

Exhibit No.: \_\_\_\_\_  
Issues: Adverse Effects of Route  
Witness: David and Donna Hackmann  
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  
DAVID AND DONNA HACKMANN**

**ON BEHALF OF**

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

**JEFFERSON CITY, MISSOURI**

**FILED<sup>2</sup>**  
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** DONNA HACKMANN

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

Donna Hackmann

State of Missouri  
County of OSAGE  
SUBSCRIBED and sworn to  
before me this 20 day of JULY, 2002.

[Signature]  
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  
DAVID AND DONNA HACKMANN**

1       Q.     Please state your name and residence address.

2       A.     David and Donna Hackmann, Star Route, Box 10, Chamois, Missouri 65024.

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. No. I have never talked to anyone from Ameren UE or any other person from any electric  
5 company by phone or here at home about this line.

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

7 A. Nine and one-half (9 1/2) years. However, it will also go on a neighbor's farm which will  
8 affect our other property which we have owned for thirty years.

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

10 A. This land is used for pasture for cattle and storage for hay for winter feed. It is also used for  
11 hunting, pleasure riding and artistic endeavors of family and friends. There is an old home  
12 which is now vacant. This land also serves us as a place to park our livestock trailer. It is  
13 the only place that is feasible. The use of the livestock trailer is how we now make our main  
14 living. Next year we will retire and our main living will be the cattle farm.

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

16 A. Yes. At this point in time we rely on this land as supplemental income. However, next year  
17 we will be retired from the other income and the farm will be our main income. We have a  
18 cattle herd which pasture on this land. We cut hay for winter feed and store some of it here.  
19 There also is a pond which will be under the power line should it be built. We would have  
20 to work the field around the poles. We are very concerned about the health of the livestock  
21 because of the chemical spraying, which will enter into the ground, the pond and  
22 subsequently the hay.

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

3 A. Yes. It will be near an old house which is now vacant. Last summer of 2001, we also started  
4 the rebuilding of a lake. It will be close to the power line, if the line is built. This would be  
5 like going fishing, boating or swimming, etc., in the middle of a city. I don't think hearing  
6 the crackle and humming of a 345 kV electric line would be a very enjoyable or healthful  
7 activity.

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

9 A. Yes. We have power lines on our property. We already can hear a very low humming  
10 coming from the 161 kV electric line. We have to drive or walk under this line everyday.  
11 We would have to do the same if the proposed line would come in also. That's 506 kV if the  
12 lines should break. There have been two tornados that have come through this valley.

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

14 A. Yes. A power line of this size on my property will without question decrease the overall  
15 value of the remaining property. The power line itself, the large easement taken on a strip  
16 through that part of the property will impair present and future use of the entire parcel of  
17 property I own. The option of selling the property to get rid of the problems caused by the  
18 power line is unavailable. The power line will make the property virtually unsaleable,  
19 requiring that I simply live with Ameren UE's solution to a problem that I do not feel I even  
20 share with them. While I am unsure of the health affects of such a large power line so close  
21 to my own daily activities, it is ingrained in the popular mentality that such power lines  
22 constitute a health hazard, rendering unlikely any sale of my property at all. No one will buy

1 this property with this 345,000 volt electric line through it. We have in the past had offers  
2 to buy the land the line would go on so they could build homes. That would no longer be an  
3 option. The line will also go on a neighbor's farm, which will affect our other property that  
4 we have owned for 30 years. Again, we have been asked to sell land for buyers to build  
5 homes on and that also would not be an option should this line go in. We have also talked  
6 of renting use of our land to city dwellers to come out on for a numbered amount of days or  
7 weekends to enjoy some country life. That also would no longer be an option. This could  
8 have supplemented our retirement farm income.

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 that my  
14 neighbors and I own property here for 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. The spraying of chemicals from a helicopter, which  
17 we were told would happen from the Ameren UE representatives at the July 1, 2002 meeting  
18 with Concerned Citizens is a horrendous, incomprehensible lack of respect for human life  
19 and that of all living things. I do not believe they can control where the chemicals will fall  
20 or where the wind will blow it. What about the land past the easement that it will affect?  
21 What about the people who will be working their farms, the livestock, wildlife, people  
22 hunting, for the seasons are open all but 2 ½ weeks in April. Also, there are people who

1 walk the country roads for their health and enjoyment. I don't think they can all be notified.  
2 Just think of it and walking for your health, working or playing and being sprayed with  
3 chemicals.

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

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

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

20 A. I personally have had men from Three Rivers come out and leave trash, such as lunch  
21 garbage, soda bottles, paper trash and from Central containers from chemicals. These items  
22 were all thrown about. Three Rivers had men who have walked around in the yard of the

1 home. We had Ostrich's and one man said, "I bet I could beat it up," referring to the male  
2 bird. I went to him and told him to stay away. The bird hissed and lunged at him from the  
3 other side of the fence. This was a dangerous thing that man did. Some have no regard for  
4 the power of any of the different types of farm livestock.

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

7 A. The loss of hopes and dreams of the use of our land. The land we have sacrificed for. We  
8 are concerned for all we have mentioned above. We also have concerns of personal injury  
9 and the lack of any written promises of Ameren UE. We would ave to have the promises  
10 written down and legal before anything was started or we would surely be the fools! What  
11 are the responsibilities of the landowner? What are the responsibilities of Ameren UE? This  
12 all has to be done before the conjunction of the selling or buying of the easement and/or  
13 beginning of the project. What kind of payment to the landowner? A one time payment for  
14 them to use this land for ETERNITY is not acceptable! This is not even acceptable with  
15 different countries dealing with each other! We bought this land to USE, we pay taxes on  
16 it, which will continue. We are not speaking of inches, we are speaking of acres! We came  
17 from St. Louis 30 years ago. We know the difference in city life and country life. To live  
18 here was a sacrifice embraced because we knew it would be worth it. I can't believe that this  
19 will be in vain because of a company's desire to show a larger profit! In our opinion, this  
20 line is not needed here. We have had overnight companies, which have heard the hum ½  
21 miles away from the 161 kV line that is already here. They said they were up all night. We  
22 are trying very hard to see how this 345 kV line, that again we do not think is needed, cannot



1 but very adversely affect us physically, financially and socially. What kind of heritage will  
2 we be leaving for our children for all of our combined hard work? What will we be teaching  
3 our grandchildren? During the July 1 meeting, I asked three times could you tell me by a  
4 percentage, piece of the pie, or something how many people in Missouri would benefit by  
5 this line? I was never properly answered. After the meeting a Ameren UE representative  
6 came up to me and I was told to submit my questions to my Council and they could mail it  
7 to them and I would get an answer. I still have no answer. Please think about if this would  
8 all be happening in your yard and with your family for something that truly was believed not  
9 necessary.

10 Q. Does this conclude your Rebuttal Testimony?

11 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.