

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

COMMONWEALTH EDISON COMPANY)
)
Application for a Certificate of Public)
Convenience and Necessity, pursuant to)
Section 8-406.1 of the Illinois Public)
Utilities Act, and an Order pursuant to)
Section 8-503 of Illinois Public Utilities)
Act, to Construct, Operate and Maintain a)
new 345 kilovolt transmission line in Ogle,)
DeKalb, Kane and DuPage Counties,)
Illinois.)
_____)

Docket No. 13-0657

Revised Direct Testimony and Exhibits of

James R. Dauphinais

On behalf of

**William Lenschow
Thomas Pienkowski
Kristine Pienkowski
Jerry Drexler
Kristin Drexler
John Tomasiewicz
Robert and Diane Mason**

*****PUBLIC VERSION*****

February 20, 2014



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Direct Testimony of James R. Dauphinais

1 **I. Introduction**

2 **Q PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.**

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

5 **Q WHAT IS YOUR OCCUPATION?**

6 A I am a consultant in the field of public utility regulation and a Managing Principal of
7 Brubaker & Associates, Inc. ("BAI"), energy, economic and regulatory consultants.

8 **Q PLEASE DESCRIBE YOUR EDUCATIONAL BACKGROUND AND EXPERIENCE.**

9 A I earned a Bachelor of Science in Electrical Engineering from the University of
10 Hartford and have completed a number of graduate level courses in electric power
11 systems through the Engineering Outreach Program of the University of Idaho. In the

12 twelve and one-half years prior to the beginning of my current employment with BAI, I
13 was employed in the Transmission Resource Planning Department of the Northeast
14 Utilities Service Company. While employed in that function, I conducted numerous
15 dynamic and load flow (a/k/a power flow) analyses related to thermal, voltage and
16 stability issues that I studied in support of Northeast Utilities' planning and operation
17 of its electric transmission system. This included examination of potential solutions to
18 operational and planning problems including, but not limited to, transmission line
19 solutions and routes that might be utilized by such transmission line solutions. My
20 work also included participation in the New England Power Pool Stability Task Force
21 and several technical working groups within the Northeast Power Coordinating
22 Council ("NPCC").

23 During my 15 years of subsequent employment with BAI, I have been involved
24 with, and testified before the Federal Energy Regulatory Commission ("FERC") and
25 many state and provincial commissions with regard to a wide variety of issues
26 including, but not limited to, avoided cost calculations, certification of public
27 convenience and necessity, fuel adjustment clauses, interruptible rates, market
28 power, market structure, prudence, resource planning, standby rates, transmission
29 rates, transmission losses, transmission planning and transmission line routing. This
30 has included providing testimony before the Illinois Commerce Commission
31 ("Commission" or "ICC"). I have also assisted end-use customers with power
32 procurement and assisted a variety of clients in regard to transmission access issues.
33 My background is further detailed in Appendix A to my testimony.

34 **Q CAN YOU PLEASE BRIEFLY OUTLINE YOUR PARTICIPATION IN**
35 **TRANSMISSION LINE CERTIFICATION CASES WITHIN THE PAST 10 YEARS?**

36 A Yes. In the past 10 years, I have testified in 13 transmission line certification cases in
37 Texas, one such case in Colorado, four such cases in Alberta, two such cases in
38 Michigan and one such case in Illinois. In Texas, I have filed testimony with and/or
39 testified before the Public Utility Commission of Texas (“PUCT”) with regard to
40 transmission line need, reliability issues and/or transmission line routing issues in
41 Docket Nos. 32707, 34440, 37464, 37778, 38140, 38230, 38290, 38324, 38354,
42 38517, 38597, 40728 and 41606. In Colorado, I have testified before the Colorado
43 Public Utilities Commission in Docket No. 09A-324A/09-325E with regard to
44 transmission line need, resource planning issues and reliability issues. In Alberta, I
45 have filed evidence with and/or testified before the Alberta Utilities Commission in
46 Proceeding Nos. 979, 1069, 1363 and 2196 with regard to transmission line routing
47 issues. In Michigan, I have filed testimony with the MPSC in Case Nos. U-16200 and
48 U-17041 with regard to both transmission line need and routing issues. Finally, in
49 Illinois, I have testified before the ICC in Docket No. 12-0598 with regard to both
50 transmission line need and routing issues.

51 **Q ON WHOSE BEHALF ARE YOU APPEARING IN THIS PROCEEDING?**

52 A My direct testimony has been prepared for and is offered on behalf of intervenors
53 William Lenschow, Thomas Pienkowski, Kristine Pienkowski, Jerry Drexler, Kristin
54 Drexler, John Tomasiewicz, and Robert and Diane Mason.

55 **Q** **WHAT IS THE SUBJECT MATTER OF YOUR TESTIMONY IN THIS**
56 **PROCEEDING?**

57 A My testimony concerns the application of Commonwealth Edison Company (“ComEd”
58 or “Company”) for a Certificate of Public Convenience and Necessity (“CPCN”) for its
59 Grand Prairie Gateway Transmission Project (“Grand Prairie Gateway Project” or
60 “Project”). My testimony specifically addresses two separate modifications of
61 ComEd’s proposed primary route for the Grand Prairie Gateway Project in the general
62 vicinity of the area between Genoa, Illinois and Burlington, Illinois (“Adjustment #1”)
63 and the general vicinity of Burlington, Illinois (“Adjustment #2”).

64 I developed Adjustment #1 on behalf of intervenor William Lenschow based
65 on an original concept proposed by Mr. Lenschow. I developed Adjustment #2 on
66 behalf of intervenors Thomas Pienkowski, Kristine Pienkowski, Jerry Drexler and
67 Kristin Drexler. My testimony describes each of the two modifications and how the
68 modifications would affect some of the more significant criteria that the Commission
69 has used in past proceedings to select a transmission line route.

70 I also briefly address the issue of ComEd not offering an alternative route for
71 the eastern portion of ComEd’s proposed primary route (e.g., no alternative route was
72 offered for Segment 1D). This affects intervenors John Tomasiewicz, and Robert and
73 Diane Mason.

74 My silence in regard to any issue should not be taken as an endorsement of
75 any position taken by ComEd with respect to that issue.

76 **Q** **PLEASE SUMMARIZE YOUR CONCLUSIONS AND RECOMMENDATIONS.**

77 A Adjustment #1 addresses the concerns of intervenor William Lenschow, has less
78 overall adverse impact on the public than the portion of ComEd’s proposed primary

79 route it replaces and only impacts landowners that have been previously noticed in
80 this proceeding.

81 Adjustment #2 addresses the concerns of intervenors Thomas Pienkowski,
82 Kristine Pienkowski, Jerry Drexler and Kristin Drexler, has less overall adverse impact
83 on the public than the portion of the ComEd proposed primary route it would replace
84 and only impacts one landowner that has not been previously noticed in this
85 proceeding. I understand counsel for Thomas Pienkowski, Kristine Pienkowski, Jerry
86 Drexler and Kristin Drexler will be requesting the Commission to give notice to this
87 one landowner who has not been previously noticed.

88 I recommend the Commission select Adjustment #1 and Adjustment #2 in
89 place of the portions of ComEd's proposed primary route that they would replace.

90 I also recommend the Commission not grant a CPCN for the eastern portion
91 of ComEd's proposed primary route for the Project until: (i) ComEd reasonably and
92 clearly demonstrates there are no feasible alternatives to this portion of ComEd's
93 proposed primary route and (ii) ComEd otherwise satisfies all of requirements that
94 must be met under Section 8-406.1 of the Public Utilities Act in order for ComEd to be
95 granted a CPCN for this portion of ComEd's primary proposed route.

96 **II. Route Selection Criteria**

97 **Q WHAT DOES ELECTRIC TRANSMISSION LINE ROUTE SELECTION BY THE**
98 **COMMISSION IN THE CPCN PROCESS ENTAIL?**

99 **A** It involves consideration of all aspects of all of the alternative routes that have been
100 proposed by the Company, the Commission Staff and intervenors. This examination
101 of potential routes for the proposed transmission line project includes, but is not
102 limited to, the examination of the proposed structures for the proposed transmission

103 line, the proposed width of the right-of-way for the proposed transmission line, the
104 proposed span between towers for the line and the areas to be crossed by the
105 proposed transmission line. In addition, factors which reflect cost, public health,
106 safety, reliability, environmental impact, historical and archeological impact,
107 community values and aesthetics are typically considered for each of the alternative
108 routes for the proposed transmission line project. In a number of proceedings
109 (e.g., Docket Nos. 06-0706, 07-0310 and 12-0598), the Commission has structured
110 this evaluation by comparing performance in the following 12 categories:

- 111 1. Length of the Line
- 112 2. Difficulty and Cost of Construction
- 113 3. Difficulty and Cost of Operation and Maintenance
- 114 4. Environmental Impacts
- 115 5. Impacts on Historical Resources
- 116 6. Social and Land Use Impacts
- 117 7. Number of Affected Landowners and other Stakeholders
- 118 8. Proximity to Homes and Other Structures
- 119 9. Proximity to Existing and Planned Development
- 120 10. Community Acceptance
- 121 11. Visual Impact
- 122 12. Presence of Existing Corridors

123 These categories, or criteria, are applicable in CPCN proceedings for electric
124 transmission lines under the Public Utilities Act's recently-enacted expedited review
125 process. As the Commission stated in its Order in the recent Illinois Rivers Project for
126 Ameren Transmission Company of Illinois:

127 Section 8-406.1(f)(1) of the Act requires any project proposed
128 thereunder to be the least-cost means of satisfying the identified
129 objectives. Although overall the need to construct the transmission
130 lines is not questioned, where to construct them has been heavily
131 contested. Resolving the question of least-cost involves a
132 comprehensive consideration and balancing of the overall costs and
133 externalities of each proposed route against the benefits of each
134 proposed route. The costs and externalities include not only the
135 financial tally for manpower and equipment, but also the impact on
136 local residents and resources and present and future land uses. In
137 past Section 8-406 proceedings, this Commission has utilized 12
138 criteria for purposes of evaluating proposed routes. (12-0598 Order at
139 page 14).

140 **Q SHOULD GREATER WEIGHT BE PLACED ON CERTAIN FACTORS VERSUS**
141 **OTHERS?**

142 **A** Yes. While all factors should be considered, some factors should be given more
143 weight than others. For example, when practicable, it is generally desirable to route
144 new transmission lines very close to existing linear developments such as existing
145 transmission lines, major highways, roads, non-electric transmission line utility
146 corridors, fence lines, cultivation lines and section lines. However, if two hypothetical
147 alternative routes only differed in that one entirely ran along section lines and the
148 other entirely ran along an existing transmission line corridor, it could not be said that
149 the two routes have similar impacts as the existing transmission line corridor route is
150 already impacted by existing transmission line infrastructure while the section line
151 route is much less likely to have been as significantly impacted by existing
152 infrastructure. Thus, all else being equal and provided it does not introduce a valid
153 reliability concern, the route running along the existing transmission line corridor
154 would likely be a much better route for the proposed line than the one that just runs
155 along section lines.

156 As another example, if two hypothetical routes differed only in that one
157 introduced significant health and safety concerns, but the other introduced significant
158 aesthetic concerns, if a choice had to be made between the two lines, it is likely the
159 route with greater aesthetic impact would be the better choice.

160 **Q WHEN APPLYING GREATER WEIGHT TO CERTAIN FACTORS VERSUS**
161 **OTHERS, SHOULD THE VIEWS OF THE PUBLIC IN THE GENERAL AREA OF**
162 **WHERE THE TRANSMISSION LINE PROJECT MAY BE LOCATED BE**
163 **CONSIDERED?**

164 A In general, yes. This is one of the reasons why transmission line CPCN applicants
165 generally conduct surveys of participants in their public meetings with regard to the
166 routing factors the participants feel are most important. However, when using such
167 information, it is important to understand how the information was collected,
168 assembled and utilized by the CPCN applicant.

169 **Q WHEN WEIGHING THE FACTORS TO BE CONSIDERED, IS IT POSSIBLE THAT**
170 **SUBSTANTIALLY BETTER PERFORMANCE WITH RESPECT TO ONE FACTOR**
171 **CAN ULTIMATELY OUTWEIGH INFERIOR PERFORMANCE WITH RESPECT TO**
172 **ANOTHER FACTOR?**

173 A Yes. A hypothetical example of this would be as follows. Assume that one route
174 impacts a relatively small number of residences, but very little of its length runs very
175 close to existing electric transmission line corridors. In such a circumstance, it may
176 be appropriate to select an alternate route that impacts more residences if that route
177 also significantly outperforms the other route in terms of minimizing the portion of its
178 length that does not run along existing transmission line corridors.

179 **Q CAN YOU OFFER AN EXAMPLE OF WHERE THE COMMISSION IN THE CPCN**
180 **PROCESS HAS SELECTED AN ALTERNATIVE ELECTRIC TRANSMISSION LINE**
181 **ROUTE THAT WAS OFFERED BY THE COMMISSION STAFF OR AN**
182 **INTERVENOR RATHER THAN THE CPCN APPLICANT?**

183 A Yes. The Commission in its May 16, 2007 order in Docket No. 06-0179 ("06-0179
184 Order") selected an alternative route advanced by the Commission Staff and an
185 intervenor in that proceeding over the filed alternative routes of the applicant
186 (06-0179 Order at pages 16-17).

187 **Q DOES THE 06-0179 ORDER OFFER A GOOD EXAMPLE OF ANYTHING ELSE**
188 **WITH REGARD TO ELECTRIC TRANSMISSION LINE ROUTE SELECTION?**

189 A Yes. The 06-0179 Order also provides a good example of when certain routing
190 factors have been given a greater weight than other routing factors. Specifically, the
191 Commission selected the aforementioned alternative route advanced by the
192 Commission Staff and an intervenor over the alternative routes filed by the applicant
193 in the proceeding because there was a fewer number of residential dwellings within
194 500 feet of the proposed transmission line when using the route advanced by the
195 Commission Staff and the intervenor. In doing so, the Commission put more weight
196 on minimizing the number of residential dwellings within 500 feet of the proposed
197 transmission line route than minimizing the cost and length of the route for the
198 proposed transmission line. (*Id.*).

199 **Q CAN UNIQUE CIRCUMSTANCES NOT READILY CAPTURED IN ROUTING**
200 **FACTORS MODIFY THE SELECTION OF A TRANSMISSION LINE ROUTE?**

201 A Yes. I am aware of three examples of such unique circumstances from my
202 experience in Texas. First, in Public Utility Commission of Texas (“PUCT”) Docket
203 No. 38290, the iconic beauty and engineering challenges of Palo Duro Canyon (in the
204 Amarillo, Texas area), in conjunction with significantly higher habitable structure
205 counts on another route that avoided Palo Duro Canyon, led to the selection by the
206 PUCT of a significantly more expensive route for the transmission line proposed in
207 that proceeding.

208 In PUCT Docket No. 38354, a well developed Interstate highway corridor was
209 found to be a more compatible right-of-way for paralleling purposes than the
210 alternative paralleling opportunities that were available. This led to the selection by
211 the PUCT of a route that had significantly higher habitable structure counts within
212 500 feet than other routes that were available for the transmission line proposed in
213 that proceeding.

214 Lastly, in PUCT Docket No. 38597, the PUCT was swayed by the adverse
215 impact on community values of crossing the Greenbelt multi-use trail system (located
216 in the Dallas-Fort Worth, Texas area), along with both the routing factor performance
217 and the large size of the structures associated with the only crossing of the Greenbelt
218 that would be allowed by the U.S. Army Corps of Engineers. These factors led to the
219 PUCT’s selection of a route significantly longer in both total length and length not
220 paralleling existing compatible right-of-way (including apparent property boundaries).

221 The relevance of these three examples is that they show it is important to
222 consider not just routing factors, but also any significant unique circumstances that
223 may not be captured within those routing factors.

224 **III. Adjustment #1**

225 **Q PLEASE DESCRIBE ADJUSTMENT #1.**

226 A Adjustment #1 is a modification of ComEd's proposed primary route in the general
227 vicinity of the area between Genoa, Illinois and Burlington, Illinois in northeastern
228 Sycamore Township. This area is shown on ComEd Exhibits 5.02, pages 9, 10 and
229 6.06, page 2. SKP Exhibit 1.1 shows ComEd's proposed primary route, ComEd's
230 proposed alternate route and my Adjustment #1 in this area overlaid on Google Earth
231 aerial imagery dated April 2, 2013. SKP Exhibit 1.1 also shows all residential and
232 non-residential structures that ComEd has identified in this area along with a 500 foot
233 corridor on both sides of the centerline of the routes. The structure data was
234 provided by ComEd in graphical information system format in response to Data
235 Request SKP 1.04.

236 Adjustment #1 would replace ComEd's proposed primary route from 42° 3'
237 34.2" N, 88° 38' 2.5" W to 42° 2' 44.3" N, 88° 36' 8.3" W.¹ From 42° 3' 34.2" N, 88°
238 38' 2.5" W (approximately 0.39 miles west of Lukens Road), Adjustment #1 would
239 proceed south from 42° 3' 34.2" N, 88° 38' 2.5" W for approximately 0.34 miles along
240 an apparent property line/field line until it meets the location of ComEd's proposed
241 alternate route at 42° 3' 14.9" N, 88° 38' 2.5" W. Adjustment #1 then runs due east
242 for approximately 1.25 miles to 42° 3' 15.0" N, 88° 36' 24.9" W. Adjustment #1 then
243 runs due south for approximately 0.6 miles just west of an apparent property line/field
244 line to 44° 2' 44.3" N, 88° 36' 24.2" W. Finally, Adjustment #1 runs due east for
245 approximately 0.23 miles to rejoin ComEd's proposed primary route at 42° 2' 44.3" N,
246 88° 36' 8.3" W.

¹All latitude and longitude coordinates provided in this testimony are rounded to the nearest tenth of a second.

247 **Q** **HAVE YOU DETERMINED THE TOTAL LENGTH AND ESTIMATED COST FOR**
248 **ADJUSTMENT #1 AND THE PORTION OF COMED'S PROPOSED PRIMARY**
249 **ROUTE THAT ADJUSTMENT #1 WOULD REPLACE?**

250 A Yes. Adjustment #1 would have a total length of 2.58 miles and an estimated cost of
251 approximately *****CONFIDENTIAL XXXXXXXXX END CONFIDENTIAL*****. The
252 portion of ComEd's proposed primary route that would be replaced by Adjustment #1
253 would have a total length of 2.72 miles and an estimated cost of approximately
254 *****CONFIDENTIAL XXXXXXXXXXXX END CONFIDENTIAL*****. SKP Exhibit 1.2
255 presents my cost estimates related to Adjustment #1 in more detail.

256 **Q** **PLEASE EXPLAIN HOW THE COST ESTIMATES WERE CREATED.**

257 A From ComEd's response to data requests, an average cost per mile excluding
258 transmission structures was calculated for Segments 1B and 2B of ComEd's
259 proposed primary route. We calculated this as *****CONFIDENTIAL XXXXXXXXX END**
260 **CONFIDENTIAL***** per mile. Then the number and type of each transmission line
261 structure used for Adjustment #1 and the portion of ComEd's proposed primary route
262 that would be replaced by Adjustment #1 were estimated. We then calculated the
263 estimated cost for Adjustment #1 as: (i) its total length times the aforementioned
264 average cost per mile excluding transmission structure costs plus (ii) its number of
265 transmission structures times ComEd's estimated cost per structure (from ComEd's
266 response to Data Request SKP 1.08) for each structure type used by Adjustment #1.
267 The same calculation was performed for the portion of ComEd's proposed primary
268 route that would be replaced by Adjustment #1. Note that these cost estimates do
269 not include any costs to acquire real estate.

270 **Q HAVE YOU DETERMINED FROM COMED'S DATA THE NUMBER OF**
271 **RESIDENTIAL STRUCTURES AND NON-RESIDENTIAL STRUCTURES WITHIN**
272 **500 FEET OF THE CENTERLINE OF THE PROPOSED TRANSMISSION LINE?**

273 A Yes. Adjustment #1 places only one (1) residence and two (2) non-residential
274 structures within 500 feet of the centerline of Adjustment #1. The portion of ComEd's
275 proposed primary route that would be replaced by Adjustment #1 places five (5)
276 residences and twenty two (22) non-residential structures within 500 feet of the
277 centerline of ComEd's proposed primary route.

278 **Q HAVE YOU DETERMINED WHETHER ALL OF THE LANDOWNERS WHOSE**
279 **LANDS ARE CROSSED BY ADJUSTMENT #1 HAVE BEEN NOTICED IN THIS**
280 **PROCEEDING?**

281 A Yes. All of these landowners were included in Exhibit D of ComEd's petition in this
282 proceeding.

283 **Q FOR THE FACTORS YOU HAVE EXAMINED IN PREPARING THIS DIRECT**
284 **TESTIMONY, HOW DOES ADJUSTMENT #1 COMPARE TO THE PORTION OF**
285 **COMED'S PROPOSED PRIMARY ROUTE THAT IT WOULD REPLACE?**

286 A Versus the portion of ComEd's proposed primary route it would replace, Adjustment
287 #1 has:

- 288
- A total length that is approximately 0.14 miles (5.1%) shorter;
 - 289 • An estimated cost that is only approximately ***CONFIDENTIAL XXXXXXXXXXXX
290 END CONFIDENTIAL*** higher;
 - 291 • Four (4) (80%) fewer residences within 500 feet of centerline; and
 - 292 • Twenty (20) (90.9%) fewer non-residential structures within 500 feet of centerline.

293 While Adjustment #1 also trades approximately 1.51 miles of railroad
294 paralleling for apparent property line/field line paralleling, the significantly reduced
295 residential and non-residential impacts of Adjustment #1 in my opinion outweigh this
296 small loss in paralleling opportunities as well as the very slight increase in estimated
297 cost. Also, as detailed in his direct testimony, Adjustment #1 will address the
298 concerns of intervenor William Lenschow. In summary, based on this information I
299 have been able to examine, it appears Adjustment #1 is superior to the portion of
300 ComEd's proposed primary route that Adjustment #1 would replace.

301 **IV. Adjustment #2**

302 **Q PLEASE DESCRIBE ADJUSTMENT #2.**

303 A Adjustment #2 is a modification of ComEd's proposed primary route in the general
304 vicinity of Burlington, Illinois in north central Burlington Township. This area is shown
305 on ComEd Exhibits 5.02, pages 8 and 9 and 6.06, page 2. SKP Exhibit 1.3 shows
306 ComEd's proposed primary route, and my Adjustment #2 in this area overlaid on
307 Google Earth aerial imagery dated May 23, 2013. SKP Exhibit 1.3 also shows all
308 residential and non-residential structures that ComEd has identified in this area along
309 with a 500 foot corridor on both sides of the centerline of the route. The ComEd
310 structure data was provided in graphical information system format in response to
311 Data Request SKP 1.04. SKP Exhibit 1.3 also shows other residential and
312 non-residential structures in the general vicinity of Adjustment #2 that we have
313 identified that were not identified by ComEd. We have identified and classified these
314 additional structures by evaluating the same Google Earth aerial imagery used for
315 SKP Exhibit 1.3, but at a more granular scale. SKP Exhibit 1.4 provides a close up of
316 the area where these additional structures are located.

317 Adjustment #2 would replace ComEd's proposed primary route from 42° 2'
318 22.4" N, 88° 33' 45.0" W to 42° 2' 36.9" N, 88° 32' 1.2" W (rounded to nearest
319 second). From 42° 2' 22.4" N, 88° 33' 45.0" W (approximately 0.22 miles west of
320 Waughon Road), Adjustment #2 would proceed from 42° 2' 22.4" N, 88° 33' 45.0" W
321 generally due east for approximately 1.16 miles to 42° 2' 23.8" N, 88° 32' 23.8" W.
322 Adjustment #2 then runs in a straight line generally to the northeast for approximately
323 0.41 miles to rejoin ComEd's proposed primary route at 42° 2' 36.9" N, 88° 32' 1.2"
324 W.

325 **Q HAVE YOU DETERMINED THE TOTAL LENGTH AND ESTIMATED COST FOR**
326 **ADJUSTMENT #2 AND THE PORTION OF COMED'S PROPOSED PRIMARY**
327 **ROUTE THAT ADJUSTMENT #2 WOULD REPLACE?**

328 A Yes. Adjustment #2 would have a total length of 1.57 miles and an estimated cost of
329 approximately *****CONFIDENTIAL XXXXXXXX END CONFIDENTIAL*****. The portion
330 of ComEd's proposed primary route that would be replaced by Adjustment #2 would
331 have a total length of 1.74 miles and an estimated cost of approximately
332 *****CONFIDENTIAL XXXXXXXX END CONFIDENTIAL*****. SKP Exhibit 1.5 presents
333 my cost estimates related to Adjustment #2 in more detail.

334 **Q PLEASE EXPLAIN HOW THE COST ESTIMATES WERE CREATED.**

335 A They were calculated using the same methodology I described earlier for Adjustment
336 #1 except that the average cost per unit of length excluding structures for Segment
337 1C was used in place of the average cost per unit of length for Segments 1B and 2B.
338 This was done because Segment 1C is in the same general area Adjustment #2, but
339 Segments 1B and 2B are not. We calculated the average cost per unit of length

340 excluding structures for Segment 1C as ***CONFIDENTIAL XXXXXXXX END
341 CONFIDENTIAL*** per mile.

342 **Q HAVE YOU DETERMINED FROM COMED'S STRUCTURE DATA THE NUMBER**
343 **OF RESIDENTIAL STRUCTURES AND NON-RESIDENTIAL STRUCTURES**
344 **WITHIN 500 FEET OF THE CENTERLINE OF THE PROPOSED TRANSMISSION**
345 **LINE?**

346 A Yes. Adjustment #2 places three (3) residences and seventeen (17) non-residential
347 structures within 500 feet of the centerline of Adjustment #2. The portion of ComEd's
348 proposed primary route that would be replaced by Adjustment #2 places four
349 (4) residences and ten (10) non-residential structures within 500 feet of the centerline
350 of ComEd's proposed primary route.

351 **Q HAVE YOU DETERMINED WHETHER ALL OF THE LANDOWNERS WHOSE**
352 **LANDS ARE CROSSED BY ADJUSTMENT #2 HAVE BEEN NOTICED IN THIS**
353 **PROCEEDING?**

354 A All but one of the landowners whose lands are crossed by Adjustment #2 were
355 included in Exhibit D of ComEd's petition in this proceeding. I understand counsel for
356 Thomas Pienkowski, Kristine Pienkowski, Jerry Drexler and Kristine Drexler will be
357 requesting the Commission to give notice to this one landowner who has not been
358 previously noticed.

359 Q FOR THE FACTORS YOU HAVE EXAMINED IN PREPARING THIS DIRECT
360 TESTIMONY, HOW DOES ADJUSTMENT #2 COMPARE TO THE PORTION OF
361 COMED'S PROPOSED PRIMARY ROUTE THAT IT WOULD REPLACE?

362 A Versus the portion of ComEd's proposed primary route it would replace, Adjustment
363 #2 has:

- 364
- A total length that is approximately 0.17 miles (5.1%) shorter;
 - 365 • An estimated cost that is approximately ***CONFIDENTIAL XXXXXXXXXXXXX
366 END CONFIDENTIAL*** lower;
 - 367 • One (1) (25%) fewer residence within 500 feet of centerline; and
 - 368 • Seven (7) (70%) more non-residential structures within 500 feet of centerline.

369 While Adjustment #2 places seven (70%) more non-residential structures
370 within 500 feet of centerline, in my opinion, this is outweighed by placing one (25%)
371 fewer residence within 500 feet and an estimated cost reduction of
372 ***CONFIDENTIAL XXXXXXXXXXXXX END CONFIDENTIAL***. As I have noted,
373 the Commission has selected reduced residence impacts over reduced estimated
374 cost in past transmission line CPCN proceedings (e.g., Docket No. 06-0179).
375 However, I am not aware of it doing the same with regard to reduced non-residential
376 structure impacts especially when there was not also a reduction in residence
377 impacts. In summary, based on the information I have been able to examine, it
378 appears Adjustment #2 is superior to the portion of ComEd's proposed primary route
379 that Adjustment #2 would replace.

380 **V. Lack of Alternatives for the Eastern Portion of the Project**

381 **Q PLEASE DESCRIBE YOUR CONCERN WITH COMED'S PROPOSED PRIMARY**
382 **ROUTE IN THE VICINITY OF THE EASTERN PORTION OF THE PROJECT.**

383 **A** Section 8-406.1(a)(1)(B)(viii) of the Public Utilities Act requires an applicant to include
384 in any CPCN application made under Section 8-406.1 of the Public Utilities Act a:

385 *(viii) primary right-of-way and one or more alternate rights-of-way for the*
386 *Project as part of the filing. To the extent applicable, for each right-of-way,*
387 *an applicant shall provide the information described in this subsection (a).*
388 *Upon a showing of good cause in its filing, an applicant may be excused*
389 *from providing and identifying alternate rights-of-way.*
390 *(220 ILCS 5/8-406.1(a)(1)(B)(viii))*

391 For the eastern portion of its proposed primary route ComEd has not provided an
392 alternate route in its application (e.g., no alternative route was offered for Segment
393 1D). Furthermore, in my opinion, ComEd has not sufficiently demonstrated that there
394 is a good cause to excuse it from providing an alternate route for that portion of its
395 proposed primary route. Specifically, ComEd's direct testimony with regard to this
396 issue (ComEd Exhibit 5.0 at lines 440 through 455) is limited and cursory. The
397 testimony should have been much more detailed, included specific alternate routes
398 that were considered and provided evidence showing why those alternatives were
399 insufficiently feasible to be included in ComEd's application. I recommend the
400 Commission not grant a CPCN for the eastern portion of ComEd's proposed primary
401 route for the Project until: (i) ComEd reasonably and clearly demonstrates there are
402 no feasible alternatives to this portion of ComEd's proposed primary route and
403 (ii) ComEd otherwise satisfies all of requirements that must be met under Section
404 8-406.1 of the Public Utilities Act in order for ComEd to be granted a CPCN for this
405 portion of ComEd's primary proposed route.

406 **VI. Conclusions and Recommendations**

407 **Q PLEASE SUMMARIZE YOUR CONCLUSIONS AND RECOMMENDATIONS.**

408 A Adjustment #1 addresses the concerns of intervenor William Lenschow, has less
409 overall adverse impact on the public than the portion of ComEd's proposed primary
410 route it replaces and only impacts landowners that have been previously noticed in
411 this proceeding. Adjustment #2 addresses the concerns of intervenors Thomas
412 Pienkowski, Kristine Pienkowski, Jerry Drexler and Kristin Drexler, has less overall
413 adverse impact on the public than the portion of the ComEd proposed primary route it
414 would replace and only impacts one landowner that has not previously noticed in this
415 proceeding. I understand counsel for Thomas Pienkowski, Kristine Pienkowski, Jerry
416 Drexler and Kristin Drexler will be requesting the Commission to give notice to this
417 one landowner who has not been previously noticed.

418 I recommend the Commission select Adjustment #1 and Adjustment #2 in
419 place of the portions of ComEd's proposed primary route that they would replace.

420 I also recommend the Commission not grant a CPCN for the eastern portion
421 of ComEd's proposed primary route for the Project until: (i) ComEd reasonably and
422 clearly demonstrates there are no feasible alternatives to this portion of ComEd's
423 proposed primary route and (ii) ComEd otherwise satisfies all of requirements that
424 must be met under Section 8-406.1 of the Public Utilities Act in order for ComEd to be
425 granted a CPCN for this portion of ComEd's primary proposed route.

426 **Q DOES THIS CONCLUDE YOUR DIRECT TESTIMONY?**

427 A Yes, it does.

Qualifications of James R. Dauphinais

1 **Q PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.**

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

4 **Q PLEASE STATE YOUR OCCUPATION.**

5 A I am a consultant in the field of public utility regulation and a Managing Principal with
6 the firm of Brubaker & Associates, Inc. ("BAI"), energy, economic and regulatory
7 consultants.

8 **Q PLEASE SUMMARIZE YOUR EDUCATIONAL BACKGROUND AND**
9 **EXPERIENCE.**

10 A I graduated from Hartford State Technical College in 1983 with an Associate's Degree
11 in Electrical Engineering Technology. Subsequent to graduation I was employed by
12 the Transmission Planning Department of the Northeast Utilities Service Company as
13 an Engineering Technician.

14 While employed as an Engineering Technician, I completed undergraduate
15 studies at the University of Hartford. I graduated in 1990 with a Bachelor's Degree in
16 Electrical Engineering. Subsequent to graduation, I was promoted to the position of
17 Associate Engineer. Between 1993 and 1994, I completed graduate level courses in
18 the study of power system transients and power system protection through the
19 Engineering Outreach Program of the University of Idaho. By 1996 I had been
20 promoted to the position of Senior Engineer.

21 In the employment of the Northeast Utilities Service Company, I was

1 responsible for conducting thermal, voltage and stability analyses of the Northeast
2 Utilities' transmission system to support planning and operating decisions. This
3 involved the use of load flow, power system stability and production cost computer
4 simulations. It also involved examination of potential solutions to operational and
5 planning problems including, but not limited to, transmission line solutions and the
6 routes that might be utilized by such transmission line solutions. Among the most
7 notable achievements I had in this area include the solution of a transient stability
8 problem near Millstone Nuclear Power Station, and the solution of a small signal (or
9 dynamic) stability problem near Seabrook Nuclear Power Station. In 1993 I was
10 awarded the Chairman's Award, Northeast Utilities' highest employee award, for my
11 work involving stability analysis in the vicinity of Millstone Nuclear Power Station.

12 From 1990 to 1996, I represented Northeast Utilities on the New England
13 Power Pool Stability Task Force. I also represented Northeast Utilities on several
14 other technical working groups within the New England Power Pool ("NEPOOL") and
15 the Northeast Power Coordinating Council ("NPCC"), including the 1992-1996 New
16 York-New England Transmission Working Group, the Southeastern
17 Massachusetts/Rhode Island Transmission Working Group, the NPCC CPSS-2
18 Working Group on Extreme Disturbances and the NPCC SS-38 Working Group on
19 Interarea Dynamic Analysis. This latter working group also included participation
20 from a number of ECAR, PJM and VACAR utilities.

21 From 1990 to 1995, I also acted as an internal consultant to the Nuclear
22 Electrical Engineering Department of Northeast Utilities. This included interactions
23 with the electrical engineering personnel of the Connecticut Yankee, Millstone and
24 Seabrook nuclear generation stations and inspectors from the Nuclear Regulatory
25 Commission ("NRC").

1 In addition to my technical responsibilities, from 1995 to 1997, I was also
2 responsible for oversight of the day-to-day administration of Northeast Utilities' Open
3 Access Transmission Tariff. This included the creation of Northeast Utilities' pre-
4 FERC Order No. 889 transmission electronic bulletin board and the coordination of
5 Northeast Utilities' transmission tariff filings prior to and after the issuance of Federal
6 Energy Regulatory Commission ("FERC" or "Commission") FERC Order No. 888. I
7 was also responsible for spearheading the implementation of Northeast Utilities' Open
8 Access Same-Time Information System and Northeast Utilities' Standard of Conduct
9 under FERC Order No. 889. During this time I represented Northeast Utilities on the
10 Federal Energy Regulatory Commission's "What" Working Group on Real-Time
11 Information Networks. Later I served as Vice Chairman of the NEPOOL OASIS
12 Working Group and Co-Chair of the Joint Transmission Services Information Network
13 Functional Process Committee. I also served for a brief time on the Electric Power
14 Research Institute facilitated "How" Working Group on OASIS and the North
15 American Electric Reliability Council facilitated Commercial Practices Working Group.

16 In 1997 I joined the firm of Brubaker & Associates, Inc. The firm includes
17 consultants with backgrounds in accounting, engineering, economics, mathematics,
18 computer science and business. Since my employment with the firm, I have filed or
19 presented testimony before the Federal Energy Regulatory Commission in
20 Consumers Energy Company, Docket No. OA96-77-000, Midwest Independent
21 Transmission System Operator, Inc., Docket No. ER98-1438-000, Montana Power
22 Company, Docket No. ER98-2382-000, Inquiry Concerning the Commission's Policy
23 on Independent System Operators, Docket No. PL98-5-003, SkyGen Energy LLC v.
24 Southern Company Services, Inc., Docket No. EL00-77-000, Alliance Companies, et
25 al., Docket No. EL02-65-000, et al., Entergy Services, Inc., Docket No.

1 ER01-2201-000, and Remediating Undue Discrimination through Open Access
2 Transmission Service, Standard Electricity Market Design, Docket No. RM01-12-000,
3 Midwest Independent Transmission System Operator, Inc., Docket No. ER10-1791-
4 000 and NorthWestern Corporation, Docket No. ER10-1138-001, et al. I have also
5 filed or presented testimony before the Alberta Utilities Commission, Colorado Public
6 Utilities Commission, Connecticut Department of Public Utility Control, Illinois
7 Commerce Commission, the Indiana Utility Regulatory Commission, the Iowa Utilities
8 Board, the Kentucky Public Service Commission, the Louisiana Public Service
9 Commission, the Michigan Public Service Commission, the Missouri Public Service
10 Commission, the Montana Public Service Commission, the Council of the City of New
11 Orleans, the Public Utility Commission of Texas, the Wisconsin Public Service
12 Commission and various committees of the Missouri State Legislature. This
13 testimony has been given regarding a wide variety of issues including, but not limited
14 to, ancillary service rates, avoided cost calculations, certification of public
15 convenience and necessity, cost allocation, fuel adjustment clauses, fuel costs,
16 generation interconnection, interruptible rates, market power, market structure,
17 off-system sales, prudence, purchased power costs, resource planning, rate design,
18 retail open access, standby rates, transmission losses, transmission planning and
19 transmission line routing.

20 I have also participated on behalf of clients in the Southwest Power Pool
21 Congestion Management System Working Group, the Alliance Market Development
22 Advisory Group and several working groups of the Midcontinent Independent System
23 Operator, Inc. ("MISO"), including the Congestion Management Working Group and
24 Supply Adequacy Working Group. I am currently an alternate member of the MISO
25 Advisory Committee in the end-use customer sector on behalf of a group of industrial

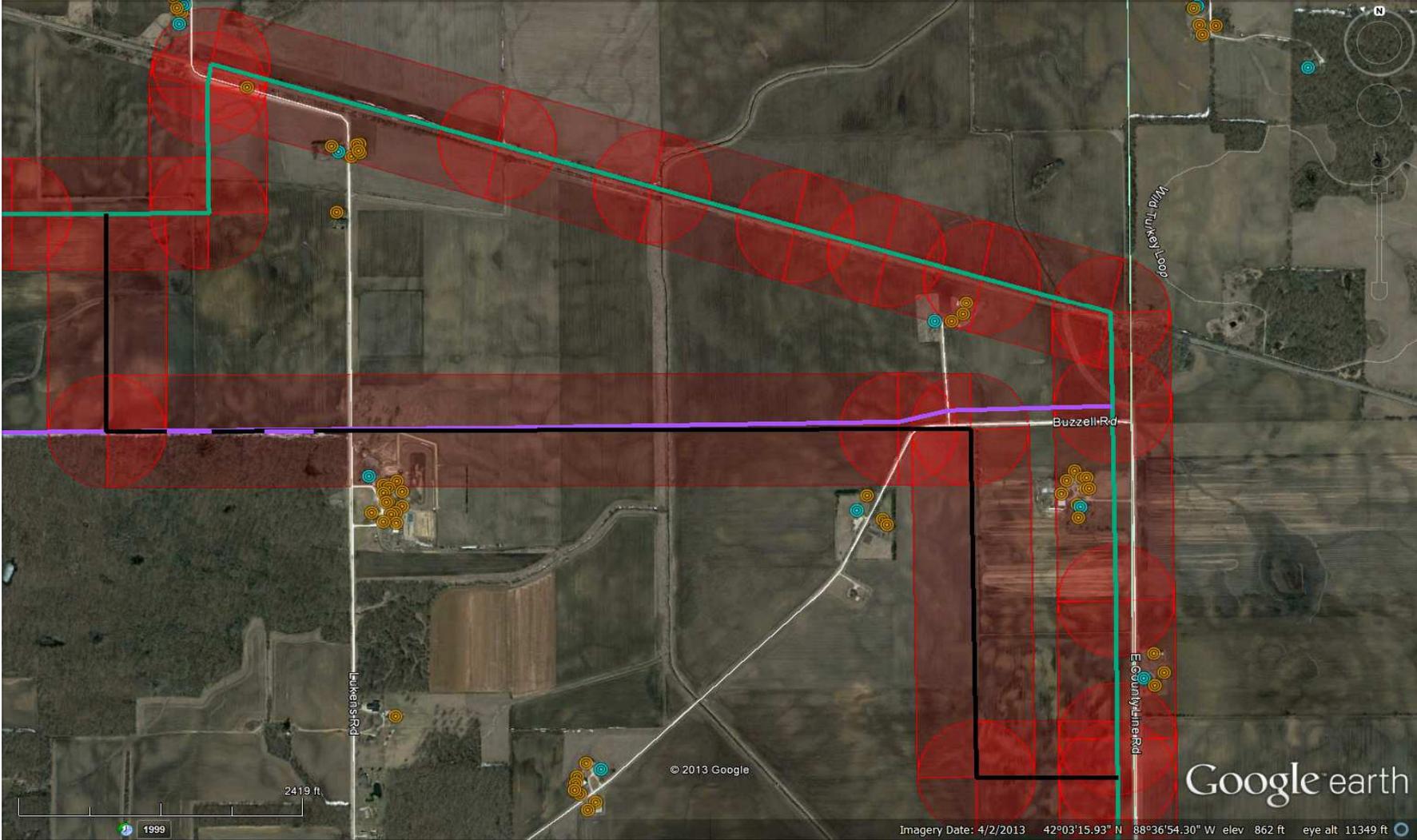
1 end-use customers in Illinois. I am also the past Chairman of the Issues/Solutions
2 Subgroup of the MISO Revenue Sufficiency Guarantee (“RSG”) Task Force.

3 In 2009, I completed the University of Wisconsin-Madison High Voltage Direct
4 Current (“HVDC”) Transmission course for Planners that was sponsored by MISO. I
5 am a member of the Power and Energy Society (“PES”) of the Institute of Electrical
6 and Electronics Engineers (“IEEE”).

7 In addition to our main office in St. Louis, the firm also has branch offices in
8 Phoenix, Arizona and Corpus Christi, Texas.

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**Overview Map of Proposed Adjustment #1
with 500' Corridor on both sides of the Primary Route and Adjustment #1 Shown**



Legend	
	Proposed Primary Route (SKP-ComEd 1.04)
	Proposed Alternate Route (SKP-ComEd 1.04)
	Proposed Adjustment (BAI Identified)
	Residential Structure (SKP-ComEd 1.04)
	Non-Residential Structure (SKP-ComEd 1.04)

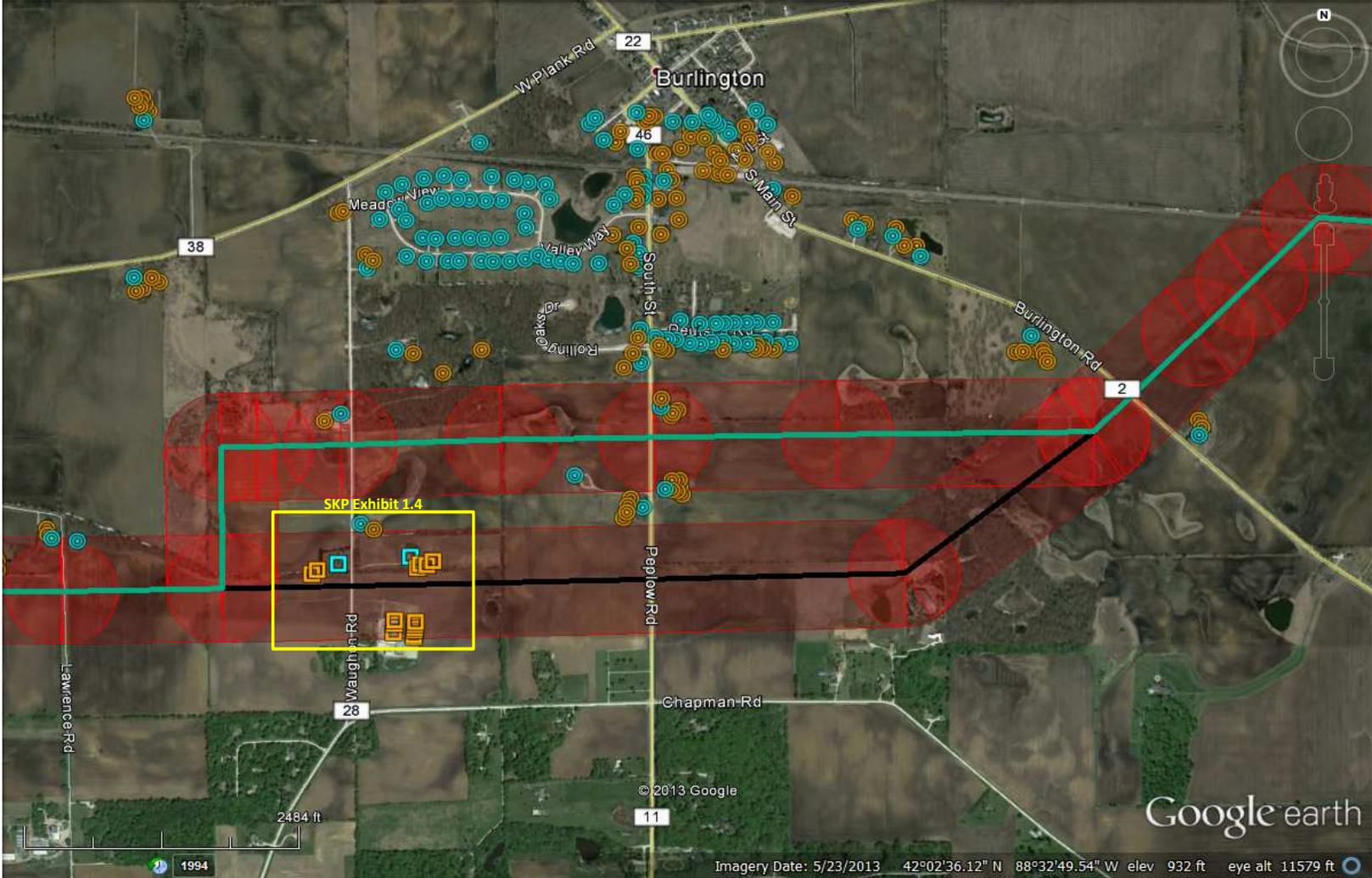
Note: The 500' corridor on each side of the proposed centerline is utilized to evaluate impacts on residential and non-residential structures. The actual right-of-way width in this area for the proposed transmission line is 60' to 100' on each side of the proposed centerline.

**Construction Cost Estimate of Proposed Adjustment #1
(Excludes Real Estate Cost)**

Line No	Structure Type	Cost per Structure (SKP-ComEd 1.08)	Segment 1B		Segment 2B		Proposed Adjustment #1		Portion of Primary Route Comparable to Proposed Adjustment #1	
			Number of Structures (SKP-ComEd 1.07)	Cost of Structures	Number of Structures (SKP-ComEd 1.07)	Cost of Structures	Number of Structures (Estimated)	Cost of Structures	Number of Structures (Estimated)	Cost of Structures
			(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)
(1)	Tangent - Double	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX
(2)	Strain - Double	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX
(3)	60 Degree - Double	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX
(4)	90 Degree - Double	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX
(5)	Tangent - Triple	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX
(6)	Strain - Triple	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX
(7)	60 Degree - Triple	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX
(8)	90 Degree - Triple	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX
			Source		Source		Source		Source	
(9)	Total Structure Cost		Sum of D1 thru D8	\$XX,XXX,XXX	Sum of E1 thru E8	\$XX,XXX,XXX	Sum of H1 thru H8	\$XX,XXX,XXX	Sum of J1thru J8	\$XX,XXX,XXX
(10)	Total Segment Cost		SKP-ComEd 1.06	\$XX,XXX,XXX	SKP-ComEd 1.06	\$XX,XXX,XXX	H9 + H12	\$XX,XXX,XXX	J9 + J12	\$XX,XXX,XXX
(11)	Segment Length		ComEd Ex. 6.0 page 13	11.41	ComEd Ex. 6.0 page 14	13.58	SKP Ex. 1.1	2.58	SKP Ex. 1.1	2.72
(12)	Segment Cost w/o Structures		D10-D9	\$XX,XXX,XXX	E10-E9	\$XX,XXX,XXX	H11 x H13	\$XX,XXX,XXX	J11 x J13	\$XX,XXX,XXX
(13)	Cost per mile w/o structures		D12/D11	\$XX,XXX,XXX	E12/E11	\$XX,XXX,XXX	Average of E13 & G13	\$XX,XXX,XXX	Average of E13 & G13	\$XX,XXX,XXX

Additional Cost (Savings) of Proposed Adjustment \$XX,XXX,XXX
Percent Increase/Decrease X.X%

Overview Map of Proposed Adjustment #2 with 500' Corridor on both sides of the Primary Route and Adjustment #2 Shown



Legend	
	Proposed Primary Route (SKP-ComEd 1.04)
	Proposed Adjustment (BAI Identified)
	Residential Structure (SKP-ComEd 1.04)
	Non-Residential Structure (SKP-ComEd 1.04)
	Residential Structure (BAI Identified)
	Non-Residential Structure (BAI Identified)

Note: The 500' corridor on each side of the proposed centerline is utilized to evaluate impacts on residential and non-residential structures. The actual right-of-way width in this area for the proposed transmission line is 60' on each side of the proposed centerline.

**Closeup Map of BAI Identified Structures
with 500' Corridor on both sides of Adjustment #2 Shown**



Legend	
	Proposed Adjustment (BAI Identified)
	Residential Structure (SKP-ComEd 1.04)
	Non-Residential Structure (SKP-ComEd 1.04)
	Residential Structure (BAI Identified)
	Non-Residential Structure (BAI Identified)

Note: The 500' corridor on each side of the proposed centerline is utilized to evaluate impacts on residential and non-residential structures. The actual right-of-way width in this area for the proposed transmission line is 60' on each side of the proposed centerline.

**Construction Cost Estimate of Proposed Adjustment #2
(Excludes Real Estate Cost)**

Line No	Structure Type	Cost per Structure (SKP-ComEd 1.08)	Segment 1C		Proposed Adjustment #2		Portion of Primary Route Comparable to Proposed Adjustment #2	
			Number of Structures (SKP-ComEd 1.07)	Cost of Structures	Number of Structures (Estimated)	Cost of Structures	Number of Structures (Estimated)	Cost of Structures
	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
(1)	Tangent - Double	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX
(2)	Strain - Double	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX
(3)	60 Degree - Double	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX
(4)	90 Degree - Double	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX
(5)	Tangent - Triple	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX
(6)	Strain - Triple	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX
(7)	60 Degree - Triple	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX
(8)	90 Degree - Triple	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX	XX	\$ XXX,XXX
			Source		Source		Source	
(9)	Total Structure Cost		Sum of D1 thru D8	\$XX,XXX,XXX	Sum of F1 thru F8	\$XX,XXX,XXX	Sum of H1 thru H8	\$XX,XXX,XXX
(10)	Total Segment Cost		SKP-ComEd 1.06	\$XX,XXX,XXX	F9 + F12	\$XX,XXX,XXX	H9 + H12	\$XX,XXX,XXX
(11)	Segment Length		ComEd Ex. 6.0 page 13	10.78	SKP Ex.1.3	1.57	SKP Ex. 1.3	1.74
(12)	Segment Cost w/o Structures		D10-D9	\$XX,XXX,XXX	F11 x F13	\$XX,XXX,XXX	H11 x H13	\$XX,XXX,XXX
(13)	Cost per mile w/o structures		D12/D11	\$XX,XXX,XXX	D13	\$XX,XXX,XXX	D13	\$XX,XXX,XXX

Additional Cost (Savings) of Proposed Adjustment \$XX,XXX,XXX
Percent Increase/Decrease X.X%