| | Prehearing Conference Vol IV | April 09, 2025 |
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| 1 | BEFORE THE PUBLIC SERVICE COMMISSION STATE OF MISSOURI | Page 1 |
| 2 | STATE OF MISSOURI | |
| 3 | TRANSCRIPT OF PROCEEDINGS PREHEARING CONFERENCE | |
| 4 | PRENEARING CONFERENCE | |
| 5 | | |
| 6 | In the Matter of the Application) of Union Electric Company d/b/a) | |
| 7 | Ameren Missouri for a) Certificate of Convenience and)File No. EA-2024 | -0302 |
| 8 | Necessity Under Section) 393.170.1, RSMo. Relating to) | |
| 9 | Transmission in Northwest and) Northeast Missouri) | |
| 10 | | |
| 11 | | |
| 12 | WEDNESDAY, APRIL 9, 2025 | |
| 13 | 1:00 p.m. | |
| 14 | Jefferson City, MO via WebEx | |
| 15 | VOLUME 4 | |
| 16 | | |
| 17 | | |
| 18 | | |
| 19 | RILEY FEWELL, Presidi REGULATORY LAW JUDGE | ng |
| 20 | | |
| 21 | | |
| 22 | | |
| 23 | TRANSCRIBED BY: | |
| 24 | MELISSA EICKEN | |
| 25 | | |

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| 1 | Page 2 LAW JUDGE FEWELL: Today is April 9th. It |
| 2 | is approximately 1:05 p.m. This Commission has set |
| 3 | this time for prehearing conference in the case |
| 4 | captioned as in the matter of the application of |
| 5 | Ameren Transmission Company of Illinois for a |
| б | certificate of convenience and necessity under Section |
| 7 | 393170.1 RSMo. relating to transmission investments in |
| 8 | northwest and northeast Missouri, and that's File |
| 9 | Number EA-2024-0302. |
| 10 | My name is Riley Fewell. I'm the |
| 11 | regulatory law judge in this matter. There's not a |
| 12 | court reporter with us this afternoon, but the |
| 13 | conference will be recorded to be later transcribed. |
| 14 | We can get started with the attorneys |
| 15 | making their entries of appearance, beginning with |
| 16 | ATXI. |
| 17 | MR. FOSCO: Thank you, Your Honor. Carmen |
| 18 | Fosco with the law firm of Whitt Sturtevant, LLP, 180 |
| 19 | North LaSalle Street, Suite 2020, Chicago, Illinois |
| 20 | 60601 appearing on behalf of Ameren Transmission |
| 21 | Company of Illinois. Also appearing on behalf of |
| 22 | Ameren Transmission Company of Illinois is Jason |
| 23 | Kumar, K-U-M-A-R, with Ameren Service Company, 1901 |
| 24 | Chouteau Avenue, P.O. Box 66149, St. Louis, Missouri |
| 25 | 63166. |
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| 1 | Page3 LAW JUDGE FEWELL: Thank you, counsel. For |
| 2 | the Commission staff. |
| 3 | MR. VANDERGRIFF: Good morning, Your Honor. |
| 4 | Eric Vandergriff here. Our address is P.O. Box 200 |
| 5 | Madison Street, P.O. Box 360, Jefferson City, Missouri |
| 6 | 65102. Appearing with us is also Travis Pringle. |
| 7 | LAW JUDGE FEWELL: Thank you. And the |
| 8 | Office of the Public Counsel. |
| 9 | MS. MARTIN: Thank you, Your Honor. This |
| 10 | is Anna Martin. I'm an associate attorney with the |
| 11 | Office of the Public Counsel. Our address sorry, I |
| 12 | believe it's already on file. |
| 13 | LAW JUDGE FEWELL: Thank you. Clean Grid |
| 14 | Alliance. |
| 15 | MS. WILLIS: Sorry, Your Honor. It's |
| 16 | taking my video a minute. This is Judith Anne Willis |
| 17 | from the Law Office of Judith Anne Willis, P.O. |
| 18 | Box 106088, Jefferson City, Missouri, 65110. |
| 19 | LAW JUDGE FEWELL: Thank you. |
| 20 | MS. WHEELER: And this is Elizabeth |
| 21 | Wheeler, I apologize. It appears my camera is not |
| 22 | working. I am in-house counsel at Clean Grid |
| 23 | Alliance, and our address is 570 Asbury Street, |
| 24 | Suite 201, Saint Paul, Minnesota 55104. |
| 25 | LAW JUDGE FEWELL: Thank you. For |
| | |



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| 1 | Page 4 Midcontinent Independent System Operator, |
| 2 | Incorporated. |
| 3 | MR. MEYER: This is Max Meyer appearing on |
| 4 | behalf of MISO. My address is 2985 Ames Crossing |
| 5 | Road, Eagan, Minnesota 55121. I'm joined by my |
| 6 | co-counsel, Jeffrey Small whose address is 720 City |
| 7 | Center Drive, Carmel, Indiana 46032. And we're also |
| 8 | joined by our local counsel, who I'll let introduce |
| 9 | himself. |
| 10 | MR. STEINMEIER: Thank you, Your Honor. |
| 11 | This is William Steinmeier from William D. Steinmeier, |
| 12 | PC, 2031 Tower Drive in Jefferson City, 65109, also |
| 13 | appearing on behalf of MISO. |
| 14 | LAW JUDGE FEWELL: Thank you. Missouri |
| 15 | Joint Electric Utility Commission. |
| 16 | MS. WHIPPLE: Good afternoon, Judge Fewell. |
| 17 | This is Peggie Whipple appearing on behalf of MEC, and |
| 18 | also today appearing with me are Doug Healy. |
| 19 | LAW JUDGE FEWELL: Thank you. Renew |
| 20 | Missouri Advocates. |
| 21 | MS. MERS: Yes. This is Nicole Mers, |
| 22 | general counsel for New Missouri. Our address is 501 |
| 23 | Fay Street, Suite 206, Columbia, Missouri 65201. |
| 24 | Thank you. |
| 25 | LAW JUDGE FEWELL: Thank you. And Sierra |
| | |



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| 1 | Page 5 |
| 2 | MS. RUBENSTEIN: Good afternoon. Sarah |
| 3 | Rubenstein on behalf of Sierra Club. I'm with Great |
| 4 | Rivers Environmental Law Center. Our address is 319 |
| 5 | North 4th Street, Suite 100, St. Louis, Missouri |
| б | 63102. |
| 7 | LAW JUDGE FEWELL: Thank you, counsel. So |
| 8 | this procedural conference or prehearing conference |
| 9 | was called to address how we'll proceed in this matter |
| 10 | and whether the parties desire a hearing. There was a |
| 11 | hearing requested by the Office of Public Counsel a |
| 12 | couple of I guess, a month ago. Since then, I've |
| 13 | re-opened the intervention deadline, and I know that |
| 14 | there were concerns about due process and notice given |
| 15 | to landowners that OPC had addressed, and I believe |
| 16 | ATXI has since given notice to anyone that they |
| 17 | believed had not received it at that time; is that |
| 18 | correct? |
| 19 | MR. FOSCO: That is correct, Your Honor. |
| 20 | That additional notice was sent. We don't know that |
| 21 | all of them didn't get notice, but we we did send |
| 22 | two two additional landowners who our research |
| 23 | revealed did not receive notice and four others who |
| 24 | did notice was sent, but there was either some |
| 25 | minor or, you know, other address revision, but it was |

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| 1 | Page 6 sent additional notice was sent to all six of those |
| 2 | landowners. |
| 3 | LAW JUDGE FEWELL: Okay. And Ms. Martin, |
| 4 | does that satisfy the due process concerns that you |
| 5 | had? |
| б | MS. MARTIN: So I don't I'm not exactly |
| 7 | sure. I as I said in my filing, I wasn't able to |
| 8 | get into contact with all of the assessors, and even |
| 9 | with the two that I did contact, I didn't necessarily |
| 10 | look at the entire part of the line that was in their |
| 11 | county. I just looked at DO-27 versus DO-28. So |
| 12 | while I I don't want to say they you know, other |
| 13 | people missed it or anything like that. I just I |
| 14 | cannot confirm whether everybody has gotten notice or |
| 15 | not. |
| 16 | And I think I spoke to Mr. Fosco about that |
| 17 | a little bit after we had done our filing, that I |
| 18 | wasn't sure because I didn't receive all of the |
| 19 | parcels that the assessors told me or that the |
| 20 | assessors have for their entire line. I have also |
| 21 | at least for the people that I have seen, either |
| 22 | comment or have contacted me personally, I have sent |
| 23 | out notice about this new intervention deadline, and I |
| 24 | also sent one to the four assessors for the four |
| 25 | counties. So hopefully landowners will get it one way |
| | |

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| 1 | Page7 or the other. |
| 2 | LAW JUDGE FEWELL: Sure. And I hate to |
| 3 | keep you on the spot, but with that, I guess, do any |
| 4 | of the parties and I'm going to ultimately give a |
| 5 | deadline that's that's after the intervention |
| б | deadline, even the response time for interventions. |
| 7 | Do any of the parties have any concerns with the |
| 8 | revised conditions that have been filed when that |
| 9 | would the status report was filed? It looked like |
| 10 | many of the parties had not agreed to them, but they |
| 11 | had not objected, and I don't know that OPC has given |
| 12 | a response to that. |
| 13 | MS. MARTIN: Are you talking just to me? |
| 14 | LAW JUDGE FEWELL: Specifically to you, |
| 15 | Ms. Martin, but but really, if any of the parties |
| 16 | have any concerns currently, otherwise, I will |
| 17 | ultimately give a deadline, and I'll order that this |
| 18 | afternoon. |
| 19 | MS. MARTIN: Gotcha. So what I do know |
| 20 | is I mean, a lot of our concern is about the I |
| 21 | did focus on notice for my for my filing. It was |
| 22 | also kind of a sub sub-concern which was, you know, |
| 23 | handling of landowners, is this the best best path, |
| 24 | have they done the work that they need to do to ensure |
| 25 | that this is the best path, especially given that |



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| 1 | Page 8 there were landowners that we didn't even know about. |
| 2 | So I think that a lot of my concern can be |
| 3 | kind of condensed down into I mean, of course, |
| 4 | landowner of notice and things like that, but it can |
| 5 | kind of be condensed down into, like, man over |
| 6 | interaction, I guess, so. Making sure that the siting |
| 7 | is the best and not just from the topographical maps |
| 8 | that ATXI has reviewed, but it with consideration |
| 9 | of the actual public that it's being affected. |
| 10 | One thing that I didn't really mention in |
| 11 | my filing, but something that was in the back of my |
| 12 | head as I was writing it was, I was thinking about |
| 13 | everything that's going on with Grain Belt, which I do |
| 14 | know is a different situation, but I also don't want |
| 15 | this line to end up taking years and years and years |
| 16 | to get started because of suits and things like that, |
| 17 | but that's something else I'm trying to help kind of |
| 18 | avoid before it starts because I and I talked to |
| 19 | other the other parties about how I am very |
| 20 | interested, and I am very aware that we do need this |
| 21 | line, and a lot of the landowners that I've spoken to |
| 22 | also agree that we need this line, so. It that's |
| 23 | more of the routing and where it's going and the |
| 24 | research and all of that is another concern that I |
| 25 | have heard from landowners and that I have kind of |
| | |



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| 1 | Page9 felt for a while when looking at how this case was |
| 2 | handled |
| 3 | LAW JUDGE FEWELL: Okay. |
| 4 | MS. MARTIN: though, I |
| 5 | LAW JUDGE FEWELL: So go ahead. Sorry. |
| 6 | MS. MARTIN: Though, you know, if it comes |
| 7 | down to it, my big well, I would like us to work on |
| 8 | maybe some other conditions from the OPC's point of |
| 9 | view before going forward in terms of I I don't |
| 10 | necessarily want my concerns to also prevent the line. |
| 11 | I don't I think that, that is not helpful for |
| 12 | anybody, so. I do want to that's the balancing act |
| 13 | that I have been struggling with since I came on the |
| 14 | case. I've been thinking about this stuff. Maybe |
| 15 | more than is good for my mental health, so. |
| 16 | I think that we I'm I'm I like |
| 17 | what staff has. I think that possibly there are a few |
| 18 | other things that the OPC would want to add more in |
| 19 | line with taking landowner consideration into account |
| 20 | and just moving forward what we could do. |
| 21 | LAW JUDGE FEWELL: Would you all I |
| 22 | guess, with that, Ms. Martin, it doesn't sound like |
| 23 | you're necessarily if with kind of still |
| 24 | umbrella view, rather, and kind of with that |
| 25 | intervention pending, it doesn't sound like you're |
| | |

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| 1 | Page 10 necessarily still seeking to hearing at this |
| 2 | particular time, depending on intervention responses |
| 3 | and things and who may apply to intervene or |
| 4 | MS. MARTIN: Yeah. I I think and |
| 5 | intervening as well as, you know, negotiating with |
| 6 | ATXI about some conditions that I think we would |
| 7 | LAW JUDGE FEWELL: Sure. |
| 8 | MS. MARTIN: to put on there. I do know |
| 9 | that I have spoken to at least one landowner or one |
| 10 | counsel for and landowner. I can think of actually |
| 11 | a few off the top of my head. I'm thinking of one |
| 12 | because I talked to them today that is thinking about |
| 13 | seeking to intervene, so. That is something else that |
| 14 | I appreciate you acknowledging that landowner |
| 15 | intervention is is a highly (inaudible). |
| 16 | LAW JUDGE FEWELL: Sure. Would the parties |
| 17 | be opposed to having settlement conference or another |
| 18 | status report due sometime in early May to kind of |
| 19 | circle back on this whether there are intervenors or |
| 20 | not and see if you all can come to an agreement on any |
| 21 | additional conditions that OPC may have or other |
| 22 | parties may have? Is there any objection to that? |
| 23 | MR. FOSCO: Your Honor, I may need to |
| 24 | confer with my co-counsel, but you know, the last |
| 25 | as of the date we filed the joint status report, it |
| | |



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| 1 | Page 11 was for everyone but OPC. I don't know that any of |
| 2 | the other parties have change we have not been |
| 3 | advised of any change in position in anyone that |
| 4 | has can speak up today, but you know, we understand |
| 5 | that's agreed. We certainly agree with OPC that this |
| б | line is necessary and and it needs to move forward. |
| 7 | You know, this case is nine months old. We've |
| 8 | accommodated all of staff's requests for time and for |
| 9 | local public hearings, and and we are getting to |
| 10 | the point where the schedule for this project can |
| 11 | start to run into issues. There's only a certain time |
| 12 | of year that the company can clear, you know, |
| 13 | vegetation, you know, due to protected habitat, and we |
| 14 | don't want to have any unnecessary delay. |
| 15 | This the you know, we've spoken with |
| 16 | OPC before, but they have not proposed any conditions. |
| 17 | You know, we note that staff's conditions that the |
| 18 | company agreed to, you know, provide a mechanism to |
| 19 | accommodate, you know, micrositing if parties agree, |
| 20 | so that's already there. I'm not sure what else OPC |
| 21 | has in mind, but if we could discuss that, I |
| 22 | Mr. Kumar, I don't know if you you know, you want |
| 23 | to add. I think we're you know, we certainly would |
| 24 | like to get a you know, an agreed resolution of |
| 25 | this case and move forward, so we can move forward |
| | |



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| 1 | Page 12 with the project, but but at the same time, Your |
| 2 | Honor, we do, you know, if OPC wants to file testimony |
| 3 | eventually, we don't want that delayed anymore. I |
| 4 | mean, it's nine months into the case, and if that's |
| 5 | their intent, you know, we'd rather get a schedule |
| б | set. I don't it doesn't sound like that is, but |
| 7 | I you know, that's that's why we're here today |
| 8 | is kind of figure out how to proceed forward. |
| 9 | LAW JUDGE FEWELL: Sure. How about I set |
| 10 | a my thought was to set it for May 2 and have any |
| 11 | parties that have any so OPC, if you have any |
| 12 | additional conditions you'd like to propose or or |
| 13 | again, a questions or what-have-you, any kind of |
| 14 | response to the revised conditions, would that be a |
| 15 | good deadline for everyone that would be passed if |
| 16 | someone were to intervene on the 18th, response time |
| 17 | would be around the 28th, that way we're not pushing |
| 18 | this out to your point, Mr. Fosco, too far, but. |
| 19 | Gives everyone time to articulate their positions. |
| 20 | MS. MARTIN: I will say from the OPC's |
| 21 | point of view, I think that, that I I do know |
| 22 | that we have someone who has discussed the possibility |
| 23 | of preparing testimony in our office, and I do believe |
| 24 | that I I think that May 2nd should be fine. |
| 25 | There are a lot of parts that we have and a lot of |
| | |



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| 1 | Page 13 people we've been talking to. I do kind of I would |
| 2 | like to gently push back on the idea that landowner |
| 3 | concern is an unnecessary unnecessary delay. I |
| 4 | think that addressing those concerns now will actually |
| 5 | prevent delays in the future, so. I did just want to |
| 6 | make that comment as well. |
| 7 | LAW JUDGE FEWELL: Okay. Well, I |
| 8 | appreciate everyone coming, and I I that was my |
| 9 | plan from the start. I'm glad that that sounds |
| 10 | like it's a good position forward, and again, if |
| 11 | and I know Mr. Fosco said he didn't believe that the |
| 12 | parties had changed positions, but if that does happen |
| 13 | in any sort of way, giving until May 2nd to kind of |
| 14 | figure out where we'll be going from there, but I'll |
| 15 | issue that order this afternoon, and hopefully, the |
| 16 | concerns that anyone has can be resolved and prevent |
| 17 | any other delays that can work out, otherwise. |
| 18 | Thank you, guys, again for showing up |
| 19 | today, and I hope you guys have a good afternoon. We |
| 20 | can adjourn this conference. |
| 21 | MR. FOSCO: Thank you, Your |
| 22 | (Audio ended.) |
| 23 | |
| 24 | |
| 25 | |
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| 1 | Page 14 CERTIFICATE OF REPORTER |
| 2 | |
| 3 | I, Melissa J. Eicken, Certified Court |
| 4 | Reporter of Missouri, Certified Shorthand Reporter of |
| 5 | Illinois and Registered Professional Reporter, do |
| 6 | hereby certify that I was asked to prepare a |
| 7 | transcript of proceedings had in the above-mentioned |
| 8 | case, which proceedings were held with no court |
| 9 | reporter present utilizing an open microphone system |
| 10 | of preserving the record. |
| 11 | I further certify that the foregoing pages |
| 12 | constitute a true and accurate reproduction of the |
| 13 | proceedings as transcribed by me to the best of my |
| 14 | ability and may include inaudible sections or |
| 15 | misidentified speakers of said open microphone |
| 16 | recording. |
| 17 | Melisse Eicken, |
| 18 | |
| 19 | Melissa J. Eicken, CCR, CSR, RPR |
| 20 | |
| 21 | |
| 22 | |
| 23 | |
| 24 | Date: |
| 25 | |
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