

**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.<sup>1</sup> )

**JOINT REPORT ON THE LOCATION OF ATXI'S TRANSMISSION LINE IN  
RELATION TO IDENTIFIED AMISH- AND MENNONITE-OWNED PROPERTIES**

COME NOW Ameren Transmission Company of Illinois (ATXI), the Staff of the Missouri Public Service Commission (Staff), and Neighbors United Against Ameren's Power Line (NU), and hereby submit this Joint Report on the Location of the ATXI's Transmission Line in Relation to Identified Amish- and Mennonite-Owned Properties, stating as follows:

**Background**

1. At the hearing on ATXI's request for a CCN for the Mark Twain Transmission Line on January 28, 2016, Chairman Hall requested the parties to jointly develop a report to the Commission advising the Commission where members of the Amish and Mennonite communities were located in relation to the proposed transmission line route (*Tr.*, Vol. 10 at 785:16-23) and identifying those properties which the proposed line would traverse (*Tr.* Vol. 10 at 787:12-14). In summary, the parties have determined, as of the time of this filing, the proposed line will traverse one parcel owned by Amish or Mennonites (as identified by NU).

2. Prior to Chairman Hall's request, ATXI witness Christopher J. Wood sponsored an exhibit, attached as *Schedule CJW-SR1* to his Surrebuttal testimony,<sup>2</sup> which depicted in green

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<sup>1</sup> The project for which the CCN is sought in this case also includes a 161,000-volt line connecting to the associated substation to allow interconnection with the existing transmission system in the area.

<sup>2</sup> Hearing Ex. 16; EFIS Item No. 180.

ATXI's boundary estimates of the location of Amish communities north of Kirksville, Missouri. As Mr. Wood testified, this map was prepared based upon information NU witness Jason Haxton and Bishop David Schwartz provided to ATXI at an open house held on October 30, 2014.<sup>3</sup> *Surrebuttal Testimony of Christopher J. Wood* at 3:18-23; *Tr.*, Vol. 7 at 477:2-17. Mr. Wood also testified that based upon surnames common to the Amish and Mennonites provided by Mr. Haxton and Bishop Schwartz at the open house, he prepared maps identifying the locations of property owners with those surnames along the transmission line route; these maps are *Schedules CJW-SR4* and *CJW-SR5* of his Surrebuttal testimony. *Wood Surrebuttal* at 4:4-5:12; *Tr.*, Vol. 7 at 479:12-19. ATXI could not, of course, verify if everyone in the area with one of these surnames was Amish or Mennonite, but made the assumption that they were. According to these maps, the proposed final transmission line route would require easements across three parcels and would run along the boundary of one other parcel that ATXI had identified as potential Amish- or Mennonite-owned properties. *Wood Surrebuttal* at 4:20-21; 5:9-10.

3. NU witness Jason Haxton, who was on the stand at the time Chairman Hall requested further clarification of the impact of the line on these communities, testified that he was aware of two landowners who were either Amish or Mennonite whose property would be affected by the transmission line: Johnny E. Miller and a Mr. Graber. *Tr.*, Vol. 10 at 770:12-771:8.

4. Following the hearing, ATXI requested NU to identify members of the Amish and Mennonite communities who would be impacted by the proposed final transmission line route, and NU responded in a February 8, 2016 email, identifying one landowner from whom an

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<sup>3</sup> Although not admitted as an exhibit at hearing, the actual comment made by Bishop Schwartz and Mr. Haxton at the October 30, 2014, open house was documented by ATXI and is attached for background purposes as **Exhibit A**. The area Mr. Haxton identified at the open house was, in substantial part, the basis for Mr. Wood's *Schedule CJW-SR1*. *Wood Surrebuttal* at p. 3, ll. 19-23.

easement would be needed to be Amish and identifying several landowners who were in the vicinity of the proposed final transmission line route to be Amish or Mennonite; that email is attached as **Exhibit B** to this Report. This email was also provided to Staff.

Properties Identified as Amish and Mennonite-Owned

5. For purposes of this Report, the proposed final transmission line route is divided into two segments: Maywood to Zachary and Zachary to the Iowa State Line.

6. For the Maywood to Zachary segment, NU has identified, and ATXI and Staff do not contest, that ATXI will require an easement over the property of Floyd and Sarah Miller (who NU identifies to be Amish). Maps identifying the Millers' property and the proposed transmission line right-of-way are attached to this Report as **Exhibit C**. ATXI and NU would also note that it is possible, based upon the surnames of the property owners, and conversations from community visits conducted by NU for this filing, that an Amish or Mennonite community may be located on the Maywood to Zachary segment of the route near the Miller parcel; these properties are identified on pages 8 and 11 of *Schedule CJW-SR5*; ATXI believes, however, that the only Amish or Mennonite property in this segment the proposed final transmission line route will traverse is the Miller parcel identified above. NU has identified no other Amish or Mennonite properties in this segment traversed by the proposed final transmission line route.

7. For the Zachary to Iowa State Line segment, NU identified no Amish or Mennonite properties for which an easement will be needed. ATXI has confirmed through investigation and visual observation that the two properties in this segment that it had earlier identified as potential Amish or Mennonite properties based upon the surnames of the owners, and from which it thought it would need an easement, are not owned by Amish or Mennonite persons. Finally, ATXI has confirmed that while the proposed line will traverse one parcel

identified to be Amish or Mennonite, the two property owners (Johnny E. Miller and a Mr. Graber) identified by Mr. Haxton at the hearing as owning land through which the proposed transmission line route passes do not own land through which ATXI proposes the transmission line to pass. However, the right-of-way centerline of the proposed route does pass approximately 3,500 feet from Mr. Miller's easternmost boundary, and approximately 4,000 feet from Mr. Graber's easternmost boundary.

8. For the Zachary to Iowa State Line segment, NU identified additional landowners to be Amish or Mennonite, but some of whose properties are not included in the estimated boundaries shown on *Schedule CJW-SRI*; neither ATXI nor Staff disputes that these additional property owners are Amish or Mennonite, and they assume, based upon NU's identifications, that they are. Attached to this Report as **Exhibit D** is a revised *Schedule CJW-SRI*, showing these additional Amish- or Mennonite-owned properties (highlighted in blue);<sup>4</sup> Exhibit D also shows only ATXI's proposed final transmission line route for the Zachary to Iowa State Line segment, and that that segment does not traverse any properties identified to be owned by members of the Amish or Mennonite communities.

WHEREFORE, the above-named parties file this Joint Report on the Location of ATXI's Transmission Line in Relation to Identified Amish- and Mennonite-owned Properties.

Respectfully submitted,

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<sup>4</sup> The properties identified in blue on **Exhibit D** include those identified by Ms. Hernandez in her February 8, 2016, email and attachments; however, ATXI was unable to identify (as was NU) any property owned by Kordal Miller or Samuel Schwartz in the subject area.

/s/ James B. Lowery

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/s/ Jennifer Hernandez

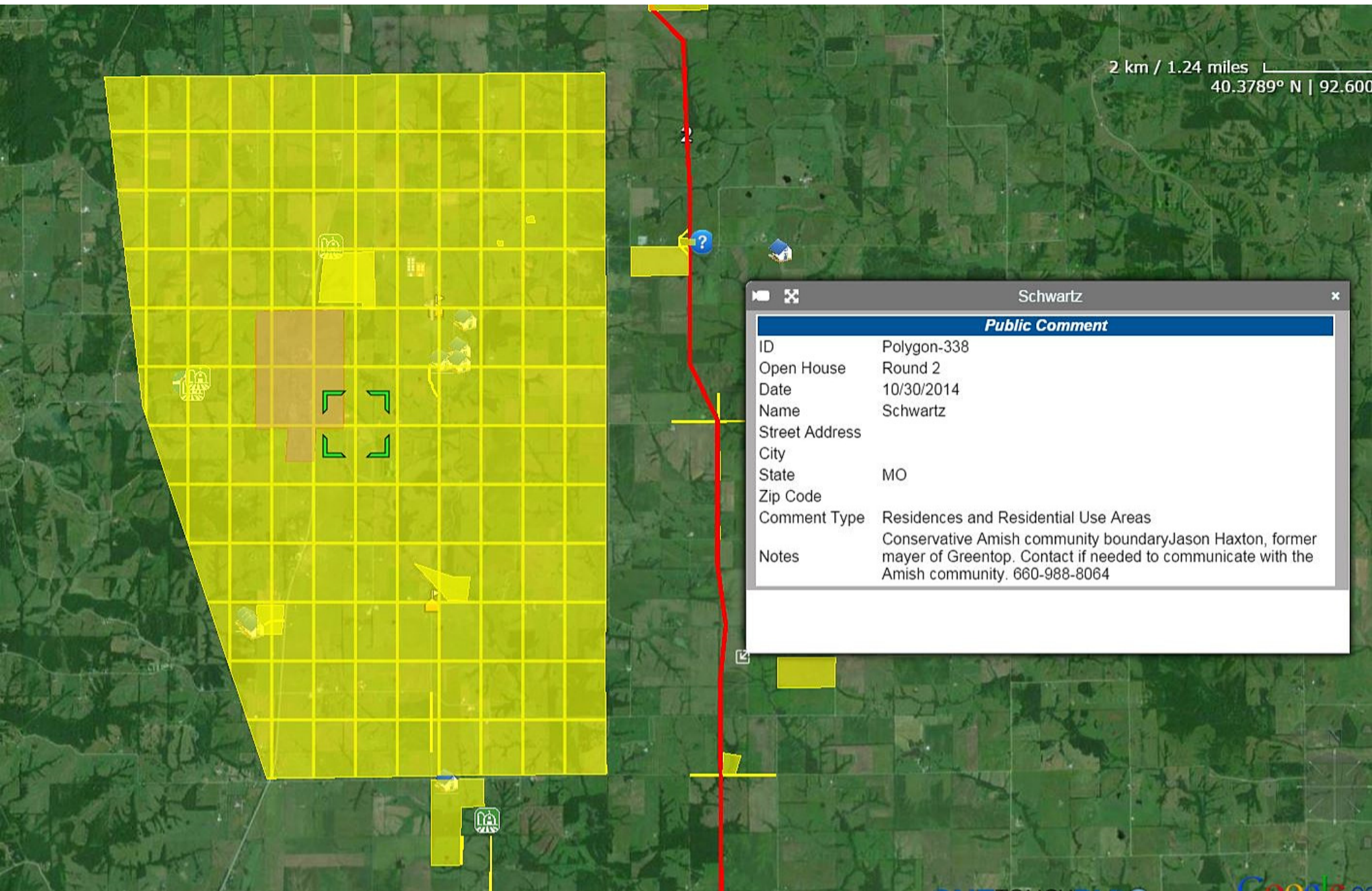
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*Attorney for Neighbors United Against Ameren's  
Power Line*

**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing has been e-mailed, this 19<sup>th</sup> day of February, 2016, to counsel for all parties of record.

*/s/ James B. Lowery*

An Attorney for Ameren Transmission  
Company of Illinois



**EXHIBIT A**



## Mike Tripp

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**From:** jennifer@hernandezlegal.com  
**Sent:** Monday, February 08, 2016 3:34 PM  
**To:** Jim Lowery; Mike Tripp; Jeff Rosencrants; E Fitzhenry; Eric Dearmont  
**Subject:** EA-2015-0146 Amish maps  
**Attachments:** ATXI Amish maps\_1.pdf

Jim,

This is what NU has determined to date. Mr. Floyd Miller (map attached) is Amish and the line is crossing his parcel directly. There are other Amish around the La Plata area around Mr. Floyd and NU is working on getting a liason for that area to gain more information if possible.

There are a two individuals that are Amish that we could not locate a parcel number on. They are Kordal Miller and Samuel Schwartz.

In speaking with the communities, NU determined that Delmar Rhodes is Mennonite and his parcel numbers are 08-01.0-12-000-00-08.002000 and 09-03.0-07-000-00-06.001000. Also, Leland Miller is either Mennonite or Amish and his parcel number is 09-02.0-10-000-00-02.001000.

Finally, in looking at the Greentop/Queen City map you provided, we identified Amish/Mennonite individuals that extend farther than the areas that ATXI has designated as Amish/Mennonite. We have marked on parcel maps the farthest out individuals in all directions for your records.

Jennifer

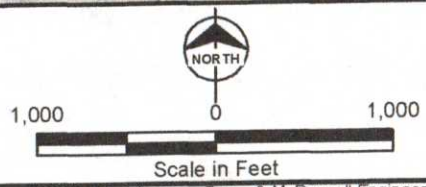
Jennifer Hernandez  
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— Current Proposed Centerline  
--- Road

▭ Parcel Boundary  
▭ Proposed ROW



Ameren Transmission  
Mark Twain Transmission Project  
Parcel ID: 19-06.0-23-000-00-04.000000  
Owner: MILLER FLOYD E L & SARAH C

Source: MSDIS, Esri, Ameren, Burns & McDonnell Engineering.

**EXHIBIT B**

Amish

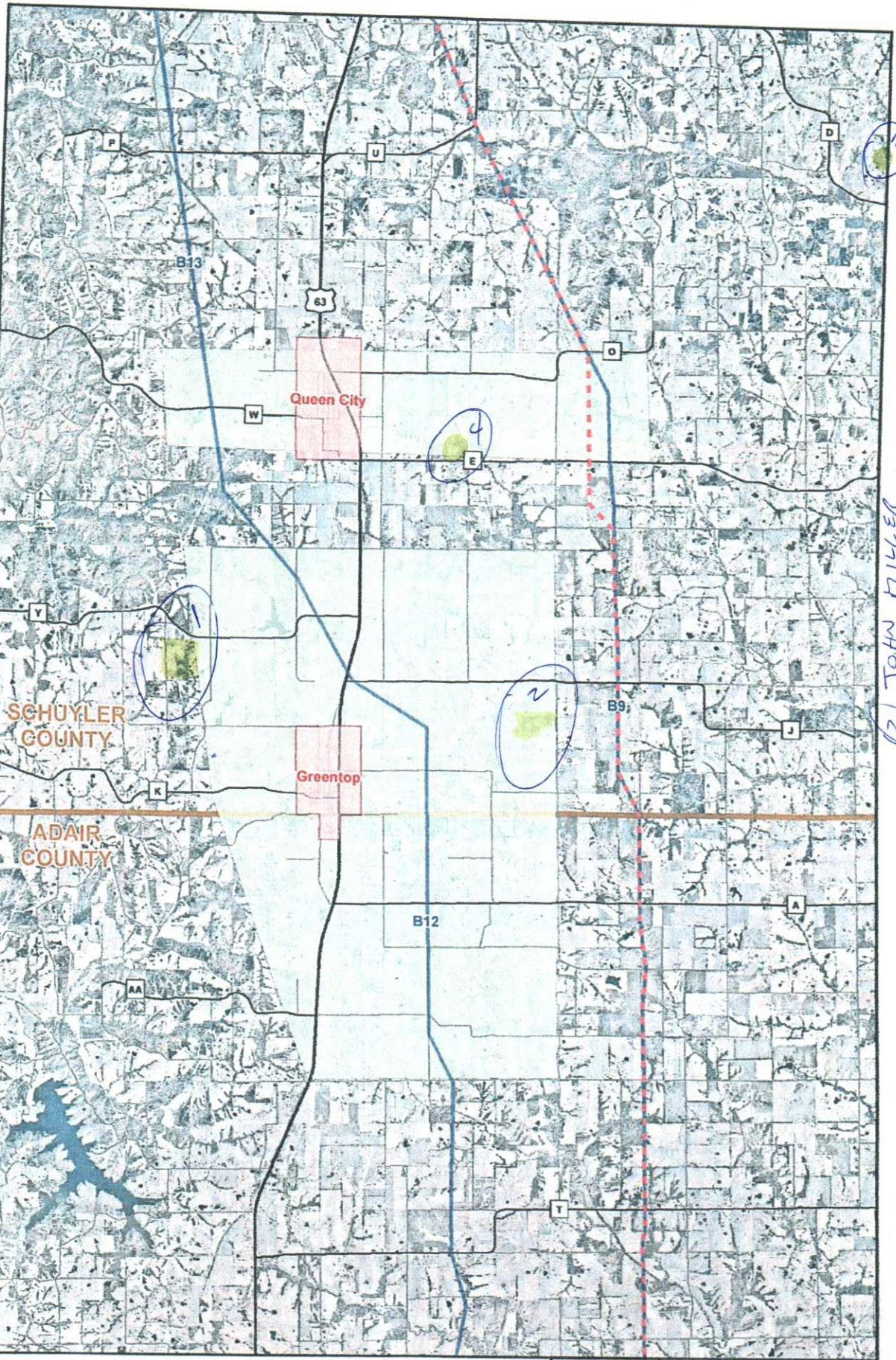


④ ELAM BRANDENBERGER (RENTS)

① JACOB BRANDENBERGER

③ LONNIE YOSER (RENTS)  
⑤ JOE MILLER

② JOHN MILLER



Path: R:\minirent\7183\_Mark\_Twain\GIS\MapServer\MapServerPublic\Comments\_Map1.mxd jbrngman 11/2/2015  
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Municipal Area	October 2014 Open House Routes
County Boundary	Proposed Route
Amish Community Boundary Estimate (2nd Round Open House Comments)	

NORTH

1 0.5 0 1

Scale in Miles

Ameren Transmission  
Mark Twain Transmission Project  
Amish Community Boundary (Estimate)  
SCHEDULE CJW-SR1

Issued: 11/2/2015

### EXHIBIT B

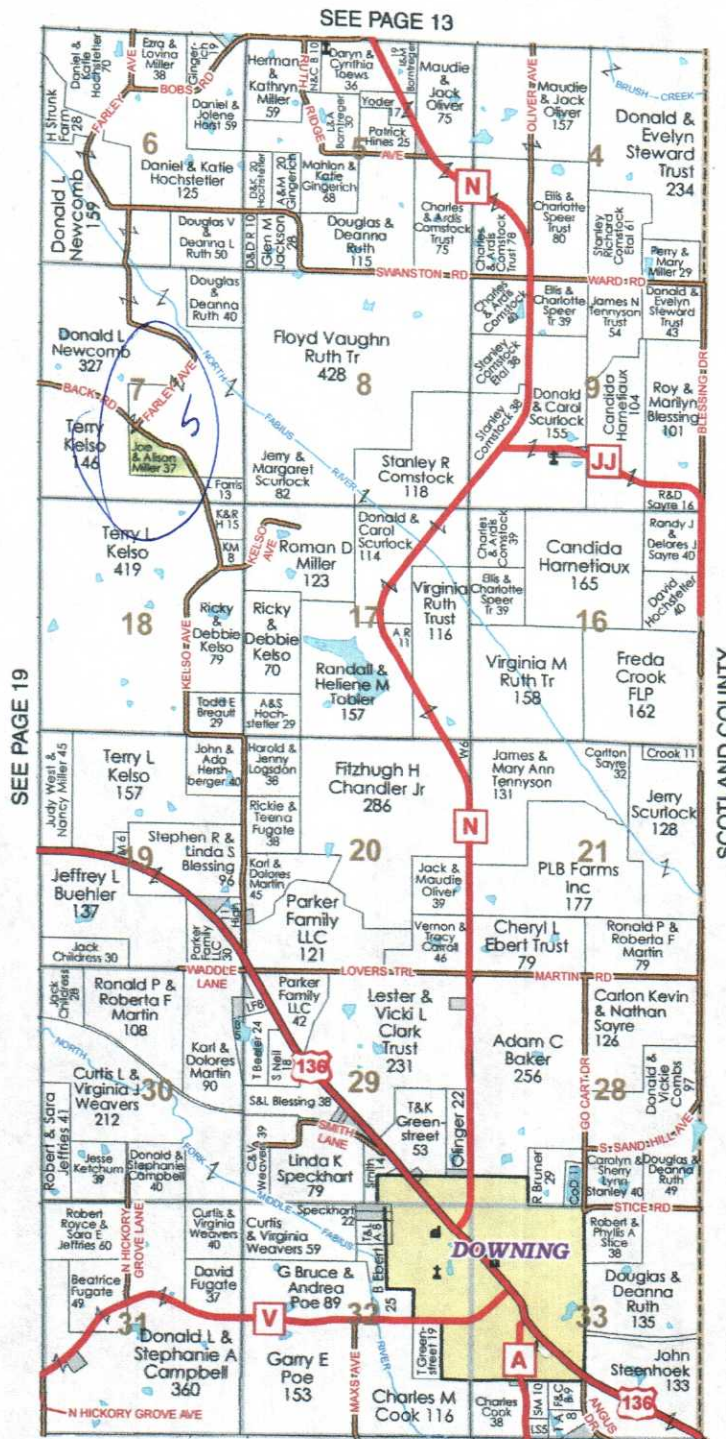
demographic  
EX 88





# Township 66N - Range 13W

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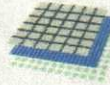
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**EXHIBIT B**



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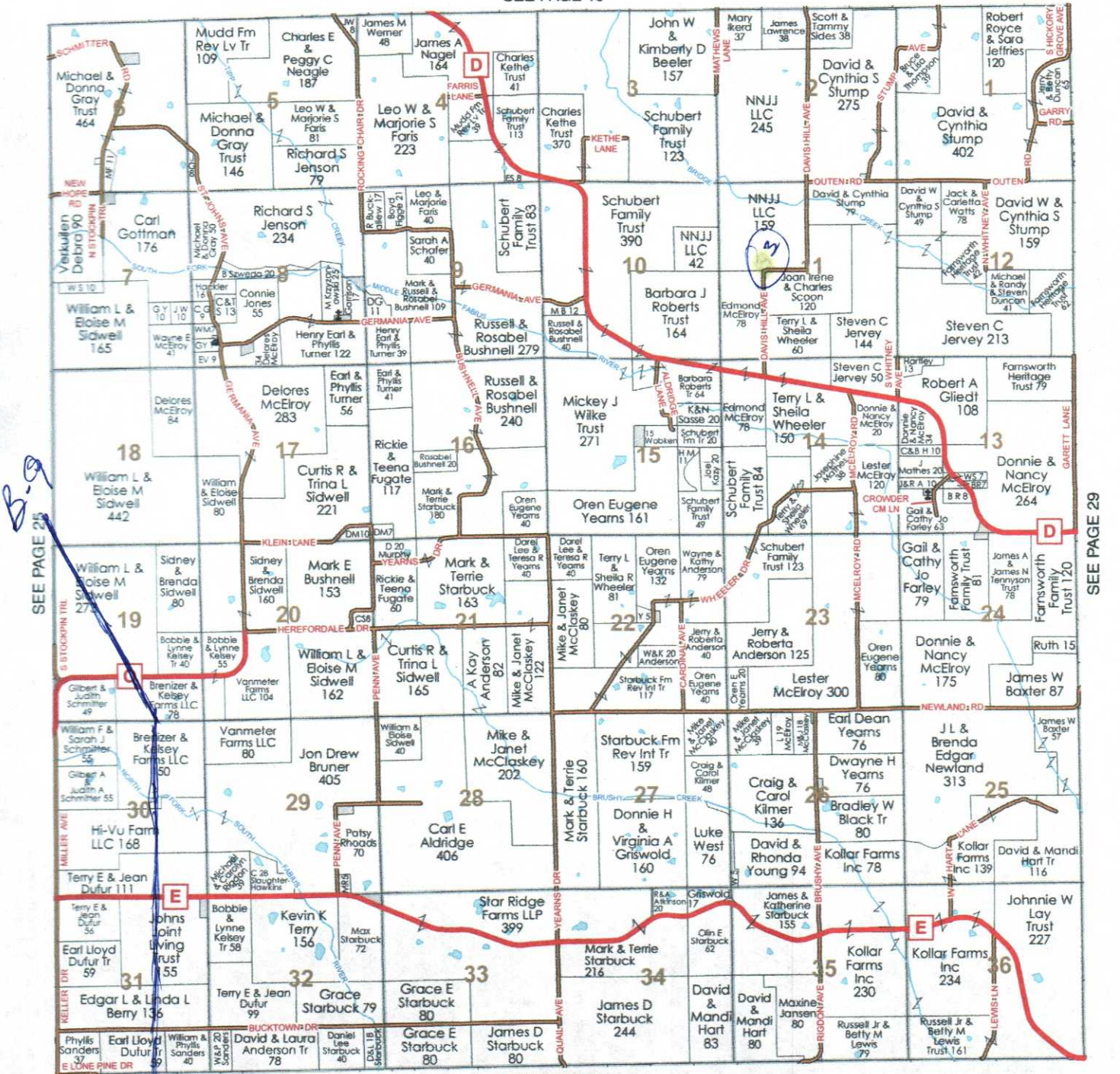
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## Township 65N - Range 14W

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SEE PAGE 35

**EXHIBIT B**





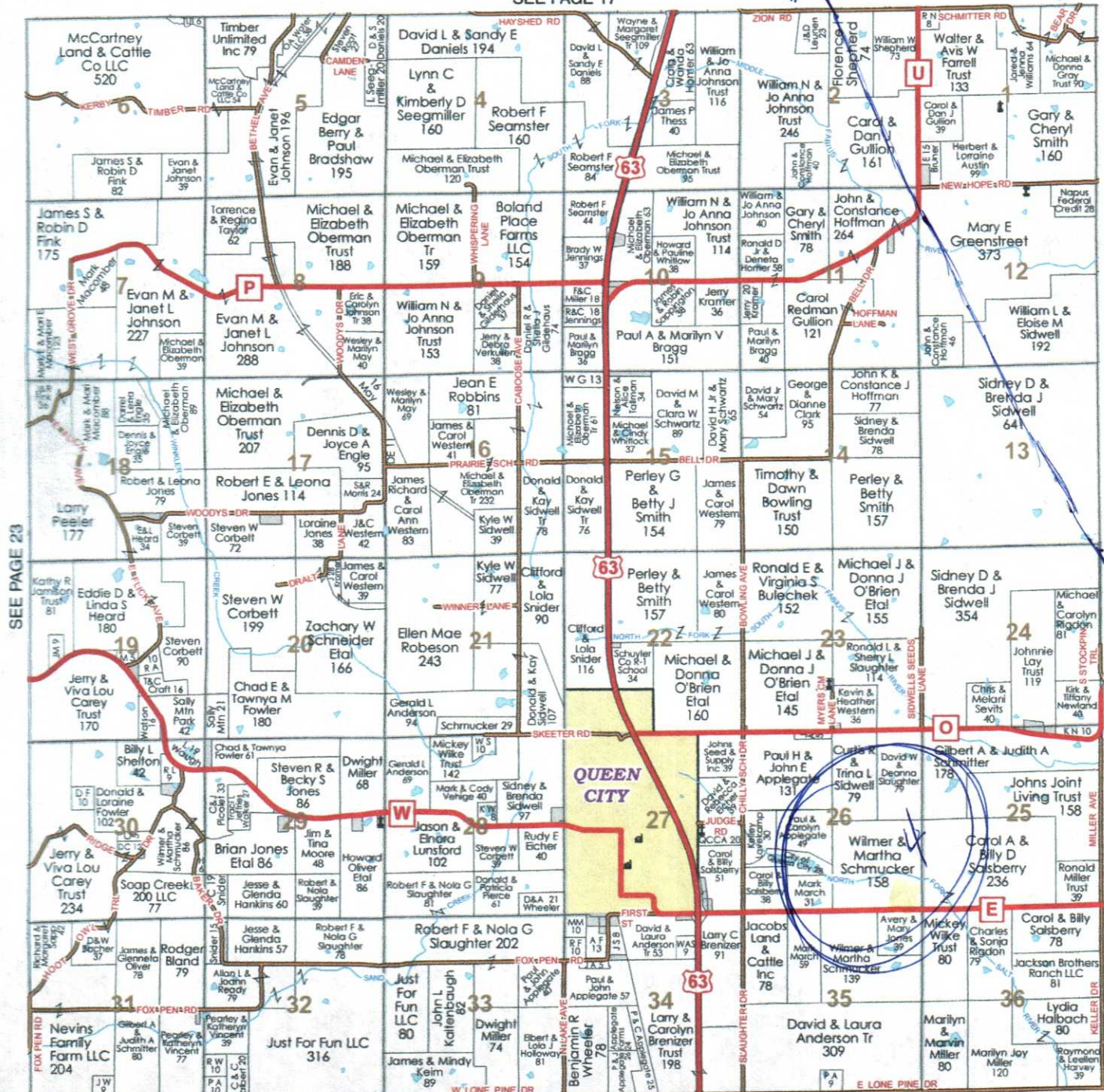
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SEE PAGE 17

SEE PAGE 19 →



**EXHIBIT B**

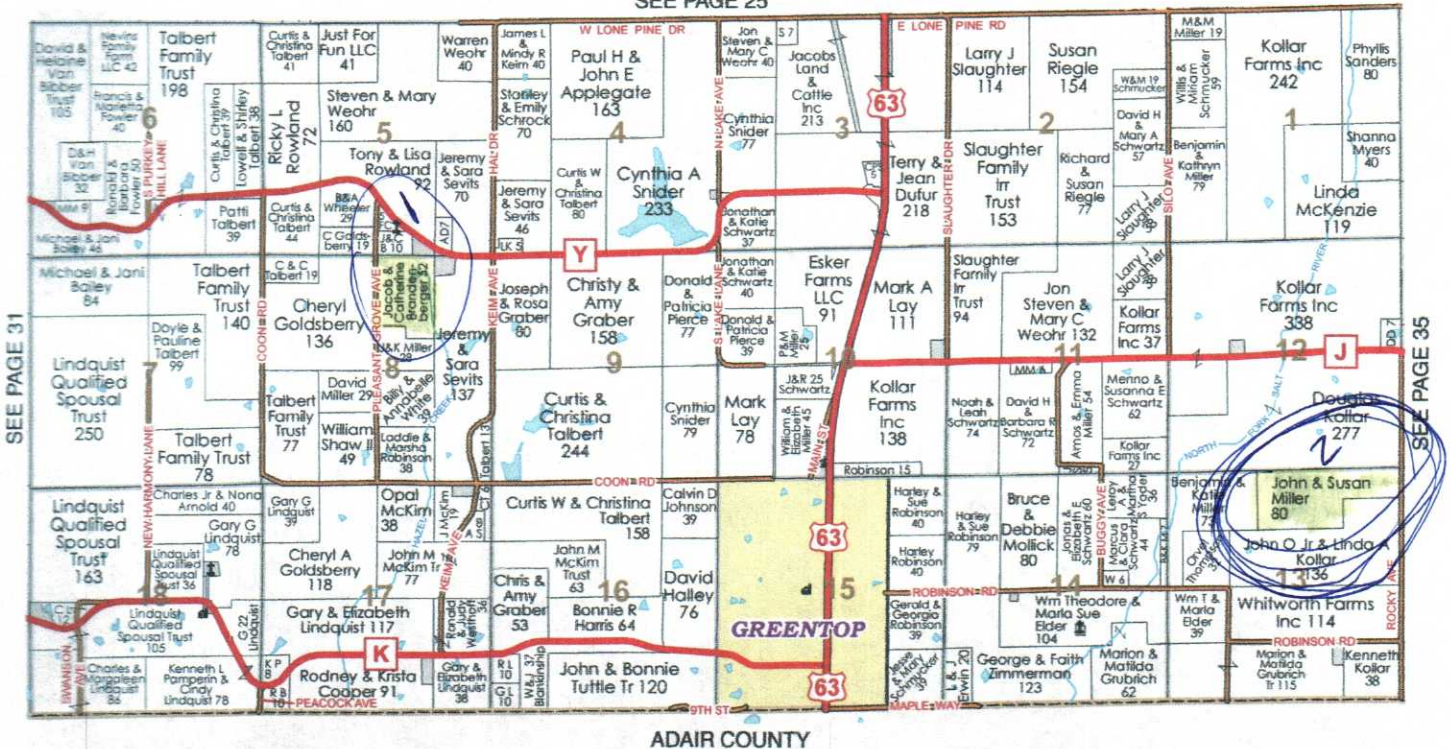




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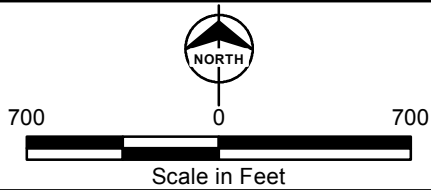
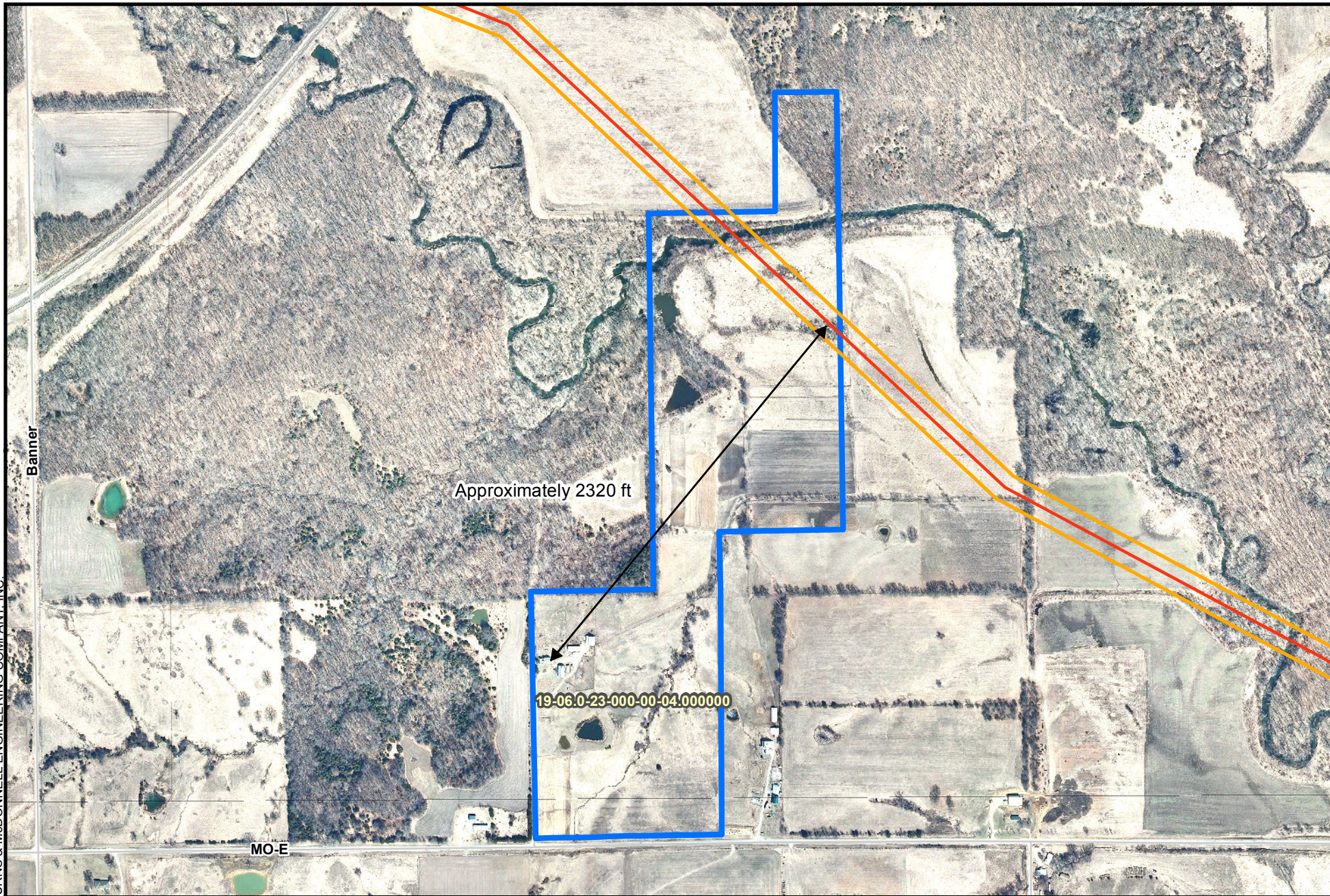
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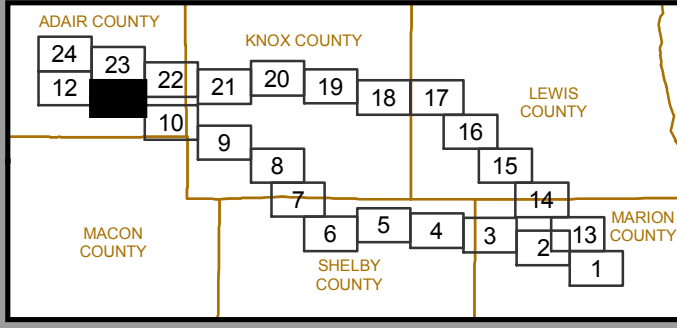
- Current Proposed Centerline
- Road
- ▭ Parcel Boundary
- ▭ Proposed ROW



Ameren Transmission  
Mark Twain Transmission Project  
Parcel Owner: Floyd E L & Sarah C  
Miller

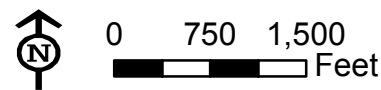
**EXHIBIT C**





# Mark Twain Transmission Project

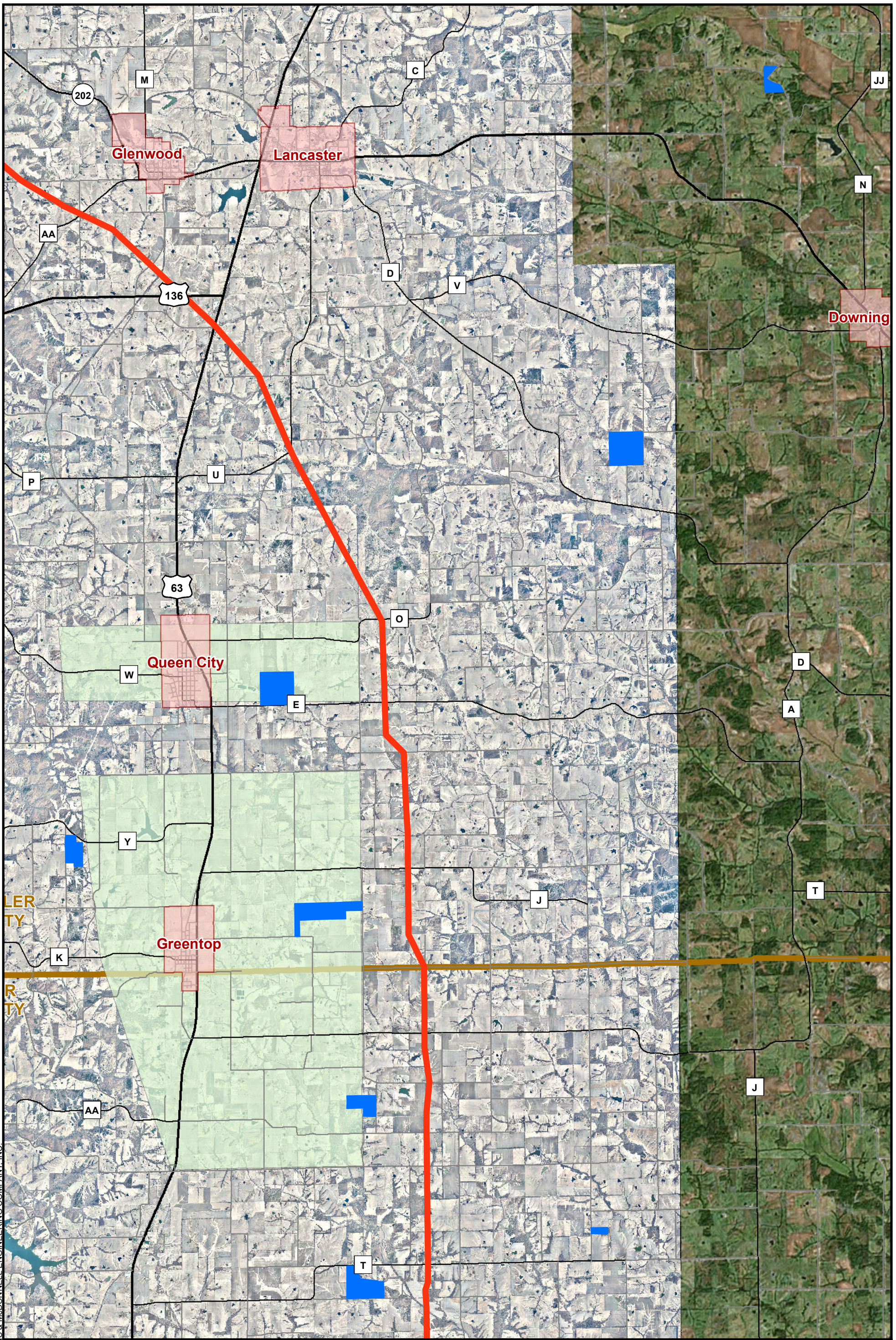
## Reduced Routes – Maywood to Zachary




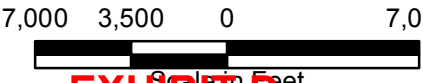






The information provided on this map is for discussion purposes only. ATXI is not bound in any way to the representations reflected on this map. This map does not represent a final determination by ATXI as to route selection, and ATXI is not restricted or barred from modifying or deviating from the routes proposed, or considering new or different routes. All routes are subject to change.



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 Municipal Area	 Proposed Route	  <b>EXHIBIT D</b>		Ameren Transmission Mark Twain Transmission Project Amish / Mennonite Properties
 County Boundary	 Amish/Mennonite Properties			
 Amish Community Boundary Estimate				