

**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 ) Case No. EA-2024-0302  
Convenience and Necessity under )  
Section 393.10.1, RSMo. relating to )  
Transmission Investments in )  
Northwest and Northeast Missouri )

**THE OFFICE OF THE PUBLIC COUNSEL’S RESPONSE TO  
STAFF’S RECOMMENDATION AND LIST OF CONCERNS**

**COMES NOW** the Office of the Public Counsel (“OPC”) and for its Response to the Public Service Commission Staff’s (“Staff’s”) Recommendation and List of Additional Concerns, states:

***Case Background***

1. This case is, most-simply, a request for the Missouri Public Service Commission (“Commission”) to grant Ameren Transmission Company of Illinois (“ATXI” or “Company”) a certificate of convenience and necessity (“CCN”), with or without conditions, to construct, install, operate, control, manage, and maintain a transmission line in Missouri.<sup>1</sup>

2. In December 2022, Midcontinent Independent System Operator, Inc. (“MISO”) sent a request for proposal (“RFP”), for an electric transmission utility for its Long-Range Transmission Planning (“LRTP”) Tranche 1 portfolio. The LRTP project consists of eighteen (18) Multi-Value Projects (“MVPs”) that

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<sup>1</sup> *Application*, p.1, EA-2024-0302, EFIS Item No. 3.

“address system constraints and add needed transmission capacity to the grid.”<sup>2</sup>

3. In October 2023, MISO chose ATXI to complete these MVPs for its LRTP. This particular case covers “Phase 1” of its Northern Missouri Grid Transformation Program (“Program”). Phase 1 consists of three (3) parts:

- 1) A 44-mile, 345 kV transmission line that crosses Dekalb, Gentry, and Worth Counties and is referred to as the Fairport-Denny-Iowa/Missouri border (“FDIM”) line;
- 2) A new 345 kV substation, named Denny, in DeKalb County; and
- 3) About 9 miles of 345 kV transmission line in Marion County referred to as the Maywood-Mississippi River Crossing (“MMRX”) Project.

4. In April 2024, the Company held open houses in DeKalb, Gentry, Worth, and Marion Counties to comply with 20 CSR 4240-20.045(6)(K)3.<sup>3</sup> At that time, the Company, internally, had chosen for its preferred route to be Route DO 27. ATXI has repeatedly asserted that it in no way advertised to affected landowners that Route DO 27 was its preferred route.

5. In late May 2024, after hearing approximately thirty (30) comments from members of the public who attended one of the open houses, ATXI decided to go with Route DO 28.

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<sup>2</sup> Id at p. 2.

<sup>3</sup> Please note: The regulation refers to these gatherings as “public meetings.” However, the OPC will refer to them as “open houses” in this filing, in order to avoid confusion with a Local Public Hearing,

6. After shifting its focus from Route DO 27 to Route DO 28, ATXI did not hold any other open houses with the affected landowners, on either route, to reflect and explain this change. However, the Company did tell Staff that it informed landowners affected by Route DO 28 on July 5, 2024, that the Application would request the transmission line follow that route.<sup>4</sup>

7. On July 16, 2024, the Company filed its CCN application (“Application”) with the Commission, identifying Route DO 28 as its preferred route. The accompanying testimony explained ATXI’s process up until requesting this CCN, along with an explanation as to why it selected Route DO 28.

8. On July 18, 2024, the Commission ordered, among other things, an intervention deadline of August 16, 2024.<sup>5</sup>

9. On November 15, 2024, ATXI filed its *Motion Requesting Local Public Hearings and for Expedited Treatment*, which was granted that same day. Four days later, on November 19, 2024, the Commission scheduled one in-person local public hearing (“LPH”) for December 9<sup>th</sup>, 2024, in Worth County and one virtual LPH for December 10<sup>th</sup>, 2024.

10. Both of these LPHs were well-attended, with an active and engaged public.

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<sup>4</sup> *Staff Recommendation*, p. 31, EA-2024-0302, EFIS Item No. 50 (citing to MPC DRs No. 0022 and 0023).

<sup>5</sup> *Order Directing Notice, Setting Intervention Deadline, and Directing Staff Recommendation*, p.2, EA-2024-0302, EFIS Item No. 16.

11. On December 20<sup>th</sup>, 2024, Staff filed its recommendation (“Recommendation”) which stated its concern that “ATXI did not notify landowners along DO-27, but did notify landowners along DO-28, of the CCN application.”<sup>6</sup> Therefore, Staff conditioned its recommendation for Commission approval upon ATXI holding an additional LPH.<sup>7</sup> This LPH was held virtually on January 16, 2025.

12. On February 7, 2025, after hearing some concerning allegations from current and prior officials, the OPC requested an extension, or a hearing, to look further into claims it received. Six (6) days later, the Commission granted an extension until March 7, 2025.

***ATXI’s Open Houses and Change in FDIM’s Preferred Route***

13. Missouri’s Regulation that covers electric utility CCN applications states, in relevant part:

If twenty-five (25) or more persons in a county would be entitled to receive notice of the application, applicant shall hold at least one (1) public meeting in that county. The meeting shall be held in a building open to the public and sufficient in size to accommodate the number of persons in the county entitled to receive notice of the application. Additionally—

A. All persons entitled to notice of the application shall be afforded a reasonable amount of time to pose questions or state their concerns;

B. To the extent reasonably practicable, the public meeting shall be held at a time that allows affected landowners an opportunity to attend; and

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<sup>6</sup> *Staff Recommendation* at p. 31.

<sup>7</sup> *Id.* at p. 43.

C. Notice of the public meeting shall be sent to any persons entitled to receive notice of the application.<sup>8</sup>

14. From December 7, 2022, through January 10, 2023, ATXI conducted, reviewed, and finalized a routing study that it intended to submit to MISO for the LRTP RFP. On January 10, 2023, ATXI finalized the route it was going to send to MISO for its RFP application.<sup>9</sup>

15. On May 19, 2023, the Company submitted its RFP proposal to MISO, with its preferred route as Route DO 27.<sup>10</sup> MISO announced ATXI's proposal as its selection on October 27, 2023.

16. On February 27, 2024, the Company began to prepare the public process for open houses related to this project.

17. Prior to holding the regulation-required open houses to present the FDIM transmission line to the public, ATXI provided newspaper advertisements and postcards.<sup>11</sup> Attendees of these open houses received the material, provided in Attachment 2 to this filing. To see these attachments in full context, please review Schedule LD-D1, which is attached to Leah Dettmers' Direct testimony.<sup>12</sup>

18. ATXI finalized the route it was going to submit to the Commission in May of 2024, and filed the Application in July, which opened this case. As

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<sup>8</sup> 20 CSR 4240-20.045(6)(K)(3).

<sup>9</sup> *ATXI Response to OPC Data Request (DR) 0011*, EA-2024-0302, (Jan. 3, 2025), Attachment 1.

<sup>10</sup> *Direct Testimony of James Nicholas*, p. 17, EA-2024-0302, EFIS Item No. 14.

<sup>11</sup> "Open House" *Advertisements and Information*, Schedule LD-D1 Excerpts, EA-2024-0302, Attachment 2.

<sup>12</sup> *See Generally Direct Testimony of Leah Dettmers*, Schedule LD-D1, EA-2024-0302, EFIS Item No. 13.

part of this case, the Commission held three (3) LPHs to receive public feedback about the Application.

19. At the In-Person LPH (addressing members affected by Route DO 28), on December 9, 2024, Mark Harding, a landowner, testified that there were landowners “who weren’t included in the original area, therefore saw no need to attend any open houses.”<sup>13</sup>

20. Jim Wochner, another landowner affected by FDIM, also spoke at the In-Person LPH. After sharing his frustrations with the Company’s process for requesting this CCN, Mr. Wochner summarized his thoughts in two sentences, “This [process] is not transparent. This is opaque.”<sup>14</sup>

21. The OPC attended all of the LPHs, has had multiple telephone conversations with members of the public, and has conversed with affected landowners via email. Therefore, the OPC believes that the Company, perhaps unintentionally, gave the impression that the Application would request a CCN for Route DO 27, the preferred route at the time of these open houses.

22. If landowners affected by Route DO 28, but not Route DO 27, were under the impression that the Application would request a line certificate for Route DO 27, there would be no reason to attend the open houses that took place in April 2024. Further, if ATXI had not formulated Route DO 28 at that point, none of the information the Company presented at those open houses

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<sup>13</sup> *Transcript of Proceedings Vol. 1*, p. 19, EA-2024-0302, EFIS Item No. 51.

<sup>14</sup> *Id.*, Testimony of Jim Wochner at p. 15.

would give landowners affected by Route DO 28 a reason to express concern about that route.

23. Staff <sup>15</sup> and ATXI<sup>16</sup> have stated, or implied, that the Company has complied with the regulations necessary to receive Commission approval for the requested CCN. However, 20 CSR 4240-20.045(6)(K)(3)(A), intends to ensure that affected Missouri landowners have a say in these matters. Specifically, this subsection requires the utility requesting Commission approval for a CCN provides “all persons entitled to notice of the application” be “afforded a reasonable amount of time to pose questions or state concerns.” (emphasis added). Please note, this notice and comment requirement is specifically placed under the subsection concerning public meetings. Therefore, both the notice requirement and the question and concern requirement apply to those meetings.

24. Even if the Company were to insist that it followed the language of 20 CSR 4240-20.045(6)(K)(3)(A), the spirit of this regulation has been violated. The OPC does not believe it that the Company provided individuals who were not affected by Route DO 27 but are affected by Route DO 28 with a reasonable period to state their concerns.

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<sup>15</sup> While *Staff's Recommendation* does not directly state that ATXI complied with all PSC regulations, it also fails to assert any regulation that ATXI violated; *See generally Staff Recommendation*, EA-2024-0302, EFIS Item No. 50.

<sup>16</sup> *See Direct Testimony of Shawn Schukar*, §§ V and VI, EA-2024-0302, EFIS Item No. 4.

### *Landowner Notice*

25. Missouri PSC regulation, 20 CSR 4240-20.045(6)(K), which specifies the requirements for electric utility CCN applications, states, in relevant part:

An affidavit or other verified certification of compliance with the following notice requirements to landowners directly affected by electric transmission line routes or transmission substation locations proposed by the application. The proof of compliance shall include a list of all directly affected landowners to whom notice was sent.

1. Applicant shall provide notice of its application to the owners of land, or their designee, as stated in the records of the county assessor's office, on a date not more than sixty (60) days prior to the date the notice is sent, who would be directly affected by the requested certificate, including the preferred route or location, as applicable, and any known alternative route or location of the proposed facilities. For purposes of this notice, land is directly affected if a permanent easement or other permanent property interest would be obtained over all or any portion of the land *or* if the land contains a habitable structure that would be within three hundred (300) feet of the centerline of an electric transmission line. (emphasis added).

26. An affected resident contacted the OPC on October 22, 2024, to notify the agency that ATXI did not know of her newly-constructed home and, therefore, did not provide her with notice. Her home is not near Route DO 27, but is near Route DO 28. To reiterate, the Commission ordered that August 16, 2024, would be the deadline for parties to intervene. The intervention deadline had occurred over two (2) months prior to this resident's awareness of the case.

27. The resident mentioned in ¶ 26 again reached out to the OPC on November 18, 2024, and further explained ATXI's failure to notify her that

Route DO 28 would impact her residence. The deadline for parties to intervene in this case occurred over three (3) months prior.

28. On November 20, 2024, the Company responded to a Staff DR stating the following:

ATXI's consultants queried each county assessor's office again to generate a list of landowners whose property is directly affected by, or within 300 feet of, the Proposed Route (referring to Route DO 28), to provide notification of the filing of the application on the following dates:

Marion County: May 15, 2024

Worth County: May 21, 2021, and May 22, 2024

Gentry County: May 23, 2024, and May 24, 2024

Dekalb County: May 21, 2024[.]<sup>17</sup>

In a later meeting, Staff informed the OPC that ATXI notified it that the individual answering this DR wrote "May" when the individual intended to write "March."

29. On December 3, 2024, an attorney representing two (2) landowners who had just learned that FDIM would affect their property contacted the OPC—both the attorney to this case and the property ombudsman—and Staff. In this email, the represented landowners informed Staff and the OPC that they learned about FDIM crossing their property by a community member rather than by the Company. This notification occurred about three and a half (3 ½) months after the intervention deadline passed,

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<sup>17</sup> *ATXI Response to Staff DR 0022.0*, EA-2024-0302 (Nov. 11, 2024) Attachment 3.

30. The only In-Person LPH occurred on December 9, 2024. One citizen who testified was Jim Wochner, a landowner with multiple properties in Worth County. Mr. Wochner testified that he was upset about how ATXI handled the notice of its open houses. According to his testimony, Mr. Wochner did not receive any notice at one (1) property and received the notice for the open house in his county two (2) days after the event occurred.<sup>18</sup>

31. Notably, Mr. Wochner asserted his belief that ATXI's open houses are "where you've got the best chance to make changes to this line if you've got some reason for it."<sup>19</sup> Mr. Wochner also testified to the serious nature ascribed to the governmental taking of property, especially in an instance such as the one at hand. The landowner stated that he did not receive sufficient notice to attend the open houses that appeared to provide the most capable of addressing his personal issues with the route that ATXI chose.<sup>20</sup> This affected landowner pointed out that the government is obligated to grant its citizens, whose land it is taking, a right to due process. At this LPH it did not appear to Mr. Wochner that his due process rights were being adequately respected.<sup>21</sup>

32. At this In-Person LPH, another landowner, Mark Harding, testified that the notice he received did not, in fact, inform him that his land was affected by the transmission route for which the Company was requesting Commission approval for a CCN.<sup>22</sup> Mr. Harding asserted that he was not able

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<sup>18</sup> See *Transcript of Proceedings Vol. 1*, Testimony of Jim Wochner at p. 12.

<sup>19</sup> *Id.*

<sup>20</sup> *Ibid.*

<sup>21</sup> *Id.* at p. 14.

<sup>22</sup> *Id.* at p. 21.

to ascertain that ATXI's notice was informing him that this route would affect his land due to its vagueness. The Company's notice, to Mr. Harding, did not come with a clear map to determine whether your land was being affected. Moreover, circling back to the OPC's first issue, the notice ATXI sent did not inform him that the Company had opted to change its route.<sup>23</sup>

33. At the In-Person LPH on December 9, 2024, the landowner that contacted the OPC on October 22, 2024, also testified. She pointed out that multiple other landowners had unsuccessful conversations with ATXI requesting the Company change its route. The reason the Company gave those individuals was the proximity a route change would have with nearby residences.<sup>24</sup> At this point, Ms. Cass highlighted the fact that ATXI was unaware of her newly-built residence until well after it applied for a line CCN with the Commission.<sup>25</sup> To this citizen, the Company rerouting its preferred transmission line so that it was closer to her residence insinuated, to her, that ATXI was more concerned about the proximity to other residences, while ignoring her own.<sup>26</sup>

34. Multiple members of the public who attended the December 9, 2024, LPH and testified shared their belief that the information ATXI had shared, thus far, was vague, confusing, and insufficient.<sup>27 28 29</sup>

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<sup>23</sup> Id. at Testimony of Mark Harding, p. 21.

<sup>24</sup> Id. at Testimony of Traci Cass, p. 28.

<sup>25</sup> Id. at p. 29.

<sup>26</sup> Id. at p. 30.

<sup>27</sup> See Id. at Rochelle Hiatt's testimony, p. 30.

<sup>28</sup> See Id. at Mark Harding's testimony, p. 21.

<sup>29</sup> See Id. at M.L. McCrea's testimony at p. 30.

35. The PSC held another, virtual LPH on December 10, 2024. There, members of the public continued to assert their confusion around the CCN ATXI requested Commission approval for, and concerns around the vague nature of ATXI's route.<sup>30 31</sup>

36. On January 13, 2025, the Company filed a list of the names and addresses of landowners' affected by Route DO 27 but not Route DO 28 to whom it sent notice of the January 16, 2025, LPH.<sup>32</sup>

37. On February 5, 2025, the OPC received a phone call from an individual purporting to be Miles Spainhower, the Worth County Assessor during the time that ATXI would have requested county assessor records for this case. In that conversation, the caller asserted that he did not recall speaking to anyone with ATXI in Spring 2024. The caller followed up his phone call the next day with an email<sup>33</sup> that provided the same information, along with the name, phone number, and email for the current Worth County Assessor.<sup>34</sup> The OPC independently verified this contact information.

38. Also on February 6, 2025, the Worth County Assessor emailed the OPC to request a hearing and voice its concerns regarding whether the Company properly received the county assessor records within the sixty (60)

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<sup>30</sup> See *Transcript of Proceedings Vol. 2*, Randall Turner's testimony at p. 16, EA-2024-0302, EFIS Item No. 52 (Dec. 10, 2024).

<sup>31</sup> See *Id.*, Joshua Kleinschmit's testimony at ps. 18 and 19.

<sup>32</sup> See *Status Report with Notice*, Appendix B, EA-2024-0302, EFIS Item No. 54.

<sup>33</sup> The following attachments have been marked "confidential," with a redacted "public" version to comply with 20 CSR 4240-2.135(2)(A)(1): 4, 7-10, 12, and 13.

<sup>34</sup> *Email from Miles Spainhower*, EA-2024-0302 (Feb. 6, 2025) Attachment 4.

day window, required by Missouri regulations.<sup>35</sup> This email also stated that the “office did receive a request from Contract land staff, llc [sic] in Feb. 2023 and file was sent in March 2023 but no records can be found they purchased the information in 2024.”<sup>36</sup> The current assessor also provided the February 2023 email with ATXI’s contractor requesting “a complete county data file.”<sup>37</sup>

39. On February 7, 2025, Staff informed the OPC that ATXI sent a copy of the Worth County tax cards, via email, asserting that this information is what the Company gathered in order to properly notify affected landowners. The document, that the Company presumably gave Staff to show the landowners’ mailing addresses that it needed for notice purposes, also provided the dates that ATXI received the records. According to this document, ATXI did actually get access to the records of the landowners it sought to notify in May.

40. On February 19 and 20, 2025, the OPC emailed the county assessors of DeKalb County, Gentry County, Worth County, and Marion County introducing this office, informing the assessors of this case, providing a link to the EFIS docket sheet, and asking a series of questions.<sup>38</sup>

41. On February 20, 2025, the Gentry County Assessor responded to the OPC’s email, answering a series of questions.<sup>39</sup>

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<sup>35</sup> See 20 CSR 4240-20.045(6)(K)(1).

<sup>36</sup> *Worth County Assessor Email Requesting Hearing*, EA-2024-0302 (Feb. 6, 2025) Attachment 5.

<sup>37</sup> *Contract Land Staff, LLC’s email with Worth County Assessor*, EA-2024-0302 (Feb. 27, 2023) Attachment 6.

<sup>38</sup> *OPC Email to County Assessors*, EA-2024-0302 (Feb. 19, 2025) Attachment 7.

<sup>39</sup> *Gentry County Assessor Email Response to OPC*, EA-2024-0302 (Feb. 20, 2025) Attachment 8.

42. The Worth County Assessor responded to the OPC's email, and answered my series of questions on February 21, 2025.

43. On February 24, 2025, the OPC requested the Gentry and Worth County Assessor records for Routes DO 27 and DO 28. Both assessors provided the requested property parcel records on February 27, 2025.

44. On February 27, 2025, Staff provided ATXI's explanation for how it obtained the names and addresses of the affected landowners in Worth County that it had to notify. Allegedly, the Company obtained the affected landowners' addresses via a free website that provides the tax records of the property owners of given parcels. This website is run by the Worth County Collector's office, rather than the Assessor's office, but the information should have been up to date.

45. On March 4, 2024, the OPC did specifically ask the Worth County Assessor if it would be possible for ATXI to get the same information that the Assessor provides by going to a particular website. In response, the Assessor stated that "[t]he information is out there" but that the Assessor "[does] not, as of October 2024, give those sites out[.]"<sup>40</sup>

46. On March 3 and 4, 2025, the OPC compared the Worth and Gentry County assessor records to the various methods of notification that ATXI filed on EFIS. The OPC cross referenced the Company's notification lists

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<sup>40</sup> *Worth County Assessor Email Response to OPC*, EA-2024-0302 (Mar. 4, 2025) Attachment 9.

and discovered six (6) individuals who were either not found in the Company's notification lists, or had addresses that differed from the ATXI's mailing lists.

47. After performing the Worth County cross check on March 3, 2025, the OPC contacted that Assessor to verify the names that were missing from the various ATXI notification filings, along with the addresses that differed between the records and the filings. Two (2) days later, this assessor confirmed that the names and addresses that the OPC sent for verification were correct.

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48. The OPC contacted the Gentry County Assessor with a list of names that she had provided, but were missing from ATXI's notification filings, along with individuals whose addresses differed. This assessor responded the next day informing the OPC of several pieces of information, including:

- a) Whether the referred-to parcels have a house on them;
- b) Whether there were addresses that the assessor knew about other than the ones she originally provided; and
- c) If the Company's records differed from the assessor's, the reasons why.<sup>42</sup>

49. In the Gentry County Assessor's email, that assessor verified that the missing landowners the OPC asked about were, in fact, relevant to either Route DO 27 or Route DO 28. However, one (1) of the missing names was not

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<sup>41</sup> *Worth County Assessor Email Response to OPC*, EA-2024-0302 (Mar. 5, 2025) Attachment 10.

<sup>42</sup> *Gentry County Assessor Email Response to OPC*, EA-2024-0302 (Mar. 5, 2025) Attachment 11.

actually relevant to this case and was included in the assessor's records by mistake. Further, there were four (4) parcels that had a different address in the assessor's records than in ATXI's filings. For all of these parcels, the assessor found that those landowners had filed for an address change sometime between 2018 and 2023 or 2024. The address that ATXI provided in its notice filings was the original address on the deeds to those parcels.

50. The OPC recognizes that there may be more affected landowners that ATXI did not notify, since neither the DeKalb County nor the Marion County responded to the OPC's original email. Further, the only parcels that the Gentry and Worth County assessors provided, per OPC's request, were the ones that were affected by Routes DO 27 and DO 28. Therefore, the OPC did not receive the assessors' records of the names or mailing addresses of landowners whose parcels were affected by both routes.

51. When viewing customer comments that were added to EFIS after the Recommendation was filed, the OPC found three (3) more landowners who claimed that they did not receive a sixty (60) day notice.<sup>43</sup> The OPC does also recognize that ATXI did respond to one of these landowners with evidence that it did send notice to the landowners' mailing address.<sup>44</sup>

52. In fact, it is quite possible that additional landowners were missed due to County Assessors that did not respond to the OPC's original email. Moreover, the OPC's attempt to limit the properties that the Assessors

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<sup>43</sup> *Customer Comments P202501695, P202501702, & P202501717*, EA-2024-0302, Attachment 12.

<sup>44</sup> *ATXI Email Response to Customer*, EA-2024-0302 (Feb 6, 2025) Attachment 13.

could provide records of the landowners affected by Route DO 27 or Route DO 28 means that additional landowners that would be affected by both routes were not considered. Therefore, the OPC cannot support Staff's finding that ATXI did not violate 20 CSR 4240-20.045(6)(K)(1).

### ***Conclusion and OPC Request***

53. The OPC recognizes that the Company, who worked on routing for its MISO RFP application for several months, appears to have spent a significant amount of time and effort researching Route DO 27. However, ATXI chose Route DO 28 about one and a half (1 ½) months after they held the open houses.

54. While ATXI has claimed otherwise, evidence suggests that the Company implied that it would choose route DO 27 at the time of the Open Houses. Despite this implication, the Company applied for this CCN with a differing route, arguably violating 20 CSR 4240-20.045(6)(K)(3)(A).

55. At the point that the OPC was originally ordered to respond to the Recommendation, records show that at least seventeen (17) landowners do not appear to have received proper notice about ATXI's application for the Commission to approve its CCN request regarding Transmission Line FDIM. Therefore, ATXI's Application arguably violates 20 CSR 4240-20.045(6)(K)(1).

56. The OPC agrees with Renew Missouri and Clean Grid Alliance's interest in avoiding further delay in the development of FDIM.<sup>45</sup> The grid does

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<sup>45</sup> *Response to Staff's Recommendation and to OPC's Request for Extension of Time*, p. 2, EA-2024-0302, EFIS Item No. 63.

need to add transmission and alleviate congestion. However, the OPC believes that ATXI's failure to properly inform the public will lead to landowner lawsuits, which will lead to more delays. In addition, the OPC believes ATXI following Commission-prescribed processes is essential to ensuring that affected landowners receive proper due process.

57. Therefore, the OPC requests that the Commission require the Company to provide landowners their due process rights and refile this case. Further, the OPC requests that the Commission order require ATXI to hold additional open houses in the affected counties with proper notice, more specific information, and proper consideration of landowner concerns.

58. In the alternative, the OPC requests a hearing on this matter.

WHEREFORE, the Office of the Public Counsel respectfully requests that the Commission order the Company to refile this case, with conditions. If, however, the Commission finds this request too cumbersome, the OPC requests a hearing on this matter.

Respectfully submitted,

**/s/ Anna Kathryn Martin**

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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to all counsel of record this 7th day of March 2025.

**/s/ Anna Kathryn Martin**