

Exhibit No.: 304
Issue: Impacts on Crop Dusting
Witness: Floyd McElwain
Type of Exhibit: Rebuttal
Sponsoring Party: MO Landowners
Alliance
Case No.: EA-2014-0207
Date Testimony Prepared: Sept., 2014

MISSOURI PUBLIC SERVICE COMMISSION

CASE NO. EA-2014-0207

REBUTTAL TESTIMONY OF

FLOYD McELWAIN

ON BEHALF OF

MISSOURI LANDOWNERS ALLIANCE

September 15, 2014

Exhibit No. 304
Date 11/13/14 Reporter MG
File No. EA-2014-0207

1 **Q. Please state your name.**

2 A. Floyd McElwain.

3 **Q. Where do you reside?**

4 A. I live in Buchanan County, Missouri.

5 **Q. By whom are you employed?**

6 A. I own my own aerial crop dusting business, McElwain Sprayers, which is
7 headquartered in Wathena, Kansas.

8 **Q. Please give a brief description of the nature of your business.**

9 A. The business employs three pilots, and a ground crew of eight people. We apply
10 herbicides, fungicides and insecticides to agricultural property in 10 counties in Kansas
11 and 6 counties in Missouri. For the most part the crops we spray are alfalfa, corn,
12 soybeans and wheat.

13 **Q. When did you first begin flying airplanes?**

14 A. The first airplane I flew was a 1958 model Cessna 150.

15 **Q. Before getting into the aerial application business, what experience did you have
16 flying airplanes?**

17 A. I had nearly 300 hours of flying time before getting into the crop dusting business.

18 **Q. How long have you been involved in the business?**

19 A. I have been in the business continuously for the past forty years.

20 **Q. How long have you owned your own spraying business?**

21 A. Since 1974, when I started in the business.

22 **Q. What counties in Missouri do you normally work in?**

1 A. In Missouri, we generally cover the counties of Buchanan, Andrew, DeKalb, Clinton,
2 Platte and Daviess, which are located in the north-west part of the state.

3 **Q. Please briefly describe the airplanes you operate in your business.**

4 A. We have two planes, one of which had a price new of about \$500,000, and the other
5 about \$450,000. They are equipped with sophisticated GPS systems, and can fly at about
6 140 miles per hour.

7 **Q. Have you taken any safety courses related to your business?**

8 A. Yes, I take a safety course on an annual basis. One of the lessons of these courses is
9 to avoid contact with high-voltage transmission lines.

10 **Q. Do you have any experience in spraying where an electric transmission line is
11 located?**

12 A. Yes, roughly 15 times a year I will work in the vicinity of such lines.

13 **Q. Please describe the problems that high-voltage transmission lines and towers
14 cause in your crop dusting business.**

15 A. The primary problem, of course, is that we must avoid coming in contact with the
16 lines and towers. When we fly parallel to electric transmission lines we keep a distance
17 of at least 75 feet from the closest conductor. As a result, we are not able to dust a
18 significant number of acres of farm land in the vicinity of the line which would normally
19 be treated.

20 **Q. How many acres of farmland would you not be able to treat along a transmission
21 line?**

22 A. Assuming we cannot treat an area about 160 feet in width, then we will lose
23 approximately 19 acres of farmland for every mile of transmission line.

1 **Q. In addition to the inability to spray certain areas, does the existence of the line**
2 **and towers pose any safety risks to you as a pilot?**

3 A. Yes, they do. Unfortunately, for various reasons pilots do occasionally come into
4 contact with transmission lines, sometimes resulting in fatalities.

5 **Q. You stated that the line will make it impossible to spray certain parts of the**
6 **farmland near the line and towers. Can't the chemicals you use be applied to those**
7 **areas by crews on the ground?**

8 A. Often they can be, but sometimes aerial application is the only real option, as when
9 the crop is too tall, or the land too wet for ground application.

10 **Q. Would the existence of the proposed transmission line have any effect on your**
11 **business and the business of other crop dusters across northern Missouri?**

12 A. Yes it would. Due to safety concerns, we would not be able to cover the same
13 amount of acreage as would have been possible without the line. We are generally paid
14 by the acre, and so an additional transmission line in the area would have some financial
15 impact on our businesses.

16 **Q. If the line eliminates some crop dusting business in the area of the line, would it**
17 **also affect the sale of fuel to these crop dusters?**

18 A. Yes, it would. The amount of fuel we use is directly related to the amount of land we
19 can spray.

20 **Q. Could the line also affect the crop yields of your clients?**

21 A. It could. If land application is impractical for some reason, and some of the acreage
22 cannot be reached by air, then the yields of the crops in question could definitely be
23 affected.

1 **Q. Does that complete your testimony?**

2 A. Yes, it does.

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI


In the Matter of the Application of Grain Belt Express)
Clean Line LLC for a Certificate of Convenience and)
Necessity Authorizing it to Construct, Own, Operate,)
Control, Manage, and Maintain a High Voltage, Direct) Case No. EA-2014-0207
Current Transmission Line and an Associated Converter)
Station Providing an interconnection on the Maywood-)
Montgomery 345 kV Transmission Line)

AFFIDAVIT OF FLOYD McELWAIN

STATE OF KS)
) SS
COUNTY OF Douglas)


Floyd McElwain, being first duly sworn on his oath states:

1. My name is Floyd McElwain.
2. Attached hereto and made a part hereof for all purposes is my Rebuttal Testimony, submitted on behalf of the Missouri Landowners Alliance.
3. I hereby swear and affirm that my answers contained in the attached testimony to the questions therein asked are true and accurate to the best of my knowledge, information and belief.


Floyd McElwain

Subscribed and sworn before me this 4th day of September, 2014.

JANET M. MORGAN, NOTARY PUBLIC
STATE OF KANSAS
MY APPT. EXPIRES 1-8-17


Notary Public