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AUG 08 2002

**Missouri Public
Service Commission**

Exhibit No.: _____
Issues: Adverse Effects of Route
Witness: Mary Claire Kramer
Exhibit Type: Rebuttal Testimony
Sponsoring Party: Intervenor CCOFFH

Case No. EO-2002-351
Date: August 8, 2002

MISSOURI PUBLIC SERVICE COMMISSION

CASE NO. EO-2002-351

**REBUTTAL TESTIMONY
OF
MARY CLAIRE KRAMER**

**ON BEHALF OF
INTERVENOR CONCERNED CITIZENS OF FAMILY
FARMS AND HERITAGE**

JEFFERSON CITY, MISSOURI

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Union)
Electric Company for Permission and)
Authority to Construct, Operate, Own, and)
Maintain a 345 Kilovolt Transmission Line)
in Maries, Osage, and Pulaski Counties,)
Missouri ("Callaway-Franks Line").)

Case No. EO-2002-351

AFFIDAVIT OF MARY C. KRAMER

Mary C. Kramer, being first duly sworn, deposes and says that she (he/she) is the witness who sponsors the accompanying testimony entitled "Rebuttal Testimony of Mary C. Kramer"; that said testimony was prepared by her (him/her) and/or under her (his/her) direction and supervision; that if inquiries were made as to the facts and conclusions in said testimony, she (he/she) would respond as therein set forth; and that the aforesaid testimony is true and correct to the best of her (his/her) knowledge.

Mary C. Kramer

State of Missouri

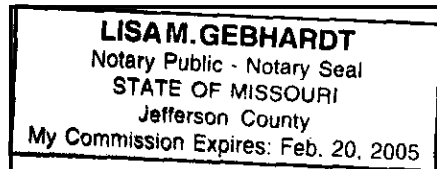
County of Jefferson

SUBSCRIBED and sworn to

before me this 24 day of July, 2002.

Lisa M. Gebhardt
Notary Public

My Commission Expires: 2/20/05



**DIRECT TESTIMONY OF
MARY CLAIRE KRAMER**

1 Q. Please state your name and residence address.

2 A. Mary Claire Kramer, 1005 Ferndale Drive, St. Louis, Missouri 63126 and
3 12221 Canyen Road, Dixon, Missouri 65459.

4 Q. Are you a property owner in one of the three counties through which Union Electric
5 Company is applying for permission and authority to construct, operate, own and maintain
6 a 345 kilovolt transmission line?

7 A. Yes, I am the owner of property which I am advised will be crossed by this new 345,000 volt
8 transmission in Pulaski County.

9 Q. What is the purpose of your testimony?

10 A. I am providing this testimony in opposition to the application to construct this transmission
11 line on the route requested by Ameren UE. The law requires that construction of this power
12 line must be shown by Ameren UE to be necessary and convenient for the public service.
13 Regardless of any necessity for a transmission line somewhere else, it is neither necessary
14 nor convenient to the public to build the transmission line as proposed. The line can be
15 constructed in other areas and its construction in the place and manner proposed will be
16 destructive of family farms, family farm values, and does irreparable harm to the history and
17 heritage of the local area and its communities.

18 Q. Are you a member of the Intervenor group known as Concerned Citizens for Family Farms
19 and Heritage?

20 A. Yes, I am a member of that group and offer my testimony in support of its statement of

1 purpose, which is attached to this testimony and incorporated.

2 Q. Have you as a property owner in the path of the proposed transmission line been contacted
3 by Ameren UE for purpose of discussing where the line would go through your property and
4 what alternatives, if any, might be available?

5 A. Ameren UE has contacted me on the proposed transmission line route. I was notified of both
6 workshops and the hearing in Linn on April 22. I attended a pre-hearing on June 13 in
7 Jefferson City. At the pre-hearing, Ameren representatives stated Ameren would
8 "accommodate" property owners. Prior to the pre-hearing, Ameren representatives were only
9 willing to tell property owners where this route was going and showed no concern as to the
10 property owners' alternative suggestions. In Ameren's response to the PSC they stated they
11 thought of moving the route "to the east" in my neck of the woods. They stated this would
12 move the route further from my barn. However, moving the route further to the east would
13 mean the line would be OVER my barn and/or my house. (Page 9 of Ameren's response to
14 PSC, May 14, 2002.)

15 Q. How long have you owned the property in question?

16 A. December 1975.

17 Q. Could you describe the nature of the property and its past and current use?

18 A. In the past 28 years this land has been a second home for my family. Members have lived
19 there off and on through college years and unsettling divorces. Our holidays are spent on
20 "the farm." Someone is always coming or going whether it is family, friends or employees.
21 Our land has been home to our horses - many horses at times. This land has seen goats,
22 cattle, llamas, emus, swans, geese, ducks, chickens, turkeys, guineas, mules, horses and pea

1 fowl. It is a family farm.

2 Q. Is the current use of the property income producing to you?

3 A. This property is not our livelihood, yet supports the health of our horses's foals which are
4 sometimes raised to be sold. The pastures have been used as rented land and hopefully will
5 continue to be of interest to possible renters.

6 Q. Is the proposed transmission line to run near or over any residence, structures, or
7 improvements to your property?

8 A. This transmission line, if constructed, will be approximately 120 feet from the barn.
9 Discussion of a newer barn has been brought up in recent years. Will plans for it on our
10 property have to be approved by Ameren UE (a/k/a God)?

11 Q. Do you already have any power lines over your property?

12 A. No. My property is pristine, perfect and virgin, the way the real God intended. Just 450
13 yards to the west of where Ameren UE intends to construct this 345 kV transmission line is
14 another transmission line right of way. The whole northeast corner of Pulaski and the
15 southwest corner of Maries Counties are consumed by transmission line right of ways. This
16 is devastating to our natural resources and our natural resources are in the best interest of the
17 public and the public's safety.

18 Q. Will the proposed power line, if built, affect the value of your land?

19 A. Yes. A power line of this size on my property will without question decrease the overall
20 value of the remaining property. The power line itself, the large easement taken on a strip
21 through that part of the property will impair present and future use of the entire parcel of
22 property I own. The option of selling the property to get rid of the problems caused by the

1 power line is unavailable. The power line will make the property virtually unsaleable,
2 requiring that I simply live with Ameren UE's solution to a problem that I do not feel I even
3 share with them. While I am unsure of the health affects of such a large power line so close
4 to my own daily activities, it is ingrained in the popular mentality that such power lines
5 constitute a health hazard, rendering unlikely any sale of my property at all. No one will buy
6 this property with this 345,000 volt electric line through it. If this line is approved and
7 constructed as designed my property will be bisected corner to corner. Isolating half of my
8 property from the road, all for a transmission line that cannot be conclusively proven to have
9 any real identifiable benefit to me or my neighbors. If Ameren is successful with this line,
10 how many more lines will they feel are necessary to meet their profit goals in the future? At
11 one time I had profit goals for my property as well. Any benefit I may see from the
12 construction of this line will surely take decades if not lifetimes to overcome my loss of
13 property value.

14 Q. What other adverse impacts do you feel this line will create for yourself and others?

15 A. The attached statement of purpose for Concerned Citizens for Family Farms and Heritage
16 sums up the overall bad impact. I and my neighbors live where we do by choice. We forego
17 the luxuries of more urban living in exchange for the peace, quiet and more rustic lifestyle
18 of the family farm and the small local community. Every reason and purpose that my
19 neighbors and I own property here for is drastically impaired or practically destroyed by the
20 presence of this high voltage power line, and the constant commercial activity anticipated in
21 building and maintaining it in the future. The EMF is an issue that has to be addressed and
22 is quite often ignored. The safety of human beings living near power lines is at risk. If EMF

1 is not a concern of the public and the safety of the public then why is it constantly
2 researched? EMF has been the cause of malignancies across our nation. Courts have ruled
3 favorably to cancer victims and on livestock loss. Personally, my horses will graze under this
4 power line. My 6 year old daughter and her friends will play near and under this power line.
5 The adverse effects are obvious.

6 Q. Do you know of any alternatives to the Ameren UE proposal which might change your
7 opinion about this project?

8 A. The alternatives are all within the power of Ameren UE to implement, and I do believe an
9 alternative exists. I believe Ameren should restudy the route and balance the interests of the
10 community against their need to relieve overloading problems. There are other corridors
11 equally available to Ameren to build this line which would be better able to bear the burden
12 of the line's presence without destroying property values, life styles and family farms. My
13 neighbors and I have no alternatives, and construction of the line as proposed will change our
14 lives and circumstances forever. We will not be able to sell even though we may not wish
15 to stay. Given our lack of options and alternatives, and the numerous alternatives available
16 to Ameren UE to put this line almost anywhere it wants, it is my hope that the Public Service
17 Commission will require Ameren UE to balance their mere commercial need against our vital
18 need to preserve the family farm and our way of life. I have closely studied a map of the
19 Missouri transmission line network given to me by Jim Ketter. It would appear Ameren UE
20 could and probably does have an alternative route. As far as AECI and their interest in this,
21 their lines are interconnected with Ameren. The right of way is surely in place already.
22 Companies of this size do not put all their eggs in one basket.

1 Q. Have you had past experiences with power companies and their maintenance of their
2 easement and right-of-way, and do you have concerns about this aspect of the new power
3 line?

4 A. No. I have no past experience with power companies or their contracted maintenance.
5 However, my concerns are those of my neighbors: Trespassing, theft, littering, liability of
6 power companies' employees being injured, gates, fencing, tire ruts, insufficient and/or
7 careless maintenance and spraying of chemicals. My hope is the PSC recognizes these
8 concerns. These right of way routes are all over the country, enough so that the property
9 owners constitute a group of people large enough to be "the general public."

10 Q. Do you have any further testimony or observations to make for the Public Service
11 Commission?

12 A. On a cold December day in 1975, my father, Lee Waldbart, loaded his family into his station
13 wagon and drove 120 miles southwest to Dixon, Missouri in search of his lifelong dream.
14 There had been ice the night before and when we turned off the highway into the driveway
15 of the farm that was for sale we were silent as we looked in wonderment at the beauty of the
16 ice covered trees glistening in the sun. There were horses in the pasture and peacocks
17 huddling under a fir tree to stay warm. All of us knew at that moment the farm was to be
18 ours. The 2 story home had a long history and we were to be part of it. I was 13 years old.
19 I fell in love with the country. It was magical. The big stone house provided warmth and the
20 barn was prefect for exploring. The land itself provided the most pleasure: open pastures to
21 run free in; woods, hills and valleys to hike through; streams to follow and springs to
22 discover; favorite trees to day dream under and ponds to skip rocks in. I will never forget

1 the first time I heard a whippoorwill or the panic I felt the first time I saw a snake or how
2 heavenly the woods become when the dogwoods were in bloom. I will not forget my horse
3 Rachel who spent her life on this farm and passed away this last March. I will always
4 remember my dad sitting on the deck enjoying the peace and quiet loving every minute of
5 his dream come true.

6 This peace and quiet will come to a halt should this 345 kV transmission line be
7 approved. No one will hear the whippoorwill sing anymore. The nerve wracking buzz from
8 electrical current will drown out any sounds that resemble a natural setting. My daughter
9 will not be able to hike the woods I hiked. If this transmission line is approved, my daughter
10 will hike a right of way sprayed with chemicals and a huge power line over her head. My
11 horses will graze in the pastures where Ameren UE plans to use chemicals to control growth.
12 Anything to do with this transmission line will affect my family and my horses adversely.
13 The proximity of this line to my barn and house is a very scary and real concern. Health
14 concerns include leukemia, brain cancer and lymphoma to name a few. This is just from
15 EMF exposure. If spraying occurs there are additional health concerns to humans and
16 livestock which include liver damage, reproductive disorders and multiple types of concerns.
17 The drift affect from these pesticides are damaging to plant life, wild life, humans, livestock
18 and crops. The proposed route by Ameren UE is to the west of my house, barn and spring.
19 As the wind blows, all will be in the path of chemical/pesticide drift.

20 Considering Ameren UE has the public's best interest in mind, Ameren UE is
21 rightfully responsible for any future health issues that occur from placing a 345 kV
22 transmission line on occupied property. These health concerns are listed above, but I do not

1 believe should be limited to only these concerns.

2 Ameren UE claims to be environmentally concerned. They claim to belong to several
3 organizations which promote wild life and the flora and fauna. I am not impressed. My
4 father, who purchased this property, was a member of World Wildlife Federation, Defenders
5 of Wildlife, the Arbor Day Foundation and Greenpeace. He supported all wildlife and
6 protected his property from loggers and hunters. In the years before his death he planted tree
7 after tree on this property. He, as well as his heirs, love this farm. Had he had a choice or
8 be condemned, there is no way he would have signed an easement agreement with AECI 24
9 years ago. Now that this has come into focus I for one, as well as other property owners,
10 would in a heart beat buy back the easements that cross our land. In one way, I have bought
11 back the easement. For 24 years my family has been paying the tax on this easement and
12 unjustly will be forced to continue to do so. Twenty-four years is a long time to leave
13 something sit idle, and quite convenient when someone else is paying the annual tax. For
14 AECI to delay activity on this easement for 24 years without ever communicating with its
15 customers - the cooperative members - its plans to give this to Ameren UE, an investor
16 owned company, AECI violated its members. Nor did they approach this "in good faith" as
17 the easements suggest. What AECI did by giving this right of way to Ameren UE is
18 disregard the principles of its own theory of a cooperative. AECI compromised its members
19 and surrendered us to the enemy, after 24 long years of "in good faith."

20 This easement has hindered property owners from improvement to their property.
21 In some cases, owners were not able to subdivide when the market was right. Ameren UE
22 and/or AECI, being huge utility companies, feel they are not responsible for the loss to us of

1 our lands, yet they have had our hands tied for 24 years.

2 The construction of a transmission line on my property will completely bisect half
3 of my land from access. It will be worthless. A right of way will take out a 150 foot swipe
4 through my pastures and woodlands. As this 150 foot right of way crosses my land
5 lengthwise it will consume a huge portion of my 80 acres. I am sure the coyotes I hear in the
6 night, the deer who come up and feed in my yard and the Canadian geese who visit us yearly
7 will love this 150 foot right of way and the power lines and the creosote soaked poles.

8 This brings me to the subject of additional right of way concerns should Ameren UE
9 be approved for this transmission line. In years to come, Ameren UE will want more, bigger,
10 better - - and I will have to comply or be condemned. An additional line is in the future (and
11 I am sure they will want it, judging from the silence I received when I asked Dave Endorf and
12 Geoff Douglass of Ameren UE about this.) This will consume the length of my property.
13 There will be no way to enjoy any part of the farm in Dixon. It will simply be a super
14 highway of electrical current for Ameren UE and AECI's monetary gain.

15 For the PSC to approve any of this would be a crying shame and a crime, not just for
16 the land owners but for moral values. Farmers and rural people across our land are the
17 absolute core of our society, yet they get the least respect.

18 If Ameren UE is allowed to construct this 345 kV transmission line the company will
19 put families, livestock, crops, wildlife, natural resources, personal property and real property
20 at risk of damages due to fire, as well as the health concerns and diminished property values.
21 The fire hazard from a 345 kV transmission line over properties, where the local fire
22 department is made up of volunteers, is best described as disastrous. I made calls to my local

1 fire department. No one could tell me how their department might handle such an event.
2 Insurance premiums will increase due to the liability of such dangerous voltage so close to
3 structures. Once again, the landowners lose.

4 Ameren UE, as well as their contracted maintenance company, rightfully are liable
5 and should be accountable by providing documentation specifically stating the companies
6 will be liable for their own equipment, structures, lines, poles, employees and laborers should
7 any injury occur at any time. The companies involved are expected to be liable for any theft,
8 littering or land degradation. The companies are expected to contact landowners before
9 entering property and be liable for any damages due to gates left open. Property owners will
10 expect to be regularly updated by a contact person, not a recorded message, who property
11 owners can call should incidents occur with Ameren UE's transmission line structures should
12 it be approved.

13 I do not believe the PSC has to approve this particular line for "public convenience."
14 Ameren UE is a multi-billion dollar corporation with existing right of ways all over the state
15 of Missouri and other states. Ameren UE certainly could put this line wherever they want
16 to. Their options are many. What we as citizens of Missouri stand to lose is far greater than
17 what Ameren UE will lose should they not be granted approval of this line. I do not believe,
18 nor will I ever believe, Ameren UE has the best interest of the public or anyone outside their
19 shareholders in mind. The public they claim to be concerned about risks everything while
20 the company risks nothing and expects us to roll over and play dead. Ameren UE I am not
21 dead!

22 I would also like to state that at a meeting with Ameren, the PSC and property owners

1 in Linn, Missouri on July 1, 2002, Ameren representative Geoff Douglass, who is with
2 Ameren UE's real estate division, stated that he would not want a transmission line on his
3 property. All in the room heard him say this. His statement sums all this up for all of us.

4 Attached are photos of my property to be damaged forever and a day if this
5 transmission line is approved.

6 Q. Does this conclude your Rebuttal Testimony?

7 A. Yes.

**CONCERNED CITIZENS OF FAMILY
FARMS AND HERITAGE**

STATEMENT OF PURPOSE

Concerned Citizens of Family Farms and Heritage ("Concerned Citizens") is an unincorporated membership association of family farm owners, small property owners, small business owners and farm community residents formed to promote the interests of family farming, small town communities and rural life. Membership is open to all who share the desire to promote the interests of family farms and small communities in the rural areas of central Missouri, and those who wish to preserve the rural environment against the continuous encroachment of large commercial development and urban sprawl. Our primary concern is with preservation and protection of the family farm and its heritage in rural Missouri. Concerned Citizens oppose through all lawful means the encroachment on and destruction of family farms, which are the fundamental economic and cultural basis for the rural lifestyle. Concerned Citizens promotes all reasonable efforts to preserve and protect family farms and rural lifestyle, and vigorously opposes impairment or destruction of property which is used or useful for perpetuation of rural existence on family farms, or diversion of property from use as family farms.