors from all over the world (Id. p.2, 1.9-13) Mr. Doan testified the MCPO route would have "a negative effect on tourism" due to its "proximity to the Amish community" (Id. p.2, 1.4-5). No party offered contrary testimony, or even cross-examined Mr. Doan. The record thus contains clear evidence of community acceptance of the PDM/CFT/Staff route over the MCPO route.

In short, the PDM/CFT/Staff route not only aligns with the interests of every Intervenor group in this case (other than MCPO and Corley, whose late-filed petition to intervene does not appear to ever have been granted), but also with over 500 individual Intervenor from every county

and community across the entire span of the MCPO route. It is therefore clear that the PDM/CFT/Staff route dramatically outperforms the MCPO route in regard to community acceptance.

Proposed Substitute Language. PDM/Channon propose that the following paragraph on page 75 of the Proposed Order be stricken: *“When considering the criterion of “Community Acceptance,” . . . the Commission believes there is no clear preference between the routes presented.”*

PDM/Channon propose that the following paragraph be substituted: *“When considering the criterion of “Community Acceptance,” this factor clearly favors the PDM/CFT/Staff route. Ten times as many formal Intervenors oppose the MCPO route than are advocating for it. In addition, no formal Intervenor other than MCPO has submitted testimony in support of the MCPO route. Despite the fact that ATXI stipulated to the MCPO route, all of ATXI’s submitted testimony supports the use of ATXI’s own routing over the MCPO route, and ATXI has never retracted any of its testimony. Similarly, Mt. Zion stipulated to the MCPO route, but only to avoid the possibility of having the substation located adjacent to its village limits. The PDM/CFT/Staff route, which is three miles further from Mt. Zion than the MCPO route, would eliminate this possibility. In addition, unchallenged testimony indicates that the MCPO route would have a negative impact on the historic Amish community near Arthur.”*

3. Historical Impacts (p.75)

The Proposed Order finds that “the Commission is unable to determine any clear preference between the routes based on the criterion of ‘Impacts on Historical Resources’” (p. 75). This finding was largely based on a dispute as to which route is closer to the historic Amish community of Arthur. However, record evidence clearly shows the MCPO route would be miles closer to Arthur than the PDM/CFT/Staff route, and the Final Order should therefore find this factor favors the PDM/CFT/Staff route.

As shown on MCPO Corrected Ex. 2.2, p.8, the MCPO route would travel from west to east and cross the Arthur Road into Douglas County. This exhibit shows that the MCPO route would make multiple zig-zagging turns on each side of the Arthur Road (which forms the Moultrie/Douglas County border). The Arthur Road runs directly south to the town of Arthur, also located on the Moultrie/Douglas County border. The map attached at the end of this brief shows the routes in relation to the town of Arthur.

Reference to a plat map shows that from the point where the MCPO route would meet the Arthur Road (which MCPO Corrected Ex. 2.2, p.8 confirms is in Moultrie County, Lowe Township, Section 1), it is 3.5 miles south to the village limits of Arthur.³ The straight-line distance is closer to 3 miles when measured from the MCPO route just east of the Arthur Road in Douglas County, where it would make the last of the six turns shown in MCPO Corrected Ex. 2.2, p.8.

The PDM/CFT/Staff route, at its closest point to Arthur, is shown on ATXI Ex. 4.2 (Part 77 of 100), p. 2. This is in the northeast corner of Section 27, Jonathan Creek Township, Moultrie

³ From the point where the MCPO route meets the Arthur Road, it is approximately one mile south in Section 1, one mile south in Section 12, one mile south in Section 13, and one-half mile south in Section 24 to the Arthur village limits, or a distance of 3.5 miles.

County. Again, reference to a plat map shows that from this point, it is 2 miles east and 4.5 miles north to the village limits of Arthur.⁴ In short, regardless of the method of measurement, the fact that the MCPO route would be miles closer to Arthur than the PDM/CFT/Staff route is not debatable.

In addition, the unchallenged testimony in the record is that most visitors to Arthur arrive from the north and east, which is where the MCPO route is located. Mr. Doan testified that the MCPO route cuts right across the most frequently used gateways to the Arthur area. Most of the visitors to the Arthur area, who come to see and experience the “Amish way of life,” arrive from the north via Rt. 36 and the Arthur Road, or on Rt. 133 from the east, coming through either Tuscola or Arcola, communities that both have a strong Amish presence (PDM Ex. 4.0, p.3, 1.24-31). Currently, visitors to Arthur “do not observe or experience any large, obtrusive constructed objects on their approach to the Arthur area” (Id. 1.31-32). Mr. Doan testified that “this is important for us to maintain a proper environment for visitors as they enter the ‘Heart of Illinois Amish Country’” (Id. 1.32-34). Having this northern entrance “framed by a huge and intrusive high-voltage transmission line, that would include six 90-degree turns in just over two miles right where it crosses US Rt. 36 and Arthur Road, would be devastating to the Arthur area from both an aesthetics point of view and from a financial point of view” (Id. 1.44-46). MCPO Corrected Ex. 2.2, p. 8 shows all six of these 90-degree turns, where the route would zig-zag around Atwood and would cross the Arthur Road.

⁴ From the northeast corner of Section 27 of Jonathan Creek Township, it is two miles east in Sections 26 and 25, then four miles north in Sections 24, 13, 12 and 1, all in Jonathan Creek Township, and then one-half mile north in Section 36 of Lowe Township to the Arthur village limits, which is 6.5 miles using roads, or 5 miles as the crow flies.

Proposed Substitute Language. PDM/Channon propose that the following statement on page 75 of the Proposed Order be stricken: *“After considering the evidence presented, the Commission is unable to determine any clear preference between the routes based on the criterion of ‘Impacts on Historical Resources.’”*

PDM/Channon propose that the following statement be substituted: *“After considering the evidence presented, the Commission finds that the criterion ‘Impacts on Historical Resources’ clearly favors the PDM/CFT/Staff route over the MCPO route. The MCPO route would be undeniably closer to the historic Amish community of Arthur, and more importantly, it would cut directly across the northern entrances to this important cultural and historic area, which the testimony indicates is the way most visitors arrive.”*

4. Number of Affected Landowners and Stakeholders (p. 76)

The Commission lists this factor in the middle paragraph on page 76, but does not make any specific finding in that paragraph regarding this factor. The paragraph concludes, “The Commission is unable to find, based on the evidence presented, that either route is preferable when considering these criteria” (p. 76). However, in the last sentence on p. 76, the Commission states, “The Commission also notes that the PDM/CFT route with Staff’s modification apparently affects fewer landowners and is shorter.” The Commission also makes this same statement in its conclusion, that the PDM/CFT/Staff route “. . . affects fewer property owners than the other options presented” (p. 77). Given this clear, accurate and very specific finding, the Commission should logically conclude that this factor favors the PDM/CFT/Staff route over the MCPO route.

The Commission should also note its specific finding, in the first paragraph on p. 76, that the

MCPO route “will impact more farmland, being longer; and also appears to split more farms” (p. 76). This specific finding also supports the conclusion that this factor favors the PDM/CFT/Staff route over the MCPO route. Indeed, MCPO’s own evidence is that the MCPO route would have 971 to 1,118 more cultivated crop acres in the 500-foot analysis corridor than does the Channon (PDM/CFT/Staff) route (MCPO Ex. 1.3 (RH) Corrected). And of even more importance, the MCPO route would split 103 separate family farms⁵ while the Channon (PDM/CFT/Staff) route splits only 28 tracts.⁶

Proposed Substitute Language. PDM/Channon propose that the following statement on page 76 of the Proposed Order be stricken: *“The Commission is unable to find, based on the evidence presented, that either route is preferable when considering these criteria.”*

PDM/Channon propose that the following statement be substituted: *“As noted above, the MCPO route, being longer, would impact more farmland, and also appears that it would split many more farms. As noted below, the PDM/CFT/Staff route affects fewer landowners and is shorter. The Commission therefore finds that the criterion ‘Number of Affected Landowners and Stakeholders’ favors the PDM/CFT/Staff route over the MCPO route. On the criterion ‘Proximity to Homes and Other Structures,’ the Commission is unable to find, based on the evidence presented, that either route is preferable.”*

5. Proximity to Existing and Planned Development (p. 76)

On this factor, the Commission states in its findings that “PDM/CFT also lists several

⁵ PDM Ex. 6.0, p.13, l.272 - p.14, l.280; see also PDM Ex. 8.8.

⁶ PDM Ex. 6.0, p.17, l.349-52.

apparently small towns to which the Moultrie PO Route comes in proximity. Without evidence of specific developments planned in those various smaller communities, the Commission is hesitant to give that argument much weight” (p. 76). PDM/Channon respectfully suggest that this factor is not limited to “planned” development, but also includes “existing” development, and if both are properly considered, this factor clearly favors the PDM/CFT/Staff route over the MCPO route.

The MCPO route would run within one-half mile of two separate residential locations in Mt. Zion, as shown on MCPO Corrected Ex. 2.2, p.2. The same exhibit shows that the MCPO route would run within a half mile of Casner (p.3), within a quarter mile of LaPlace (p.4), within a half mile of Hammond (p.6), within a quarter mile of Pierson Station (p.7), within three-quarter mile of Atwood (p.8), and within three-quarter mile of Tuscola (p.11). Aside from whether any specific residential developments are “planned” in any of these communities, the MCPO route would place this massive 345,000-volt transmission line very close to all of these “existing” developments, thereby negatively impacting community aesthetics, future growth and development, and property values for hundreds of community residents. The approved PDM/CFT/Staff route does not have these negative impacts on existing developments.

Additionally, throughout this proceeding, it has been inconsistent for MCPO to argue its route impacts fewer specific residences, using a measure of 500 feet from the centerline, when the MCPO runs within 1,500 feet of multiple towns which have many residences. The Commission is correct to note a great deal of time was spent by the parties attempting to locate specific structures in relation to the routes, and the parties’ determinations on structures varied widely. But on this factor, there is no dispute that the MCPO route would place this obtrusive transmission line project close to the 7 towns listed above, and this is readily apparent on MCPO’s route maps.

Proposed Substitute Language. PDM/Channon propose that the following statement on page 76 of the Proposed Order be stricken: “*Without evidence of specific developments planned in those various smaller communities, the Commission is hesitant to give that argument much weight*”

PDM/Channon propose that the following statement be substituted: “*The MCPO route runs close to at least seven towns, running within one-quarter to three-quarter mile of each. No such negative impacts on existing developments have been shown to be present on the PDM/CFT/Staff route. Therefore this factor - Proximity to Existing and Planned Development - clearly favors the PDM/CFT/Staff route.*”

6. Presence of Existing Corridors (p. 76)

The Commission properly finds this factor favors the PDM/CFT/Staff route over the MCPO route, and MCPO conceded its route was “inferior” on the aggregate of all paralleling opportunities as compared to the Channon (PDM/CFT/Staff) route in both its exhibit (MCPO Ex. 1.4(RH)) and its testimony (MCPO witness Reinecke, at Tr. p.243, 1.5-12). But the Proposed Order makes a factual misstatement in the following sentence on p. 76: “All parties agree that the Moultrie PO Route parallels *US 36 and* existing transmission lines for a portion of its length.” The italicized words should be stricken.

The MCPO route would run from west to east across Piatt County and across most of Douglas County, but it cannot be said to parallel US 36, because the MCPO route would run a mile or more distant from US 36. Nowhere would the MCPO route share or adjoin rights-of-way with US 36 except where it would cross US 36. In fact, rather than routing along roads such as US 36, the MCPO route would cut through the middle of mile after mile of cultivated fields (and the

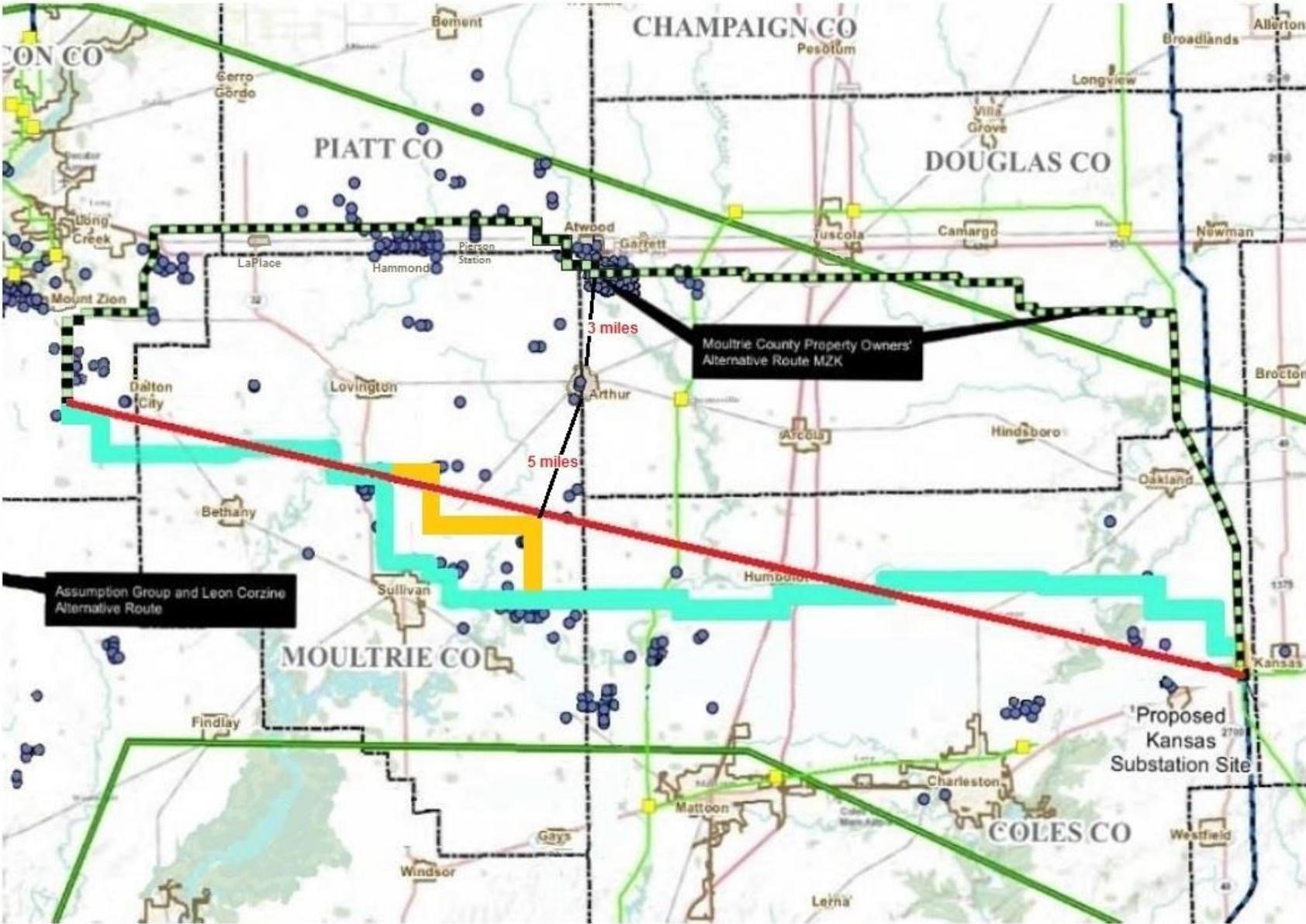
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CERTIFICATE OF SERVICE

The undersigned, an attorney licensed to practice in the State of Illinois, hereby certifies that a copy of the foregoing instrument was filed and electronically served upon the individuals identified in the Illinois Commerce Commission's official service list for Docket No. 12-0598 on the 29th day of January, 2014.

/s/ R. Kurt Wilke

Map of Proposed Routes for Rehearing



ICC Proposed PDM/CFT Route in Blue with Staff modification in Gold Straight Line in Red MCPO Route in Green/Black Check

Ameren map updated and submitted by members of the PDM Coalition.