

Exhibit No.: _____
Issues: Adverse Effects of Route
Witness: Steve and Joyce Boehm
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
STEVE AND JOYCE BOEHM**

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

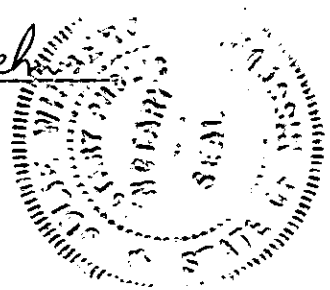
In the Matter of the Application of Union)
Electric Company for Permission and)
Authority to Construct, Operate, Own, and) Case No. EO-2002-351
Maintain a 345 Kilovolt Transmission Line)
in Maries, Osage, and Pulaski Counties,)
Missouri ("Callaway-Franks Line").)

AFFIDAVIT OF

Steve Boehm

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

Steve J Boehm



State of Missouri
County of Osage
SUBSCRIBED and sworn to
before me this 17 day of July, 2002.

Julie Wieberg
Notary Public

JULIE WIEBERG
Notary Public-Notary Seal
STATE OF MISSOURI

My Commission Expires: _____
Osage County
My Commission Expires August 19, 2004

**DIRECT TESTIMONY OF
STEVE AND JOYCE BOEHM**

1 Q. Please state your name and residence address.

2 A. Steve and Joyce Boehm, Route 1, Box 79, Freeburg, Missouri 65053.

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

8 Q. What is the purpose of your testimony?

9 A. I am providing this testimony in opposition to the application to construct this transmission
10 line on the route requested by Ameren UE. The law requires that construction of this power
11 line must be shown by Ameren UE to be necessary and convenient for the public service.
12 Regardless of any necessity for a transmission line somewhere else, it is neither necessary
13 nor convenient to the public to build the transmission line as proposed. The line can be
14 constructed in other areas and its construction in the place and manner proposed will be
15 destructive of family farms, family farm values, and does irreparable harm to the history and
16 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, I am a member of that group and offer my 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 notified of the November 17, 2001 workshop in Linn. Ameren UE did return some
5 of our phone calls. We have not discussed specific details of the line going through our
6 property.

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

8 A. Since 1990 (12 ½ years).

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

10 A. It is our home and has been in the Boehm family for 77 years. The farm land has hay fields
11 and pasture for cattle, wooded/timber land, ponds for fishing, a couple natural springs to
12 provide water for animals and lots of wildlife.

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

14 A. We receive supplemental income from our property by selling cattle, fescue seed, hay and
15 firewood. Steve was self-employed in farming until the fall of 1998, when we sold our hog
16 operation.

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

19 A. The proposed line will be very close to our home and a machine shed will be in the easement.

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

21 A. Yes. A Central Electric 161,000 volt power line. Proposed power lines will run very near
22 our home and farm buildings. We are concerned with location of line poles in the hay fields

1 and the noise from the lines. It could limit future building improvements, take away current
2 rent income from a trailer house lot or take away a house lot for our children. A wooded area
3 near the highway would be cleared which currently provides privacy from highway traffic.

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

5 A. Yes. A power line of this size on my property will without question decrease the overall
6 value of the remaining property. The power line itself, the large easement taken on a strip
7 through that part of the property will impair present and future use of the entire parcel of
8 property I own. The option of selling the property to get rid of the problems caused by the
9 power line is unavailable. The power line will make the property virtually unsaleable,
10 requiring that I simply live with Ameren UE's solution to a problem that I do not feel I even
11 share with them. While I am unsure of the health affects of such a large power line so close
12 to my own daily activities, it is ingrained in the popular mentality that such power lines
13 constitute a health hazard, rendering unlikely any sale of my property at all. No one will buy
14 this property with this 345,000 volt electric line through it. The proposed power line will run
15 past our home taking away from the appearance of our home and surrounding area. Our
16 privacy from highway traffic will be taken away by clearing trees for the right of way. As
17 parents you have to wonder of the health risk of a 345,000 volt power line so close to your
18 home. Without a doubt, it will affect the property value of our home and farm.

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

20 A. The attached statement of purpose for Concerned Citizens for Family Farms and Heritage
21 sums up the overall bad impact. I and my neighbors live where we do by choice. We forego
22 the luxuries of more urban living in exchange for the peace, quiet and more rustic lifestyle

1 of the family farm and the small local community. Every reason and purpose that my
2 neighbors and I own property here for is drastically impaired or practically destroyed by the
3 presence of this high voltage power line, and the constant commercial activity anticipated in
4 building and maintaining it in the future. The people of this area value their heritage. It is
5 difficult to find land for sale. We don't want to sell land, but if a power line of that
6 magnitude goes through, it is common sense to know it will decrease our property value.

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

9 A. The alternatives are all within the power of Ameren UE to implement, and I do believe an
10 alternative exists. I believe Ameren should restudy the route and balance the interests of the
11 community against their need to relieve overloading problems. There are other corridors
12 equally available to Ameren to build this line which would be better able to bear the burden
13 of the line's presence without destroying property values, life styles and family farms. My
14 neighbors and I have no alternatives, and construction of the line as proposed will change our
15 lives and circumstances forever. We will not be able to sell even though we may not wish
16 to stay. Given our lack of options and alternatives, and the numerous alternatives available
17 to Ameren UE to put this line almost anywhere it wants, it is my hope that the Public Service
18 Commission will require Ameren UE to balance their mere commercial need against our vital
19 need to preserve the family farm and our way of life.

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

1 A. Erosion is a concern. Windrowing trees, tree stumps and brush is not acceptable, especially
2 where it can be seen when driving onto our farm. Maintenance crews do not have the same
3 respect for the land as the owner. Their methods for clearing are not the same as ours.
4 Maintenance crews in the past have cut trees and left them lay in the creek and fields. The
5 crew was told to remove the fallen tree and they did not. One large tree was sprayed and is
6 now an eye sore. Crews have left gates open and cattle have gotten out. Cans and trash have
7 been left behind. Notice is not given when the crews will be on your property.

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

10 A. It is not right that Ameren UE will have the use of our property forever and they will receive
11 income over and over again for the use of our land, and we get a one-time compensation.
12 Their consumer rates will be adjusted with time, shouldn't the landowner also be
13 compensated with time? They will make a profit daily at our expense. If the proposed power
14 lines go through, it will be very close to our home and we have strong concerns of health
15 risks it could cause to our children. Ameren UE is making promises on how the right of
16 ways will be maintained, but once they have what they want, how long will it be before
17 verbal promises will be forgotten? Then who will deal with it on a continuous basis? UE
18 will juts go on to another project, but we will have to live with what we do not want. One
19 of the most important reasons for not wanting these power lines is that this farm has been in
20 the Boehm family for 77 years. We have tremendous pride to be able to continue what
21 Steve's parents and grandparents started and our children care as deeply about our homeplace
22 as we do. You can't put a price on that. There is a stand of trees that will be lost if the line

1 goes through, which will mean nothing to most; but those trees were trimmed by Steve's
2 grandfather and has a special meaning to us. Farming, land management, animal husbandry,
3 hunting and fishing is the way of life for our family. We have done our best to make
4 improvements to our home, buildings and surroundings and to make our home a place that
5 we are truly proud of. Now UE wants to run a 345,000 volt power line down through it?
6 Who's to say the won't run another line or high voltage lin in years to come? It's nothing
7 to them, but it is our world, our home.

8 Q. Does this conclude your Rebuttal Testimony?

9 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.