

Exhibit No.: _____
Issues: Adverse Effects of Route
Witness: Stanley E. Strobe
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
STANLEY E. STROPE**

ON BEHALF OF

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

JEFFERSON CITY, MISSOURI

FILED²
AUG 08 2002
Missouri Public
Service Commission

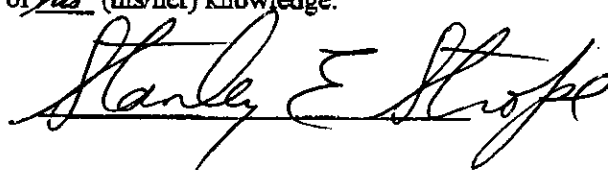
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

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 STANLEY E. STROPE

STANLEY STROPE, being first duly sworn, deposes and says that he (he/she) is the witness who sponsors the accompanying testimony entitled "Rebuttal Testimony of STANLEY STROPE"; that said testimony was prepared by him (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/her) knowledge.



State of Missouri
County of Osage

SUBSCRIBED and sworn to
before me this 29 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
STANLEY E. STROPE**

1 Q. Please state your name and residence address.

2 A. Stanley E. Strobe, Route 3, County Road 605, Linn, Missouri.

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. Yes, initially. I was contacted about building on the west side of the existing line. Then the
5 plan changed to the east side. Then the plan changed back to the west side. At each contact
6 after the first, I initiated the phone call(s). Most recently Ameren UE wants to deviate to the
7 west edge of my property (away from the existing line). Ameren made NO effort to contact
8 me on this latest "plan." I'll accept no deviation from the existing line. They must stay
9 along the existing line or move the old line to be parallel to the new.

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

11 A. Four to five years.

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

13 A. It is a family farm with farmland, pasture for cattle, wooded/timber land and a family
14 residence. Outbuildings include two income (rental) producing hog buildings. Perhaps the
15 biggest value is the land's proximity to Linn and its development potential.

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

17 A. Yes. I rent pasture to my brother and nephew. I rent two hog facilities to another farmer.
18 I am retired and depend on the income to pay the property taxes and to maintain my property
19 facilities.

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

22 A. Ameren UE's plans, which I shall call plans A, B, C and D cause impact. Plan A was to

1 parallel the existing line, beside the existing line, on the west side. Plan B was to parallel the
2 existing line, beside the existing line, on the east side. Plan C was to move away from the
3 existing line, parallel my west property line, continue northward across property owned by
4 Ben Samson, Patrick Kliethermes, Ken Foster, et al. Plan D was to move away from the
5 existing line, parallel my west property line until the line reached my north property line,
6 make a 90 degree turn and then parallel the existing line onto Mr. Samson's property, Mr.
7 Grellner's property, etc.

8 Plan A impacts in that it would cause an income producing hog facility, as well as a
9 deep well to be destroyed. This plan would also cause woodland to be destroyed.

10 Plan B, which was abandoned due to anticipated friction with Mr. Jordan, would
11 cause the destruction of an income producing hog facility (one half the size of the facility
12 noted above in Plan A), a hog gestation facility that is not currently populated, a hog
13 farrowing facility that is not currently populated, a building that was previously a piglet
14 nursery, a walk-in cooler, as well as woodland.

15 Plans C and D would not require the destruction of any buildings. Plans C and D
16 would require the destruction of woodlands that were strategically allowed to remain when
17 other parts of the farm were cleared by bulldozing. These woodlands are located to the west
18 and northwest of the hog facilities (as well as all other farm buildings and the residence).
19 This woodland was allowed to remain as a windbreak. Destroying this patch of forest would
20 negate the windbreak effect. Furthermore, Plans C and D would cause the line to be some
21 distance away from the existing Central Electric line. At the farthest point, the new line
22 would be about one fourth of a mile away from Central Electric's line. That design would

1 cause a triangular shaped piece of property that would be one quarter mile on one side, one
2 half mile on the longer side and of course longer still along the hypotenuse of the right
3 triangle. This triangular "island" will become absolutely unmarketable.

4 Plans C and D are in no way acceptable. Plans A and B could become palatable to
5 me if Ameren UE compensates me in a fair and ethical manner. I didn't invite ANY buyers
6 to contact me. I didn't offer any land for sale. Ameren UE is intruding into my little corner
7 of paradise and expects me to donate land. I can work with UE. They must remember that
8 they are the "buyer" and I am the reluctant seller. In the real estate world, the buyer realizes
9 that most every potential seller has his or her price. The trick is to bid then raise, raise, raise
10 until the potential seller capitulates. Unfortunately, and much to my disgust, Ameren UE has
11 the power of eminent domain. By that method, the buyer can give the seller some paltry sum
12 and force the seller to just live with it.

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

14 A. Yes. Central Electric does minimal maintenance. Gates that were installed when the line
15 was constructed have long since rotted away. I live with concerns for the effects of the line
16 and live in fear that the owner of the line will hold me financially responsible for any
17 incident.

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 Ameren UE prevails in their
7 proposal, which I have named "Plan C" and "Plan D," I will end up with a triangular "island"
8 bordered on three sides by high voltage lines. That is not fair to me, the landowner.

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

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

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

19 A. The alternatives are all within the power of Ameren UE to implement, and I do believe an
20 alternative exists. I believe Ameren should restudy the route and balance the interests of the
21 community against their need to relieve overloading problems. There are other corridors
22 equally available to Ameren to build this line which would be better able to bear the burden

1 of the line's presence without destroying property values, life styles and family farms. My
2 neighbors and I have no alternatives, and construction of the line as proposed will change our
3 lives and circumstances forever. We might not be able to sell even though we might not
4 wish to stay. Given our lack of options and alternatives, and the numerous alternatives
5 available to Ameren UE to put this line almost anywhere it wants, it is my hope that the
6 Public Service Commission will require Ameren UE to balance their mere commercial need
7 against our vital need to preserve the family farm and our way of life.

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

11 A. Yes. My only experience is the minimal approach to maintaining passageways (gates).

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

14 A. I would prefer that the utility company purchase the land and grant me perpetual easement.
15 I would prefer that they construct a roadway on their purchased property and thereby stay off
16 my property. I'd like to add at this point that Ameren UE personnel didn't have sufficient
17 friendly consideration to pick up the phone, call me, then discuss Plans C and D with me.
18 I by chance learned of it late at night, after a lengthy presentation by Ameren UE personnel.

19 Also, I'd like to record that I noticed Ameren UE's personnel's efforts to dress in
20 casual clothing for the above-mentioned meeting. Suits and ties would have intimidated and
21 abraded us good ole country boys.

22 My message to Ameren UE is this: You wanted to build on the west side of the

1 existing line, parallel to and close beside the existing line. You asked me to give you my best
2 estimate of the worthy of the property. I gave you a very detailed, itemized list of the
3 specifics of the property, along with the value of each. I feel that you are not willing to
4 satisfy me, the reluctant landowner. My advice to you is to bite the bullet, write the check,
5 and let's get on with this project. You see, I am not totally opposed to this project. You just
6 have to make it worth my while.

7 Q. Does this conclude your Rebuttal Testimony?

8 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.