

Exhibit No.: _____

Issues: Adverse Effects of Route

Witness: Ronald H. and Bonnie J. Baker

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
RONALD H. AND BONNIE J. BAKER**

ON BEHALF OF

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

JEFFERSON CITY, MISSOURI

FILED²
AUG 08 2002
Missouri Public
Service Commission

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 Ronald N. and Bonnie J. Baker

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

Ronald N. Baker
Bonnie J. Baker

State of Missouri
County of Osage
SUBSCRIBED and sworn to
before me this 15 day of July, 2002.

Notary Public

My Commission Expires: _____

Byron P. Baker
Notary Public - Notary Seal
State of Missouri
Osage County
My Commission Exp. 09/11/2002

**DIRECT TESTIMONY OF
RONALD H. AND BONNIE J. BAKER**

1 Q. Please state your name and residence address.

2 A. Ronald H. and Bonnie J. Baker, Route 2, Box 70, Linn, Missouri 65051.

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

6 A. Yes. We are a landowner of property currently being discussed for the proposed line and of
7 the 29 acre sub-station.

8 Q. What is the purpose of your testimony?

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

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

19 A. Yes, we are members of that group and offer our testimony in support of its statement of
20 purpose, which is attached to this testimony and incorporated.

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

4 A. We were contacted by phone and in person by a representative of Ameren UE, Mr. Wooten,
5 on April 18, 2002. He said they would like to purchase 29 acres from us. He also stated it
6 would be close to the acreage purchased in 1999 by Central Electric for a substation. He
7 further stated: "Ameren UE would not pay us as much as Central Electric did per acre
8 because they wanted more of our acreage, not just a lot." He also stated the line would cross
9 our property by this substation. I, Ronald Baker, told the representative I was not interested
10 in selling the 29 acres to them and did not like the idea of another line crossing my property.
11 He did not offer any alternatives to us.

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

13 A. I purchased this property with my mother in 1965 to be used as farm land. Then in 1999 I
14 bought out my mother's share and it was put in my wife's name and mine.

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

16 A. This tract of land is flat and fertile farm land. It has always been used for either row crops
17 or forage crops. It adjoins my land and is a vital part of my farming operation. Presently it
18 is in forage crops. I am a full time farmer and have been all my working life. This land is
19 my business in that sense. My family needs this land in order to maintain our standard of
20 living and keep our family farm profitable. As more land is being used for houses and
21 building sites it is becoming more difficult to find good land to farm.

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

1 A. This summer this particular piece of land produced 200 large hay bales each of which is
2 1,800 pounds. My cattle require at least 1,000 hay bales for winter consumption. At this
3 time I am not able to replace 20 percent of my winter feeding needs. By Ameren UE
4 building this line on this piece of land it will cut my production of cropland which in turn
5 will cause me to decrease my cattle production, this will impact my earning potential forever.
6 I am a farmer. I have been all of my life as was my father and his before him. Land is a vital
7 part of my business, the family farm in America is disappearing and will soon be gone
8 forever. I have worked my whole life on the land, this land is my retirement fund, my
9 children's inheritance, and my livelihood. I have no desire to sell. At one time there were
10 many farmers in my area. This is no longer true. There are few full time farmers left.

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

13 A. I am not sure the exact route. They are vague about where it will go.

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

15 A. Yes. There are two over this field already. The last was built in 1999 with a five acre
16 substation.

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

18 A. Yes. Most definitely the power line of this size on my property will without question
19 decrease the value of the remaining property. The line itself, the large easement taken on a
20 strip through that party of the property will impair present and future use of the entire parcel
21 of property I own, as well as their building a substation will devalue the property even
22 further. The option of selling the property to get rid of the problems caused by the power line

1 is unavailable. The power line will make the property virtually unsaleable either as farm land
2 or as housing lots. This will require that I simply live with Ameren UE's solution to a
3 problem that I do not feel I even share with them. While I am unsure of the health affects of
4 such a large power line so close to my daily activities, it is ingrained in the popular mentality
5 that such power lines constitute a health hazard, rendering unlikely any sale of my property
6 at all. No one will buy this property with this 345,000 volt electric line through it, especially
7 if there is a large substation connected. As the land owner I will continue to pay taxes for
8 the land in the easement but the value and productivity of that land will be greatly
9 diminished. This line and substation crosses our property on some very valuable farmland.
10 I am a full time farmer. This land is an essential part of my business, not only with its
11 removal from my ownership cause a hardship on my farming operation, it will also make the
12 value of my other land go down forever. This piece of land is flat, fertile and highly valuable
13 as cropland, but also has the potential to be subdivided into valuable lots for sale. It is
14 accessible by two county roads and adjoins our acreage. It would be impossible for me to
15 replace this tract of land with another of equal value. This summer this particular piece of
16 land produced 200 hay bales of which is 1,800 pounds. My cattle require at least 1,000 hay
17 bales for winter consumption. At this time I am not able to replace 20 percent of my winter
18 feeding needs. By Ameren UE building this line on this piece of land it will cut my
19 production of cropland which in turn will cause me to decrease my cattle production, this
20 will impact my earning potential forever. I am a farmer. I have been all of my life as was
21 my father and his before him. Land is a vital part of my business. The family farm in
22 America is disappearing and will soon be gone forever. I have worked my whole life on the

1 land, this land is my retirement, my children's inheritance and my livelihood. I have no
2 desire to sell. At one time there were many farmers in my area. This is no longer true.
3 There are few full time farmers left. It will also reduce the value of the surrounding land as
4 no one wants a home or property crossed or adjoining a high voltage line.

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

6 A. The attached statement of purpose for Concerned Citizens for Family Farms and Heritage
7 sums up the overall bad impact. I and my neighbors live where we do by choice. We forego
8 the luxuries of more urban living in exchange for the peace, quiet and more rustic lifestyle
9 of the family farm and the small local community. Every reason and purpose that my
10 neighbors and I own property here for is drastically impaired or practically destroyed by the
11 presence of this high voltage power line, and the constant commercial activity anticipated in
12 building and maintaining it in the future.

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

15 A. The alternatives are all within the power of Ameren UE to implement, and I do believe an
16 alternative exists. I believe Ameren should restudy the route and balance the interests of the
17 community against their need to relieve overloading problems. There are other corridors
18 equally available to Ameren to build this line which would be better able to bear the burden
19 of the line's presence without destroying property values, life styles and family farms. My
20 neighbors and I have no alternatives, and construction of the line as proposed will change our
21 lives and circumstances forever. We will not be able to sell even though we may not wish
22 to stay. Given our lack of options and alternatives, and the numerous alternatives available

1 to Ameren UE to put this line almost anywhere it wants, it is my hope that the Public Service
2 Commission will require Ameren UE to balance their mere commercial need against our vital
3 need to preserve the family farm and our way of life. The best possible solution for my
4 farming operation is that they move the line and substation out of this particular field. Let
5 me remain a farmer, let me continue my business of producing food for our country. I do not
6 want trucks, herbicides, poles and guide wires decorating my best farmland.

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

10 A. My most recent experience with a power company was in 1999 when they built a power line
11 across my property. They purchased five acres for a substation and built a power line
12 crossing this same field and other land that I owned. During the process of building the line
13 they dug large holes to put the power line poles in and one of my calves fell into one of these
14 holes. It was very difficult to get the calf out and then the calf had problems and required me
15 to finally sell it at a loss. They also left ruts in my hay field which are very hard on my hay
16 equipment to cross and makes the field very bumpy. This is something I just have to put up
17 with as I continue to use that field for forage crops. On my farm I have three different
18 electrical companies that either cross it or go parallel to it. They are Three Rivers Electric
19 Coop, Central Electric Coop, and Ameren UE. Of the three companies I can see that Ameren
20 UE takes the least care of its right away of the three. The trees and bushes grow up under the
21 line and this particular line is not maintained very well. I do not want to see this on more of
22 my land.

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

3 A. This land is my business. To come to me and tell me they will purchase this piece of
4 property, which will change my life and my ability to make a living, but will not even pay
5 what I got for the five acres that Central Electric purchased, which by the way I can at least
6 farm around, is arrogant and very demeaning personally. I have no desire to sell my land,
7 which is my business. You cannot farm and raise cattle without land. This land is presently
8 in hay production, but has in the past been in row crops which is a cash crop and is highly
9 valuable. I have been approached many times over the years by people wanting to buy lots
10 on this area to build homes. It is close to town and close to a state blacktop road. I have
11 always turned them down as I need this land for my farming operation. For Ameren UE to
12 come and take my land, yet let me continue to pay taxes on it and limit my opportunity to
13 make a living, is very hard for me to understand. Many of the landowners gave these
14 easements to the rural electric company out of a feeling of gratitude for supplying with them
15 electricity when Ameren UE did not go into the rural areas years ago, and it is like a kick in
16 the seat of our pants that they have betrayed us. I cannot think that it will harm Ameren UE
17 to move this line nearly as much as it will harm the family farms it is devastating to.

18 Q. Does this conclude your Rebuttal Testimony?

19 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.