

Exhibit No.:

**Issues: Public Interest, Property
Rights for Cattle Farmers**

Witness: Janet Akers

Type of Exhibit: Rebuttal Testimony

**Sponsoring Party: Neighbors United Against
Ameren's Power Line**

Case No.: EA-2015-0146

Date Testimony Prepared: October 21, 2015

MISSOURI PUBLIC SERVICE COMMISSION

CASE NO. EA-2015-0146

REBUTTAL TESTIMONY

OF

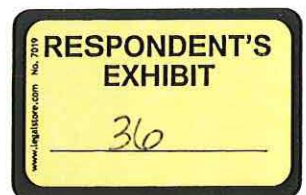
JANET AKERS

NU Exhibit No. 36
Date 1/25/16 Reporter JL
File No. EA 2015-0146

ON BEHALF OF

NEIGHBORS UNITED AGAINST AMEREN'S POWER LINE

OCTOBER 21, 2015



1 **Q: Please state your name.**

2 A: My name is Janet Akers.

3 **Q: By whom are you employed?**

4 A: I am a self-employed farmer.

5 **Q: What is your position with the Missouri Cattlemen's Association?**

6 A: I am the President of the Missouri Cattlemen's Association.

7 **Q: Please give a brief description of the organization for which you serve.**

8 A: The Missouri Cattlemen's Association is dedicated to advancing
9 Missouri's beef industry. MCA's policies and priorities are established through a
10 grassroots process it has followed since 1911.

11 **Q. What is the purpose of your testimony in this case?**

12 A: I am providing testimony in this case on behalf of Neighbors United
13 Against Ameren's Power Line. The Missouri Cattlemen's Association (MCA) strongly
14 opposes the Commission approving ATXI's application by which ATXI can then use
15 eminent domain to condemn private property and farm land for the proposed Mark Twain
16 Transmission Project. The Association has long been a defender of private property
17 rights whether it involved cases of eminent domain or regulatory abuse. The benefits
18 claimed by the ATXI do not justify the Commission granting ATXI the relief it seeks.

19 **Q: What is the Missouri Cattlemen's Association's position on the use of
20 eminent domain?**

21 A: The use of eminent domain at any time is of great concern to the number
22 one industry in our state – agriculture. MCA has policy that has been in effect for more

1 than a decade stating that eminent domain should absolutely not be used to take property
2 for profit and that an easement cannot be sold to another entity without due process.
3 The Mark Twain Transmission Project is in direct conflict with MCA's policy.

4 **Q: What potential impact does the Mark Twain Transmission Project**
5 **have on the cattle industry?**

6 A: The impact of this Project on the cattle industry boils down to a pervasive
7 invasion of private property rights. The United States has the smallest beef cowherd we
8 have seen since 1962 and we absolutely must secure the rights of private property owners
9 in order to ensure family farms remain in business in this state and across the country.
10 Allowing this for-profit company to engage in a land grab in Missouri is blatantly wrong
11 and sets a precedence for other privately owned companies to do the same thing. Where
12 would it stop? How much land currently in production agriculture has to go away before
13 we put an end to this? The concerns in rural America and within the cattle sector are real.

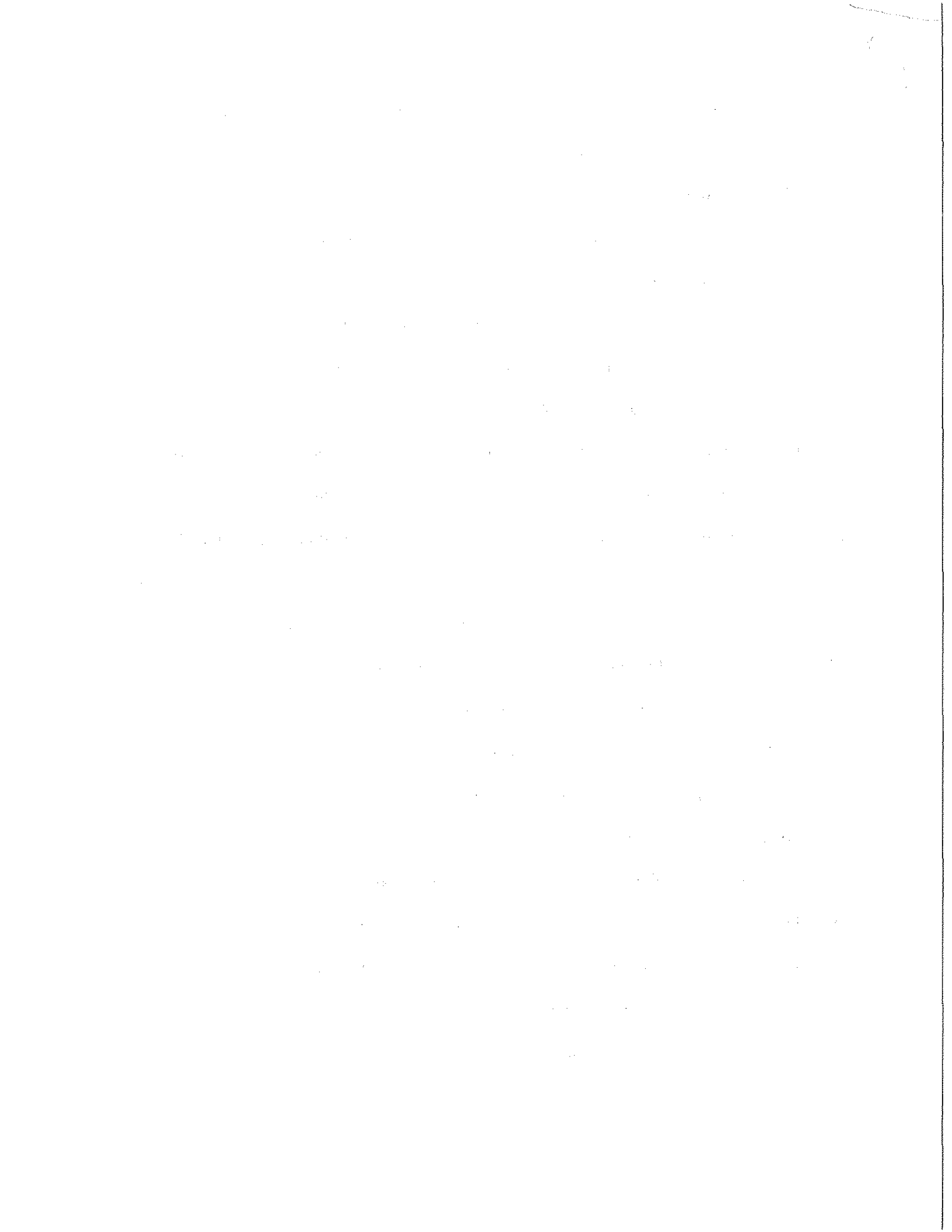
14 **Q: Is there anything else you wish to add to your testimony?**

15 A: We stand firmly in support of protecting our private property rights. If a
16 landowner wants to enter into a partnership with ATXI or any other company, then that is
17 their right. However, landowners should not be forced to give up their property to a
18 company that is a for-profit entity.

19 Cattlemen like myself also have concerns about the unknown. What don't we
20 know about this project? There are serious concerns about how this project will impact
21 the health and well-being of our cattle; not to mention our families.

22 **Q: Does this complete your testimony?**

23 A: Yes, it does. Thank you.



**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Application of Ameren Transmission)
Company of Illinois for Other Relief or, in the Alternative,)
a Certificate of Public Convenience and Necessity)
Authorizing it to Construct, Install, Own, Operate,) **File No. EA-2015-0146**
Maintain and Otherwise Control and Manage a)
345,000-volt Electric Transmission Line from Palmyra,)
Missouri, to the Iowa Border and Associated Substation)
near Kirksville, Missouri.)

MOTION TO ACCEPT LATE FILED AFFIDAVIT

COMES NOW Neighbors United Against Ameren's Power Line, by and through the undersigned counsel, and requests the Commission accept the filing of the attached affidavit of Ms. Janet Akers to accompany her rebuttal testimony filed in this case. Ms. Akers works extensively outside her office in the field during harvest season and has been doing so since the time her rebuttal was filed.

Respectfully submitted,

HERNANDEZ LAW FIRM, LLC

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ATTORNEY FOR NEIGHBORS
UNITED AGAINST AMEREN'S POWER
LINE

Certificate of Service

I certify that a true copy of the above and foregoing was served to all counsel of record by electronic mail this 1st day of December 2015.

/s/ Jennifer Hernandez
Jennifer Hernandez

