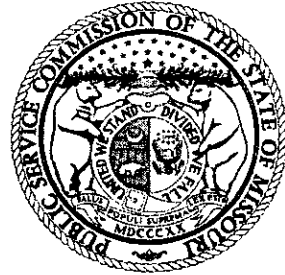


Notice of *Ex Parte* Contact

TO: Records Department:
All Parties in Case No. **EO-2002-351**
All Commissioners

FROM: Chairman Kelvin Simmons *KLS*
Commissioner Connie Murray *CM*
Commissioner Sheila Lumpe *SL*
Commissioner Steve Gaw *SG*
Commissioner Bryan Forbis *BF*



DATE: December 5, 2002

On December 5, 2002, we received the attached letters from Rick R. LePage and family, Norbert H. Brandt, and Mary Lois Arbes. The Commission is currently considering the issues discussed in this document in Case No. **EO-2002-351**. **EO-2002-351** is a contested case. The Commission is bound by the same *ex parte* rule as a court of law.

Although communications from members of the public and members of the legislature are always welcome, those communications must be made known to all parties to a contested case so that those parties have the opportunity to respond. According to the Commission's rules (4 CSR 240-4), when a communication (either oral or written) occurs outside the hearing process, any member of the Commission or Regulatory Law Judge who received the communication shall prepare a written report concerning the communication and submit it each member of the Commission and the parties to the case. The report shall identify the person(s) who participated in the *ex parte* communication, the circumstances which resulted in the communication, the substance of the communication, and the relationship of the communication to a particular matter at issue before the Commission.

Therefore, we submit this report pursuant to the rules cited above. This will ensure that any party to this case will have notice of the attached information and a full and fair opportunity to respond to the comments contained therein.

cc: Executive Director
Secretary/Chief Regulatory Law Judge
General Counsel

CLOVERDALE FARM
RICK R. LEPAGE
6719 PINE RIDGE ROAD
JEFFERSON CITY, MISSOURI 65101
HOME PHONE: (573) 635-7302
BUSINESS PHONE: (573) 893-5196 (EXT. 2)

December 3, 2002

Mr. Bryan Forbis
Missouri Public Service Commission
PO Box 360
Jefferson City MO 65102

Subject: AmerenUE Application for Certification of Convenience and Necessity

Dear Mr. Forbis:

I am writing to encourage you to deny AmerenUE's application for certification of the construction of the Callaway/Franks transmission line. While not located in the path of the proposed line, my family's history and future will likely be destroyed if the line is built.

My family and I own a 420-acre family farm in eastern Cole County that has been in continuous family ownership since the 1840s. My ancestors sweated and died to make this farm what it is today, knowing that the farm would someday be their children's. Everything they struggled for was done for the future, knowing somehow things would be better if they worked harder, saved, and taught their children the difference between truth and lies, and how some things were more important than money.


Last August, an AmerenUE representative requested we sell for full deed nearly 60 acres in the middle of our farm, and sell them an easement for nearly a mile of transmission line easement, and allow them to build a road past four family homes to access the 60 acres. When we told him the property was not for sale, he responded that they would condemn the property, and it was a "done deal". Approximately two weeks later, at a county commissioner meeting, AmerenUE representative Geoff Douglas revealed more of the company's intent. The company planned six massive high-voltage lines, a huge substation, a road past our four homes, possible generation facilities, cutting our farm into unusable pieces. None of this was disclosed at the earlier visit. When asked by the commissioners about compensation, Mr. Douglas stated this was "agricultural ground; \$2000-3000 an acre". Our neighbors have sold large tracts for ten times this amount, AND WE HAVE NO INTENTION TO EVER SELL ANY OF OUR FARM, REGARDLESS OF PRICE.

I ask, is this the good faith effort we can expect from AmerenUE if the certificate is granted?

AmerenUE has still not contacted our neighbors and family members that are to be displaced by the fifteen miles of line to be constructed in Cole County. We are told because we are in AmerenUE's service area, we have no protection; not even through the Public Service Commission. Is this the year 2002? How do we negotiate when we have no control over our property's transfer? We are told that if we contest the condemnation, the most we can argue is compensation; while our property is seized and a century and a half of our family's history is razed. A company that has demonstrated utter contempt for the community will destroy our children's future.

Perhaps even more puzzling is AmerenUE's very recent contact with the landowner of the proposed substation site in Osage County. He was arrogantly told it was a "done deal" and there was no sense in opposing the company DURING THE SAME TIME PERIOD YOUR COMMISSION WAS HOLDING HEARINGS ON THE PROPOSAL. This causes me to question AmerenUE's contemptible attitude towards the Public Service Commission and the affected public. The company appears to view the certificate as inevitable, regardless of how poorly analyzed and how harmful the proposal is.

Please make AmerenUE show why this line is necessary, why they threaten innocent landowners, and why they hold the Public Service Commission in such low regard. Please vote against the certification, if not for us, for our children's future.

Sincerely,

Rick R. LePage and family

Dec 4 2008

Dear Members: *Mr. Forbis.*

I am writing to urge you to decline Ameren UE's application for a certificate of necessity and convenience. There are a lot of reasons that UE will say warrant the construction of their proposed line from Callaway county to the Franks substation. They've told you how their studies have shown it to be the best corridor and that it would be foolish to use any other corridor. But I want you to consider the idea that they're trying to pull the wool over your eyes. Our attorney has presented contradictory evidence which rebuts their position, including the real reason UE wants this line. They want it so they can ship more power to neighboring states. They say the grid has to function properly and that they have an obligation to do their part. Well, if other states that belong to the grid are going to benefit, why aren't they chipping in for the cost of this line? Because UE is the only one that stands to gain from this.

They would have you believe this corridor is perfect, but they didn't just stumble over it by accident. Their buddies at Central Electric Co-op assigned it to them as part of their contribution to the project. Again, if it was so important, why couldn't they chip in some money? It seems to me their collective pockets are deep enough to handle a new line anywhere. But they chose this one. Any why? Because it was the easiest way to make money. There are other alternate routes but they were dismissed as being non-productive. Translation: Their piece of the pie wouldn't be as big. So UE would rather toss people from their homes and threaten the livelihood of many farmers, just to turn a buck.

Your responsibility is to the public of Missouri, all of the public. As PSC members, you're here to make sure the utility companies act in the best interest of all Missourians. UE has not proven this new line is necessary; they say there are problems due to overloading, but they haven't and can't prove a consistent problem. They have said the power problems with overloading are caused by the increased demand for transmission to other states. It seems to me that the problem and their solution benefit the public of other states, not Missouri.

They would have you believe the impact on those of us in the path of this proposed line is minimal. Yet not one of their representatives said they would want a big line running across their yard. If they wouldn't want it, how could they possibly feel right about imposing it on us? They wouldn't want their family to have to move from the only home they've ever known; would you? Would you want to take a chance on the health risks associated with high-voltage power lines? Would you feel 100% secure in letting your children play under these lines? Or how about your family pets?

The existing lines have been there for a long time and we have accepted them. But those are 161-kv lines, half the size of the proposed lines. Why can't UE put a second 161-kv line in with the existing line? Money.

Where does it end? All UE has to do is pick a corridor, conduct some back-room meetings and plunge ahead, without a care in the world for who they step on or displace. That's not right. America is the land of opportunity for all of us, not just the utility companies.

In order to proceed, UE must prove it's necessary for the good of the customers in Missouri. They can't do that and look you in the eye when they say it. Please stand up for the Concerned Citizens for Farms and Family Heritage by denying their application.

Sincerely,

Nashut H. Brandt
Bannate Mill mo
65016

Dec 4-2002

Dear Members:

I am writing this letter to impress upon you the gravity of the decision you've been asked to make concerning the certificate of necessity and convenience for Ameren UE.

I know it's a tough call to make because there are a lot of things to consider. In the public hearing, you heard and saw a lot of evidence from both sides, and both sides made their points. But all of that was based on technical advances and cold hard facts. Now, I want you to warm up to the human side of this ordeal.

I and my neighbors are real people, just like all of you. I have a house payment, car payment, children who need things, just like you do, and my family is seeking what every family seeks: peace. I grew up in this area, as did my friends and family. We like it here. In fact, I can't imagine living anywhere else. But that doesn't apply strictly to this location. I'm talking about the lay of the land, the plush greens of our hillsides in the spring, the beauty of the natural setting that I have grown up with and love dearly.

All of us have land that is designed to give us a place to call our own as well as give animals a place of refuge. Do you know how peaceful it is to watch a deer graze from your window? It's like a Rockwell painting. Now, along comes Ameren UE and says they are going to put a giant electric line right through all of that. Does that seem fair to you?

Before you answer, consider this. Not one of UE's employees said they thought it was fair. At a public meeting in July 2002, our group, Concerned Citizens for Farms and Family Heritage had a chance to talk with the big wigs who run UE. Several times questions were asked of them about whether they would like having a power line running through their back yard. And not one of them said they would.

It seems to me what's good for the goose should be good for the gander. The cold-blooded, money driven faceless entity that is UE would heave our family treasures over the side if it meant adding a few dollars to their pockets. But the people who make up the thousands of parts of that killing machine come across almost as human as us. So where is this coming from? Do you suppose these people flip a switch when they go to work? One minute they understand the human experience, with all its moments of triumph and glory, and the next, they're automatons working strictly in the service of the machine? How do they sleep at night, knowing they were responsible for disrupting a person's life? How do they feel peace when they force families out of their homes?

For a long time, the utility companies have answered to very few. Of course, the bell they'll always heed is money. But life isn't just about who makes the most money. Tyrants gain and maintain control on the backs of those they would presume to lead. Ameren is no different. They are a multi-billion dollar a year industry that has built itself up on the backs of its customers. And if it costs us a broken home or a rip in our rural scenic setting, so be it, according to them.

Well, I am asking you to consider UE for what they really are: A giant, faceless company made up of people with the potential to care about us. Please deny their application. They have other means to get the job done with a lot less human suffering.

Ask yourselves this question: If they money was even on an alternative, would they take it? Would they let us live in peace and raise our families if they could find a feasible alternate corridor? From the answers they gave at our meeting, I'd say yes. Please help us live in peace by denying UE's application.

Sincerely,

Mary Lois Curless
RR #1 Box 350
Bennetts Mill, Mo 65016