

**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 Convenience and Necessity	)	
under Section 393.170.1, RSMo, Relating	)	File No. EA-2024-0302
to Transmission Investments in Northwest	)	
and Northeast Missouri	)	

**AMEREN TRANSMISSION COMPANY OF ILLINOIS' OBJECTIONS TO
LATE-FILED EXHIBITS AND RESPONSE TO MR. MARK HARDING'S
MOTION FOR ADMISSION OF PRE-FILED EXHIBITS INTO THE RECORD**

COMES NOW Ameren Transmission Company of Illinois (ATXI or the Company), through its undersigned counsel, and for its Objections to Late Filed Exhibits and response to Mr. Mark Harding's Motion for Admission of Pre-Filed Exhibits into the Record, states as follows:

1. At the evidentiary hearing held October 27, 2025, the Regulatory Law Judge (RLJ) sustained objections to certain exhibits moved for admission into the record on the grounds that they contained notes or interlineations which were not contained in the original versions of those documents, but granted leave to submit late filed exhibits not containing the added notes and interlineations. There were also certain exhibits admitted into the evidentiary record subject to filing such exhibits on EFIS. At the conclusion of the evidentiary hearing the RLJ ordered that late filed exhibits were to be filed by October 31, 2025, with objections to be filed by November 5, 2025.

2. Late filed exhibits were filed on EFIS by McGinley-Krawczyk Farms, LLC on October 28, 2025 (EFIS Items 204 and 205) and by Mark Harding (Mr. Harding) on October 29, 2025 (EFIS Item 207). In addition, Mr. Harding filed a document titled "Motion for Admittance of Pre-Filed Exhibits into the Record" (Motion) on October 30, 2025 (EFIS Item 208), along with attached exhibits.

3. ATXI does not object to admission of the late-filed exhibits submitted by McGinley-Krawczyk Farms, LLC on October 28, 2025 (EFIS Items 204 and 205). As discussed below, other than an objection to the public version of Exhibit 825 (filed on EFIS as a confidential document) due to certain CONFIDENTIAL information not being redacted in the PUBLIC version, ATXI does not object to admission of the late-filed exhibits submitted by Mr. Harding on October 29, 2025 (EFIS Item 207). As discussed in more detail below, ATXI objects to the admission of certain exhibits submitted for admission per the Motion (filed under EFIS Item 208) for several reasons, including that certain exhibits were not used to cross-examine a witness at the evidentiary hearing or introduced and/or moved for admission at the evidentiary hearing.

4. ATXI objects to admission of the following late-filed exhibit filed by Mark Harding on October 29, 2025 (EFIS Item 207):

a. Exhibit 825 (EFIS Item 207) (PUBLIC version). Mr. Harding filed Confidential and Public versions of data request Harding 18 and ATXI's response to data request Harding 18 as PUBLIC and CONFIDENTIAL versions of Exhibit 825. The data request question refers to a landowner other than Mr. Harding and reflects information regarding communications with that landowner. ATXI submits that no information regarding the communications with that landowner, including the landowner's name and the substance of any communication with that landowner, should be treated as public information because it is information specific to that landowner. Therefore, ATXI objects to the PUBLIC version of Exhibit 825.

5. ATXI also objects to the Motion and its new post-hearing request for admission of the following exhibits:

a. Exhibit 811C (EFIS Item 208). Exhibit 811C, which ATXI understands is CONFIDENTIAL, was withdrawn by Mr. Harding at the evidentiary hearing because the

same images were contained in his prefiled surrebuttal testimony. ATXI also notes that Exhibit 811 is the exhibit number for Mr. Harding's surrebuttal testimony (as identified in his exhibit list, filed October 24, 2025). Further, the exhibit relates to a landowner other than Mr. Harding. Mr. Harding is not an attorney who can represent other parties and that landowner has not intervened in this proceeding. Moreover, the exhibit relates to a matter which is beyond the scope of the grant of intervention to Mr. James Harding which was limited per the *Order Regarding Applications To Intervene and Directing Filing Of Procedural Schedule* issued May 7, 2025, to "the issue of routing concerns affecting [his] property." Admission of Exhibit 811C should be denied for the reasons stated above.

b. Exhibit 814 (EFIS Item 208). Exhibit 814 is a copy of ATXI's Response to Staff Data Request MPSC 0022.0. ATXI notes reflect that this exhibit was already admitted at the evidentiary hearing and does not understand why it was refiled. Accordingly, ATXI objects to admission of this duplicative exhibit.

c. Exhibit 815 (EFIS Item 208). Exhibit 815 is a copy of ATXI's Response to Staff Data Request MPSC 0052.0. With respect to Exhibit 815, the Motion is an attempt to supplement Mr. Harding's prefiled testimony contrary to 20 CSR 4240-2.130 (10), which provides as follows: "No party shall be permitted to supplement prefiled prepared direct, rebuttal, or surrebuttal testimony unless ordered by the presiding officer or the commission." The exhibit presents data that was available at the time Mr. Harding prefiled surrebuttal testimony and Mr. Harding has offered no reason for this late submission of information. To the best of ATXI's knowledge, Exhibit 815 was not introduced or moved for admission at the evidentiary hearing, and it would be prejudicial to ATXI to admit it at this time. Further, the exhibit relates to a matter which is beyond the scope of the grant of intervention to Mr. James Harding which was limited per the *Order Regarding*

Applications To Intervene and Directing Filing Of Procedural Schedule issued May 7, 2025, to “the issue of routing concerns affecting [his] property.”]. Admission of Exhibit 815 should be denied for the reasons stated above.

d. Exhibit 819 (EFIS Item 208). Exhibit 819 is a copy of ATXI’s Response to Data Request Harding 4. The Motion is an attempt to supplement Mr. Harding’s prefiled testimony contrary to 20 CSR 4240-2.130 (10), which provides as follows: “No party shall be permitted to supplement prefiled prepared direct, rebuttal, or surrebuttal testimony unless ordered by the presiding officer or the commission.” The exhibit presents data that was available at the time Mr. Harding prefiled his testimony, and Mr. Harding has offered no reason for this late submission. Exhibit 819 was not introduced or moved for admission at the evidentiary hearing, and it would be prejudicial to ATXI to admit it at this time. Further, the exhibit relates to a matter which is beyond the scope of the grant of intervention to Mr. James Harding which was limited per the *Order Regarding Applications To Intervene and Directing Filing Of Procedural Schedule* issued May 7, 2025, to “the issue of routing concerns affecting [his] property.” Admission of Exhibit 819 should be denied for the reasons stated above.

e. Exhibit 821 CONFIDENTIAL (EFIS Item 208). Exhibit 821 CONFIDENTIAL is a copy of ATXI’s Response to Data Request Harding 13a. The RLJ sustained ATXI’s objection to this exhibit as beyond the scope of Mr. Harding’s intervention. Admission of Exhibit 821 CONFIDENTIAL should be denied for the reasons stated above.

f. Exhibits 10825, 10826, and 10827 (EFIS Item 208). Exhibits 10825, 10826, and 10827 are, respectively, copies of ATXI’s Responses to Data Request Nos. Harding 4A, 4B, and 4C. For these exhibits the Motion is an attempt to supplement Mr. Harding’s

prefiled testimony contrary to 20 CSR 4240-2.130 (10), which provides as follows: “No party shall be permitted to supplement prefiled prepared direct, rebuttal, or surrebuttal testimony unless ordered by the presiding officer or the commission.” The exhibits present data that was available at the time Mr. Harding prefiled direct and surrebuttal testimony, and Mr. Harding has offered no reason for this late submission. The exhibits were not introduced or moved for admission at the evidentiary hearing, and it would be prejudicial to ATXI to admit it at this time. Further, the exhibit relates to a matter which is beyond the scope of the grant of intervention to Mr. James Harding which was limited per the *Order Regarding Applications To Intervene and Directing Filing Of Procedural Schedule* issued May 7, 2025, to “the issue of routing concerns affecting [his] property.” Mr. Harding acknowledges in his testimony that he received notice of ATXI’s application. Exhibit 806, 3:16-18. ATXI also objects to admission of these exhibits on the grounds that the underlying data requests are vague, ambiguous, and confusing, assume facts not in evidence, mischaracterize testimony, schedules, or data request responses, state, imply, or suggests legal requirements related to notice which are incorrect, or contain statements and references which are not the subject of any question(s) in the data requests. Admission of Exhibits 10825, 10826, and 10827 should be denied for the reasons stated above.

WHEREFORE, ATXI respectfully requests the RLJ disallow admission of the exhibits to which ATXI objected for the reasons stated above.

Dated: November 5, 2025

Respectfully submitted,

/s/ Carmen L. Fosco

Albert D. Sturtevant (practicing *pro hac vice*)

Carmen L. Fosco (practicing *pro hac vice*)

WHITT STURTEVANT LLP

180 North LaSalle Street, Suite 2020

Chicago, Illinois 60601

Telephone: (312) 680-9238

sturtevant@whitt-sturtevant.com

fosco@whitt-sturtevant.com

Eric Dearmont (Mo. Bar #60892)

Jason Kumar (Mo. Bar #64969)

Ameren Service Company

1901 Chouteau Avenue

Post Office Box 66149 (MC 1310)

St. Louis, Missouri 63166-6149

Telephone: (314) 861-4869

edearmont@ameren.com

jkumar@ameren.com

***Attorneys for Ameren Transmission
Company of Illinois***

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was mailed, hand-delivered, or transmitted by facsimile or electronic mail to counsel of record and parties appearing *pro se* as reflected on the certified service list maintained by the Commission in its Electronic Filing Information System on November 5, 2025.

/s/. Carmen L. Fosco

Carmen L. Fosco