

Exhibit No.:
Issue(s): Real Estate
Witness: Craig Hiser
Type of Exhibit: Rebuttal Testimony
Sponsoring Party: Ameren Transmission
Company of Illinois
File No.: EA-2021-0087
Date Testimony Prepared: September 14, 2021

MISSOURI PUBLIC SERVICE COMMISSION

FILE NO.

EA-2021-0087

REBUTTAL TESTIMONY

OF

CRAIG HISER

ON

BEHALF OF

AMEREN TRANSMISSION COMPANY OF ILLINOIS

**St. Louis, Missouri
September 14, 2021**

TABLE OF CONTENTS

I.	INTRODUCTION	2
II.	RESPONSE TO SCHOLL’S CONCERNS REGARDING EASEMENT RIGHTS AND COMPENSATION.....	2
III.	ATXI’S STANDARDS AND PROCEDURES.....	4
IV.	CONCLUSION.....	7

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1 I. INTRODUCTION

2 Q. Please state your name, business address and employer.

3 A. My name is Craig Hiser. I work for Ameren Services Company (“Ameren
4 Services”) located at 500 East Broadway, East St. Louis, Illinois 62201.

5 Q. What is your position with Ameren Services?

6 A. I am employed by Ameren Services as a Real Estate Supervisor in the Real Estate
7 Department. In this role, I help coordinate and manage real estate issues connected to transmission
8 line and substation development projects on behalf of Ameren Corporation’s (“Ameren’s”) transmission-owning entities, including Ameren Transmission Company of Illinois (“ATXI”).

10 Q. Are you the same Craig Hiser who filed direct testimony in this proceeding?

11 A. Yes.

12 Q. What is the purpose of your rebuttal testimony in this proceeding?

13 A. The purpose of my rebuttal testimony is to address land acquisition and landowner
14 impact issues discussed in the Rebuttal Testimony of Terry Lin and Mary Frances Scholl (the
15 “Scholls”).

16 Q. Are you sponsoring any schedules with your testimony?

17 A. No.

18 II. RESPONSE TO SCHOLL’S CONCERNS REGARDING EASEMENT RIGHTS
19 AND COMPENSATION

20 Q. What concerns do the Scholls have regarding the easement rights sought by
21 ATXI and the compensation being offered?

22 A. The Scholls expressed the following concerns in their rebuttal testimony: (a) that
23 ATXI is requesting a permanent easement; (b) that the transmission line will adversely impact

1 home and land values; (c) that the transmission line will have various impacts to their property;
2 and (d) that the transmission line will impact an existing farming lease.

3 **Q. How does ATXI respond to the first concern, regarding a permanent**
4 **easement?**

5 A: A permanent easement is necessary because the expected service life of the
6 transmission line is indefinite. Although for ratemaking purposes, we assume a depreciation rate
7 of 40-45 years, but with regular maintenance, the galvanized steel structures on foundations that
8 support the lines are expected to have a lifespan that is much longer than that. At the end of the
9 structures' lifespans, the structures would likely be replaced. Given the current condition and
10 operation of the regional grid, it would be very uncommon for us to remove lines from service in
11 a wholesale fashion. To the extent that Scholls have concerns about the terms and conditions
12 contained in the relevant easement document, we can and will commit to work with them in good
13 faith during negotiations in an effort to address their concerns.

14 **Q. How does ATXI respond to the second concern, regarding home and land**
15 **values?**

16 A. ATXI's compensation offers will be based on market valuations determined by
17 independent, third-party appraisers. The appraisals will consider the type of property being
18 crossed (including soil types and productivity) and will consider the value of the whole parcel
19 before and after the transmission line. Accordingly, landowners will be fairly compensated for
20 any impact on home and land values.

21 **Q. How does ATXI respond to the third concern, regarding various impacts to**
22 **their property?**

1 A. The Scholls express concerns about the impact of the transmission line on trees,
2 agricultural use, ingress and egress, karst and cave areas, underground water resources, and
3 wildfires. As discussed in the Rebuttal Testimony of James Jontry, ATXI and the Scholls have
4 engaged in numerous discussions regarding concerns particular to the Scholls’ property. ATXI
5 developed multiple routing alternatives based on feedback from the Scholls and selected a
6 proposed route that mitigates the impact on their property. Furthermore, ATXI is committed to
7 working in good faith with the Scholls during the easement negotiation process to address
8 remaining issues and concerns.

9 **Q. How does ATXI respond to the fourth concern, regarding the impact on**
10 **contract farming?**

11 A. As explained in my Direct Testimony, landowners will still have access to the
12 easement for farming and activities that do not interfere with the transmission line. Other than the
13 footprints of the foundations for the structures supporting the transmission line, no agricultural
14 land will be removed from cultivation. Furthermore, ATXI will compensate landowners for the
15 impact of the easement and transmission line based on independent, third-party appraisals.
16 Accordingly, the transmission line does not have any material impact on the ability of the Scholls
17 to lease their land for farming.

18 **III. ATXI’S STANDARDS AND PROCEDURES**

19 **Q. What are *ATXI’s Standards and Procedures for Construction, Repair and***
20 ***Maintenance of Right-of-Way for the Limestone Ridge Project* (the “Standards and**
21 **Procedures”)?**

22 A. The Standards and Procedures were attached to my Direct Testimony as Schedule
23 CH-03. They detail how ATXI plans to manage the construction, maintenance, and repair

1 activities within the Project. The Standards and Procedures cover a range of issues, including
2 right-of-way acquisition, construction and clearing, maintenance and repair, and indemnification.
3 These Standards and Procedures are substantially the same as those used in the Mark Twain
4 Project, EA-2015-0146.

5 **Q. Do you agree with the Scholls’ statement that Section I (“Applicability”) gives**
6 **ATXI too much discretion regarding whether they will actually implement the Standards**
7 **and Procedures?**

8 A. No. The only instances in which the Standards and Procedures would not apply
9 would be if they conflict with a voluntarily-negotiated easement with a landowner (*i.e.*, in instances
10 where landowners may have preferences other than the practices stated in the Standards and
11 Procedures) or if they conflict with any applicable federal, state, or local rules or regulations.
12 Additionally, Staff has recommended that the Commission order ATXI to follow the construction,
13 clearing, maintenance, repair, and right-of-way practices set out in Schedule CH-03, and ATXI
14 agrees that it will do so.

15 **Q. Do you agree with the Scholls’ proposed revisions to the “Right-of-Way**
16 **Acquisition” section of the Standards and Procedures?**

17 A. There does not appear to be any disagreement here. As discussed in the Rebuttal
18 Testimony of James Jonty, ATXI agrees, subject to one suggested edit, to the route modification
19 condition proposed by Staff, which provides the same protections as those proposed by the Scholls.
20 Further, ATXI agrees to Staff’s recommended condition regarding removal or relocation of
21 residential structures.

22 **Q. What do the Scholls’ recommend regarding the “Construction and Clearing”**
23 **section of the Standards and Procedures?**

1 A. The Scholls request a provision requiring ATXI to record the number of trees cut
2 down on each parcel and provide landowners the same number of trees from the Missouri
3 Department of Conservation Nursery for planting in alternative locations. The Scholls also
4 request a provision requiring ATXI to return any historical or Native American artifacts recovered
5 during construction to the landowner.

6 **Q. What is your response to those recommendations?**

7 A. ATXI will utilize licensed appraisers to determine the fair market of landowners’
8 property. The appraisals will include comparable property sales in determining the before and
9 after value of the property. The comparable property sales will be inclusive of any timber
10 contributory to the comparable property values. In addition, ATXI will offer landowners the
11 opportunity to harvest any marketable timber prior to vegetation clearing of the easement
12 corridor. Accordingly, providing new trees to the landowners would provide for double recovery,
13 may not be practical, and may not be desired by all landowners. Nevertheless, ATXI is committed
14 to working with landowners on their individual concerns regarding tree removal. My colleague,
15 James Jontry, addresses the Scholls’ recommendation regarding artifacts recovered during
16 construction.

17 **Q. Did the Scholls recommend any other additions to the Standards and**
18 **Procedures?**

19 A. Yes. The Scholls recommended the following additions:
20 1. Every landowner from whom ATXI requires an easement will be contacted
21 personally, and ATXI will negotiate with each such landowner in good faith on
22 the terms and conditions of the easement, its location, and compensation
23 therefore. Each landowner will receive an Easement Agreement pertaining to
24 such landowner's land, which Easement Agreement will contain a drawing that
25 shows the location of the easement.

1 2. After construction is completed, every landowner will be contacted personally
2 to ensure construction and clean-up was done property, to discuss any concerns,
3 and to settle any damages that have occurred.

4 3. If a landowner so desires, ATXI will give the landowner a reasonable period of
5 time in advance of construction to harvest any timber the landowner desires to
6 harvest.

7 **Q. Are these additions necessary?**

8 A. No. The first recommended addition is already in the Standards and Procedures at
9 Section II. The second recommended addition is already in the Standards and Procedures at
10 Section III(15). And the third recommended addition is already in the Standards and Procedures
11 at Section III(3).

12 **IV. CONCLUSION**

13 **Q. Does this conclude your rebuttal testimony?**

14 A. Yes, it does.

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Application of Ameren)
Transmission Company of Illinois for a)
Certificate of Public Convenience and)
Necessity to Construct, Install, Own, Operate,)
Maintain, and Otherwise Control and Manage) Case No. EA-2021-0087
a 138 kV Transmission Line and associated)
facilities in Perry and Cape Girardeau)
Counties, Missouri)

AFFIDAVIT

1. My name is Craig Hiser. I am Real Estate Supervisor for Ameren Services, which is a subsidiary of Ameren Corporation and an affiliate of Ameren Transmission Company of Illinois, the Applicant in the above-captioned proceeding.
2. I have read the above and foregoing Rebuttal Testimony and the statements contained therein are true and correct to the best of my information, knowledge and belief.
3. I am authorized to make this statement on behalf of Ameren Transmission Company of Illinois.
4. Under penalty of perjury, I declare that the foregoing is true and correct to the best of my knowledge and belief.

Craig Hiser
Craig Hiser
Real Estate Supervisor
Ameren Services

Date: September 14, 2021