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 and Approval to Transfer an Interest in Transmission Assets Under 393.190.1, RSMo relating to Transmission Investments in Northwest and Northeast Missouri.	)))))))))	File No. EA-2024-0302

AMEREN TRANSMISSION COMPANY OF ILLINOIS'
INITIAL BRIEF

Dated: November 18, 2025

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I. Introduction

This case concerns the construction of approximately 53 miles of new transmission line in Missouri through two Midcontinent Independent System Operator, Inc. (MISO)-approved projects, the Fairport-Denny-Iowa/Missouri border (FDIM) Project, and the Maywood-Mississippi River Crossing (MMRX) Project (collectively, the Projects or the Phase 1 Projects). These Projects encompass Phase 1 of the Northern Missouri Grid Transformation Program (the Program), which aims to increase transmission capacity in the state and will have numerous benefits for Missouri customers.

Ameren Transmission Company of Illinois (ATXI) seeks a certificate of convenience and necessity (CCN) to construct, operate, and maintain the Projects pursuant to Section 393.170.1, RSMo, 20 CSR 4240-2.060, and 20 CSR 4240-20.045. ATXI also seeks permission and authority pursuant to Section 393.190.1, RSMo, 20 CSR 4240-2.060, and 20 CSR 4240-10.105 to transfer an undivided 49% interest in the transmission facilities for the FDIM Project, excluding the land for the Denny Substation, to the Missouri Joint Municipal Electric Utility Commission (MJMEUC)[1] shortly before the FDIM Project is placed into service. ATXI has demonstrated that it satisfies the standard in Missouri for approval of these new transmission projects, and no party contends otherwise. The record in this proceeding establishes that the Projects are needed, that ATXI is qualified to provide the service it is requesting to provide, that ATXI has the necessary financial ability, that the Projects are economically feasible, and that they are in the public interest. *See In Re Tartan Energy Co., L.C.*, No. GA-94-127, 1994 WL 762882 (Sept. 16, 1994).

[1] As ATXI's partner in this important project, MEC encourages the Commission to grant the requested CCN and other relief requested in ATXI's Application on the basis of the direct testimony of ATXI, MEC and Staff's Recommendation with the Revised Conditions agreed upon by ATXI and Staff.

The only issue that is contested in this proceeding is the routing of the transmission line for the FDIM Project as it relates to three landowner intervenors. Each landowner takes issue with some aspect of the routing and how it will affect his or her property. As a result, these landowners have proposed several route alternatives. As ATXI explains in detail in the sections that follow, these route alternatives are less desirable than the route that ATXI proposed (the Proposed Route) for reasons including cost and complexity of construction and proximity to residences and other structures, some of which would involve new landowners who did not receive notice of ATXI's application in this proceeding. Accordingly, ATXI asks that the Commission approve its Proposed Route rather than the landowner alternatives.

Additionally, while several landowner intervenors attempt to raise issues related to notices issued regarding the FDIM Project and the filing of ATXI's Application in this proceeding, these assertions lack merit, exceed the scope of the landowner intervenors' intervention, and do not warrant denial of the requested CCN or any other relief. As an initial matter, intervention in this case was limited to routing issues related to the landowners' specific property. No landowner intervenor claims that he or she did not receive the notices required by Missouri law. ATXI's testimony in this proceeding establishes that it followed and/or exceeded the requirements for notices of its open house county meetings and application. Ex. 001 (Dettmers Dir.) at 4:14-5:6, 6:2-8:10, 10:2-12:7, 13:15-18:10, 19:2-20:19; Ex. 002 (Public Engagement Summary); Ex. 003 (Form of Application Notice Letter); Ex. 004 (Dettmers Reb.) at 2:12-14:12, 17:16-21:11. Further, while ATXI became aware of several landowners along the Proposed Route who did not or may not have received notice of its Application but were entitled to such notice under the Commission's rules, ATXI followed the process under Missouri law for curing those notice issues and those landowners did ultimately receive legally compliant notice. Therefore, there is nothing left for this Commission to address as far as the notice concerns raised.

The Commission should, accordingly, approve the Phase 1 Projects, including ATXI's Proposed Route. These Projects will bring myriad benefits to the State of Missouri, including helping to ensure continued energy reliability and resiliency for Missouri electricity customers as well as supporting lower energy supply costs and cost savings for Missouri residents.

II. Procedural Background and Case Status

Staff recommended that ATXI's requested CCN be subject to certain conditions that would apply to this case and future cases. Ex. 100 (Staff Recommendation) at 41-43. In a Joint Status Report filed on March 7, 2025 (Joint Status Report), ATXI, Staff, Clean Grid Alliance, MISO, MJMEUC, Renew Missouri Advocates, and Sierra Club stated, *inter alia*, that: (i) "ATXI and Staff have reached agreement on limited revisions to Staff's recommended Conditions" attached as Appendix A to the Joint Status Report; and (ii) all signatories to the Joint Status Report have reviewed the Revised Conditions agreed upon by Staff and ATXI and do not object to the Commission granting the requested CCN and other relief requested in the Application on the basis of the Company's direct testimony and Staff's Recommendation with the Revised Conditions agreed upon by Staff and ATXI." *Id*.

Also on March 7, 2025, the Office of the Public Counsel (OPC) filed its Response to Staff's Recommendation and List of Concerns (OPC's Response) asserting various issues regarding notice to landowners. ATXI filed its Reply to OPC's Response (ATXI's Reply) on March 21, 2025, explaining that many of the alleged notice issues lacked merit but acknowledging that there were three landowners who were not originally sent notice because ATXI was not aware of those parcels (which were created as a result of parcel splits), and four landowners who may not have received the notice sent to them due to the inadvertent use of an old or incorrect address. *See generally* ATXI's Reply. ATXI explained that it had sent or was sending additional notices to those landowners in accordance with 20 CSR 4240-20.045(6)(K)(4), and affidavits were filed on EFIS confirming that additional notices were provided in accordance with the Commission's rule. *Id.*, *see also* Dettmers Affidavit, EFIS #75 (Mar. 27, 2025); Dettmers Affidavit, EFIS #67 (Mar. 3, 2025); Dettmers Affidavit, EFIS #40 (Nov. 8, 2024). On April 4, 2025, the Commission issued its Order Setting Intervention Deadline (April 4 Order), finding that since "some landowners who would be affected by the transmission line in this matter did not receive notice from ATXI until seven months after that intervention deadline had passed," it was "reasonable to re-open the intervention deadline" which was extended until April 18, 2025. April 4 Order at 1-2.[2]

Various applications to intervene were filed in response to the April 4 Order reopening intervention through April 18, 2025, including applications to intervene filed by Mark Harding (Mr. Harding) on April 17, 2025 (EFIS #85), F. Niel Mathews (Mr. Mathews) on April 18, 2025 (EFIS #88), Kevin and Rochelle Hiatt (Mr. and Mrs. Hiatt) on April 18, 2025 (EFIS #86), and McGinley-Krawczyk Farms, LLC (MK Farms) on May 5, 2025 (EFIS #101). The grant of intervention by the Commission to landowner intervenors Mr. Harding, Mr. Mathews, Mr. and Mrs. Hiatt[3], and MK Farms in this proceeding was limited to the issue of routing concerns affecting their properties. *Order Regarding Applications to Intervene and Directing Filing of Procedural Schedule*, EFIS #103 (May 7, 2025); *Order Regarding Applications to Intervene*, EFIS #105

[2] Because the Commission already provided relief for these notice issues by reopening intervention, it is improper for the landowner intervenors to raise those same notice issues.

[3] Mr. and Mrs. Hiatt subsequently withdrew their intervention in this proceeding on October 26, 2025. (EFIS #203).

(May 14, 2025).[4] None of these landowners complain that they did not receive the original open house notice in March 2024 or application notice in July 2024. Still, they did not intervene ahead of the initial intervention deadline, which was August 16, 2024 despite having the opportunity to do so. *Order Directing Notice, Setting Intervention Deadline, and Directing Staff Recommendation*, EFIS #16 (July 18, 2025).

At the procedural conference held on June 9, 2025, it was agreed and determined that the only contested issues in this proceeding would be the routing and siting issues raised by the landowner intervenors. Tr. at 7-14, June 9, 2025 Procedural Conference, EFIS #118 (filed June 17, 2025).

III. Description of ATXI and the Projects

ATXI is dedicated to electric transmission infrastructure investment. ATXI owns and operates approximately 560 miles of high voltage electric transmission lines and related facilities in Illinois and Missouri for the purpose of reliably and economically moving electricity across the grid for public consumption. Ex. 026 (Schukar Dir.) at 1. ATXI is a wholly owned subsidiary of Ameren Corporation. *Id.* It is also a transmission-owning member of the Midcontinent Independent System Operator, Inc. (MISO), a member-based, not-for-profit Regional Transmission Organization that manages the electric transmission grid within a region that includes portions of Missouri. *Id.* As relevant to projects in Missouri, ATXI's transmission business is regulated in a comprehensive and complimentary manner by both the Missouri Public Service Commission (Commission) at the state level and the Federal Energy Regulatory Commission (FERC) at the federal level. *Id.* at 1-2.

[4] The notice issues raised by landowner intervenors which are not specific to them or their property exceed the scope of the grant of intervention to those parties, and as such are not within the authority of the Commission to address.

This proceeding concerns Phase 1 of the Program.[5] ATXI, MJMEUC, and Union Electric Company d/b/a Ameren Missouri (Ameren Missouri) are working together to execute Phase 1 and, in doing so, to build a more reliable and resilient energy grid for Missouri's future. Ex. 026 (Schukar Dir.) at 4. The Northern Missouri Grid Transformation Program is just one part of the first wave, or "Tranche," of MISO's ongoing long term transmission planning effort, which spans multiple states and includes a number of different projects. *Id.* Phase 1 includes approximately 53 miles of new transmission lines across northern Missouri, as well as a new substation and upgrades to an existing substation. *Id.* It includes two projects: the FDIM Project in Worth, Gentry, and DeKalb counties, and the MMRX Project in Marion County. *Id.*

The FDIM Project represents the Missouri portion of one of the Multi-Value Projects approved by MISO as part of its LRTP Tranche 1 Portfolio for inclusion in the 2021 MISO Transmission Expansion Plan and was eligible for MISO's Competitive Developer Selection Process. Ex. 026 (Schukar Dir.) at 4. MISO issued a Request for Proposals for FDIM in December 2022. On October 27, 2023, MISO chose ATXI to be the selected developer for the FDIM Project and recognized MJMEUC as a project partner. *Id.* ATXI partnered with MJMEUC on the FDIM Project and will transfer to MJMEUC a 49% interest in the Project (excluding the land for the Denny Substation) shortly before the project is placed into service. *Id*. at 4-5.

The FDIM Project includes the construction of approximately 44 miles of 345 kV transmission line, in two segments, and a new 345 kV substation named Denny in northwest Missouri, as depicted in the figure below. Ex. 026 (Schukar Dir.) at 5. The first new 345 kV transmission line segment will be approximately 1 mile long and connect Associated Electric

[5] The Commission issued an Order Granting Certificate of Convenience and Necessity for Phase 2 of the Program (the Denny-Zachary-Thomas Hill-Maywood Projects or "DZTM" Projects) on July 16, 2025, in File No. EA-2025-0087.

Cooperative Incorporated's existing Fairport Substation in DeKalb County to ATXI's new Denny Substation approximately one mile away, also in DeKalb County. *Id.* The second new 345 kV transmission line segment will run from the new Denny Substation approximately 43 miles north to the Iowa/Missouri border, where it will interconnect to a 345 kV transmission line that will terminate at MidAmerican Electric Company's existing Orient Substation in Iowa. *Id.*

The MMRX Project represents the Missouri portion of another one of the Multi-Value Projects approved by MISO as part of its LRTP Tranche 1 Portfolio. Ex. 026 (Schukar Dir.) at 7. The MMRX Project includes the construction of approximately 9 miles of new 345 kV transmission circuit from ATXI's existing Maywood Substation near Palmyra, Missouri, to the Mississippi River Illinois/Missouri border, as depicted in the figure below. *Id.* A portion of the MMRX Project involves coordination between ATXI and Ameren Missouri. The MMRX Project also includes upgrades to the Maywood Substation required to integrate the new 345 kV circuit. *Id.*

Among other benefits, the Program, including the Phase 1 Projects, will support lower energy supply costs for Missouri customers, improve energy reliability for local communities and the surrounding region, promote access to diverse energy resources, and support the growth of economic development opportunities by adding needed transmission capacity in the State. Ex. 026 (Schukar Dir.) at 7. MISO has shown through extensive study that the LRTP Tranche 1 portfolio, including the FDIM and MMRX Projects, will resolve forecasted thermal issues in Missouri, increase transfer levels across MISO's region including in Missouri, and improve grid resiliency during extreme weather events. Ex. 027 (Dodd Dir.) at 27; Ex. 035 (Davies Dir.) at 18-23. This will help ensure continued energy reliability and resiliency for Missouri electricity customers. *Id.* at 7-8.

IV. Applicable Law

The Commission's decision in this case is governed by Missouri law, which provides that Commission approval and a certificate are required for the construction of electric facilities in the State. Section 393.170, RSMo; *see also* 20 CSR 4240-20.045 (providing additional informational and notice requirements for certificate applications). Section 393.170 contemplates two types of CCNs that the Commission may grant a utility, commonly referred to as "line certificates" and "area certificates." *See, e.g., State ex rel. Cass Cty. v. Pub. Serv. Comm'n*, 259 S.W.3d 544, 548-49 (Mo. App. 2008) (permission to serve customers generally is granted as an "area certificate" while permission to build transmission lines or production facilities is granted as a "line certificate"). ATXI seeks a line certificate in this proceeding under Section 393.170.1, which provides as follows:

> No gas corporation, electrical corporation, water corporation or sewer corporation shall begin construction of a gas plant, electric plant, water system or sewer system without first having obtained the permission and approval of the commission.

Section 393.170.1 RSMo. In determining whether to issue a certificate, the Commission considers whether "such construction or such exercise of the right, privilege or franchise is necessary or convenient for the public service." Section 393.170.3 RSMo. In interpreting the phrase "necessary or convenient," courts have held, "[t]he term 'necessity' does not mean 'essential' or 'absolutely indispensable', but that an additional service would be an improvement justifying its cost." *State ex rel. Intercon Gas, Inc. v. Pub. Serv. Comm'n of Missouri*, 848 S.W.2d 593, 597 (Mo. Ct. App. 1993). In granting a CCN, the Commission is also authorized to "impose such condition or conditions as it may deem reasonable and necessary." Section 393.170.3 RSMo.

The Commission has set forth certain factors that it uses to evaluate certificate applications under Section 393.170, often referred to as the "*Tartan* factors." *Tartan*, 1994 WL 762882.

Although not bound to use these factors, the Commission has found them to be helpful in reviewing certificate applications. These factors are: (1) there must be a need for the service; (2) the applicant must be qualified to provide the proposed service; (3) the applicant must have the financial ability to provide the service; (4) the applicant's proposal must be economically feasible; and (5) the service must promote the public interest. *Id.* at *6-17. Regarding the final factor, public interest, the Commission has stated that "there is no specific definition of what constitutes the public interest," and "positive findings with respect to the other four standards will in most instances support a finding that an application for a certificate of convenience and necessity will promote the public interest." *Id.* at *14.

The Commission considers transmission line routing under the public interest factor based on whether the route "represents the best route to minimize the overall effect of the [project] on the natural and human environment, while avoiding unreasonable and circuitous routes, unreasonable costs, and special design requirements." *Missouri Landowners Alliance v. Public Service Commission*, 593 S.W.3d 632, 639, 642 (2019); *see also In the matter of the application of Kansas City Power and Light*, Case No. 16,291,1967 WL 181002, *9 (Mo.P.S.C. Aug. 18, 1967) (approving Applicant's proposed route segments over landowner-intervenor objections because they were "reasonably direct, practical and economically feasible ….").

As reflected in Staff's Recommendation in this proceeding, the Projects meet the *Tartan* criteria. As discussed above, there is no dispute that the Projects are needed, that ATXI is qualified and financially capable of executing them, and that the Projects are economically feasible. Nor is it generally disputed that the Projects are in the public interest outside of certain routing and siting concerns raised by landowner intervenors. Specifically, there is a need for the service in that the FDIM and MMRX Projects are necessary to complete Phase 1 of the Missouri jurisdictional portions of MISO's Long Range Transmission Plan (LRTP) Tranche 1 Portfolio. MISO's LRTP Tranche 1 Portfolio is an initiative aimed at benefiting the entire MISO region which includes a portion of Missouri. MISO has shown through extensive study that the Tranche 1 Portfolio, including the FDIM and MMRX Projects, will resolve forecasted thermal issues in Missouri, increase transfer levels across MISO's region, and improve grid resiliency during extreme weather events. While the contested issues in this proceeding are limited to routing and siting issues affecting the property of Mr. Harding, Mr. Mathews, and MK Farms, the evidence supporting ATXI's satisfaction of the *Tartan* criteria will also be summarized in this brief.

V. The Need for the Projects

The need for the Projects is not disputed. ATXI provided ample testimony regarding need, specifically, the Projects' benefits for Missouri and ATXI customers. As stated above, "[t]he term "necessity" does not mean "essential" or "absolutely indispensable", but that an additional service would be an improvement justifying its cost." *Intercon Gas*, 848 S.W.2d 593 at 597; *see also Ameren Missouri*, No. EA-2016-0208, 2016 WL 7441690, at *11 (Dec. 21, 2016) (finding solar pilot program needed because of the need for additional solar generation in the future, despite no applicable regulatory requirement).

The FDIM and MMRX Projects will certainly institute improvements justifying their cost. Several ATXI witnesses testified regarding the benefits that will be realized with the implementation of Phase 1 of the Northern Missouri Grid Transformation Program, benefits which are relevant to establishing need under Missouri law.

A. The Projects are an integral part of MISO's LRTP Tranche 1 Portfolio.

ATXI witness Jeff Dodd testified regarding the role these Projects play in MISO's overall Tranche 1 Portfolio, which is a series of projects comprising approximately 2,000 miles of new and upgraded high voltage transmission lines across several states within MISO's footprint, including Illinois, Indiana, Wisconsin, and Missouri. Ex. 027 (Dodd Dir.) at 24-25. The Tranche 1 Portfolio will facilitate a shift that is occurring in Missouri and across MISO's broader footprint from primarily coal and gas generation to the use of renewable resources, driven by clean energy policies at both the state and federal levels, customer preferences, economic, and utility goals. *Id.* at 13. The Tranche 1 Portfolio is a collective group of projects that all need to be implemented to realize the benefits to Missouri and the broader MISO region. *Id.* at 26.

ATXI witness Dodd further testified about the benefits of the Tranche 1 Portfolio as a whole, benefits that can only be fully realized if the Projects in this proceeding are approved. The Portfolio was specifically developed to ensure that the regional transmission system can meet demand in all hours while supporting the resource plans and renewable energy penetration targets reflective of MISO member utilities' goals and state policies. Ex. 027 (Dodd Dir.) at 27. MISO determined that the LRTP Tranche 1 Portfolio prevents numerous thermal and voltage reliability issues so that the MISO transmission grid can continue to reliably deliver energy from current and future generation resources to future load. *Id.* The LRTP Tranche 1 Portfolio will address reliability violations at over 300 different sites across the Midwest and increase transfer capability across the MISO Midwest Subregion to allow reliability to be maintained for all hours under varying dispatch patterns driven by differences in weather conditions. *Id.*

MISO has quantified the benefits to the Midwest region at $37.3-69.1 billion, with net benefits of $23.2-52.2 billion. Ex. 027 (Dodd Dir.) at 27. Those benefits include congestion and fuel savings, avoided costs of local resources, avoided transmission investment, resource adequacy savings, avoided risk of load shedding, and decarbonization benefits. *Id.* at 28.

There are also nonquantifiable benefits. Mr. Dodd testified that the addition of the LRTP Tranche 1 Portfolio will increase operational flexibility to better allow timely outage scheduling, which in turn will maintain the reliability of the system and reduce the economic impacts due to congestion caused by outages. Ex. 027 (Dodd Dir.) at 29. This increased operational flexibility also helps reduce the economic impacts of natural gas fuel price changes by providing access to a broader pool of generation resources. The LRTP Tranche 1 Portfolio also gives more flexibility to better support diverse policy needs and lessens uncertainty around the future resource expansion plans. Elimination of much of the high transmission cost barriers also allows resource planners to assume less risk in making resource investment decisions. *Id.*

The FDIM and MMRX Projects are an important piece of the LRTP Tranche 1 Portfolio and without their approval, these benefits are at risk of not being achieved.

B. The FDIM and MMRX Projects provide significant reliability and performance benefits.

ATXI witness Justin Davies testified more specifically regarding the FDIM and MMRX Projects and the benefits that they will provide to Missouri, some of which overlap with the benefits of the overarching Tranche 1 Portfolio. The benefits of the FDIM and MMRX Projects include accommodating the changing nature of the future grid, addressing thermal and voltage-instability issues in Missouri, enabling new generation and facilitating transfers into and out of Missouri, which will reduce the overall Adjusted Production Cost (APC) for customers, and improving the overall voltage profile of the state, reducing the need to add reactive power resources. Ex. 035 (Davies Dir.) at 18-19.

The thermal issues in Missouri that Mr. Davies references are essentially thermal overloads, which pose a threat to safety and reliability. MISO identified eight of these thermal issues in Missouri, and the Projects will resolve them as part of the Program. While MISO considered alternative approaches, the Projects as proposed solve the highest number of contingencies and avoid the need for ATXI to perform annual assessments to identify mitigation strategies, the cost of which would be borne by Missouri customers. Ex. 035 (Davies Dir.) at 20-21.

The Projects will also help improve system reliability and resilience during extreme weather events, which are becoming increasingly more common. Ex. 035 (Davies Dir.) at 22. For example, in February 2021, much of the U.S. experienced historical, extremely cold weather that caused generator outages and high loads which stressed the transmission system in multiple regions, including MISO's. *Id.* at 22-23. While the Program and its Phase 1 Projects were not designed to address the specific circumstances of the February 2021 event, a MISO report recognized the need for infrastructure to address current and future challenges facing the industry and the urgency of that need. *Id.* at 23. Expanding transmission capacity within the MISO region, which the Projects will do, enhances the operational flexibility of the grid and resource sharing across areas, and thus improves the ability of the system to respond to future extreme weather events. *Id.*

At a higher level, the FDIM and MMRX Projects will help enhance the performance of the Missouri transmission system. As ATXI witness Davies testified, having additional transmission facilities creates more paths for energy to flow. Ex. 035 (Davies Dir.) at 22. This provides more options to allow maintenance or to recover from changes on the power system such as loss of a transmission line or multiple lines, a sudden change in load, or a sudden change in generation output. *Id.* Having these additional transmission facilities creates a more robust system that is better able to serve load during a contingency. *Id.* And the added capacity will improve the overall voltage profile of the transmission system, which in turn reduces the need for reactive power resources. *Id.* The Projects can help power delivery, in addition to increasing transfer levels from east to west and west to east. *Id.* at 19, 22.

C. The Projects provide myriad economic benefits.

ATXI witness Todd Schatzki also testified about the myriad economic benefits that will result from the Projects, including reductions in cost and lower net customer payments. ATXI Ex. 031 (Schatzki Dir.) at 5-6. Dr. Schatzki conducted a thorough economic analysis, which he described in detail in his direct testimony. *Id.* at 13-34. That analysis showed that reductions in customer payments, as reflected by reduced production costs, far outweigh the portion of the Program's costs borne by ratepayers in the MISO Missouri region. The reduction in production costs across various scenarios range from $126.32 million to $142.61 million in 2030, $173.86 million to $233.35 million in 2035 and $211.31 million to $300.62 million in 2040. *Id.* at 29.

And across various scenarios, the reduction in energy prices in Missouri range from $0.19 to $0.47 per MWh in 2030, $0.33 to $0.69 per MWh in 2035 and $1.13 to $1.52 per MWh in 2040. Ex. 031 (Schatzki Dir.) at 27-28. The Program is thus expected to result in net reductions in electricity costs for Missouri customers of approximately $76.2 million. *Id.* at 27, 31-32.

D. The Projects provide environmental benefits.

Dr. Schatzki also conducted an analysis of environmental benefits provided by the Phase 1 Projects and the Program as a whole. This analysis evaluated the reduction in CO_2, SO_x, NO_x, and mercury emissions due to the Program. Ex. 031 (Schatzki Dir.) at 24. The analysis found that with the addition of the Program, CO_2 emissions in MISO's Midwest Subregion would decrease by 0.83 to 2.16 percent in 2030, 1.18 to 2.45 percent in 2035, and 1.44 to 2.43 percent in 2040. *Id.* at 33. Emissions of NO_x in Missouri would decrease 0.52 to 4.69 percent in 2030, 2.15 to 3.60 percent in 2035, and 0.73 to 1.91 percent in 2040. *Id.* SO_x emissions in Missouri would decrease by 1.54 to 9.47 percent in 2030, 1.41 to 11.79 percent in 2035, and 0.32 to 1.50 percent in 2040. *Id.* at 33-34. And mercury emissions in Missouri would decline 0.22 to 6.36 percent in 2030 and 1.37 to

11.80 percent in 2035. *Id.* at 34. A reduction in these emissions is beneficial to customers because emissions negatively affect human health. *Id.* at 12. Because the Program lowers emissions, it lowers the social cost of providing electricity services. *Id.* at 15.

E. No party contests the need for the Projects, and Staff agrees that they are needed.

In recommending approval of the Phase 1 Projects, Staff explained that it agreed there was a need for them. Staff witness Malachi Bowman stated that the Projects "are needed to complete Phase 1 of the Missouri jurisdictional portions of MISO's LRTP Tranche 1 Portfolio." Ex. 100 (Staff Recommendation) at 12. Staff witness Bowman continued that the Tranche 1 Portfolio "is an initiative aimed at benefiting the entire MISO region which includes a portion of Missouri" and "MISO has shown through extensive study that the Tranche 1 portfolio, including the FDIM and MMRX Projects, will resolve forecasted thermal issues in Missouri, increase transfer levels across MISO's region, and improve grid resiliency during extreme whether events." *Id.*

The benefits to Missouri customers from the Phase 1 Projects are substantial and diverse, as they result in more reliable service, lower electricity costs, and a reduction of harmful emissions. Further, they are an integral part of MISO's Tranche 1 Portfolio, and no party contests their need. Therefore, the Commission should find that there is a need for the FDIM and MMRX Projects.

VI. ATXI's Qualifications

ATXI's qualifications are not disputed. ATXI has established that it and its affiliates are qualified to provide the proposed service. *See Tartan*, 1994 WL 762882, at *7-8. ATXI witness Schukar testified that ATXI is a company dedicated to electric transmission infrastructure investment and as of the date of his testimony, ATXI owned and operated approximately 560 miles of high voltage electric transmission lines and related facilities in Illinois and Missouri. Ex. 026 (Schukar Dir.) at 1-2. He also testified that Ameren Services is a wholly owned subsidiary of

Ameren, which operates as a centralized services company, and was created to provide shared business and corporate services to Ameren's operating companies, including ATXI. *Id.* at 2.

ATXI witness Tracy Dencker, whose testimony was later adopted by ATXI witness same Morris, noted that Ameren Services will be the entity managing and supervising the construction of Phase 1 on behalf of ATXI and its partners, Ameren Missouri and MJMEUC. Ex. 019 (Dencker Dir.) at 24. Ms. Dencker testified that Ameren Services is capable of efficiently managing and supervising construction of the Phase 1 Projects. *Id.* Ameren Services and its personnel have decades of experience overseeing the successful construction, reconstruction, rebuilding, and upgrading of hundreds of miles of transmission line and related facilities. Ameren Services has managed and supervised the construction of significant transmission line projects approved by the Commission, including, for example, on behalf of ATXI, the Mark Twain Project (Docket EA-2017-0345), the Limestone Ridge Project (Docket EA-2021-0087), and the Illinois Rivers Project (Docket EA-2015-0145). *Id.* at 24. Ameren Services has also managed and supervised, on behalf of ATXI, the construction of several significant transmission projects in Illinois. *Id.* at 25.

Ms. Dencker also testified about the highly qualified team who will be managing the Projects' construction. That management team is headed by its Executive Sponsor, ATXI witness Mr. Shawn Schukar, Senior Vice President, Transmission for Ameren Services and Chairman and President of ATXI. Ex. 019 (Dencker Dir.) at 25. Ms. Jackie Becker, Vice President, Engineering and Construction, Ameren Services, is Project Sponsor. *Id.* As Executive Sponsor and Project Sponsor for the Projects, Mr. Schukar and Ms. Becker identify and approve the Project Manager, work with the appropriate business lines to ensure appropriate project justification is prepared and approved, and ensure adequate input from appropriate Business Support organizations such as Corporate Legal, Corporate Finance, Business Segment Controller, Supplier Services, and

Risk/Credit. *Id.* The Sponsors are also responsible for assessing the feasibility of the Projects and ensuring that the Projects are supported by a Project Team staffed with appropriately qualified personnel, including a qualified Project Manager. *Id.* The Sponsors also monitor Project performance; champion the Projects through the corporate oversight and funding process; and otherwise see that the Projects are executed in accordance with business and segment procedures and best practices. *Id.*

The Project Manager is responsible for ensuring that the objectives of the Projects are met, and that construction remains on time and on budget, as well as being accountable for compliance with Ameren Services' project management policies and procedures, which the Ameren Services' Project Management Oversight Group (PMOG) oversees. Ex. 019 (Dencker Dir. adopted by Sam Morris) at 25-26. Further supporting the management team are other Ameren Services professionals, including Ameren Services' Project Controls and Scheduling and Construction Services groups, led by registered Project Management Professionals (PMPs). *Id.* at 26. Ameren Services will also employ contractors in various capacities to construct the Projects, as well as outside firms, to the extent necessary, to assist with management of construction. *Id.*

Staff agrees that ATXI is qualified to construct the Projects and provide the proposed service. Ex. 100 (Staff Recommendation) at 13. Staff witness Eubanks cites to ATXI's prior transmission projects in Missouri, ATXI witness Dencker's testimony regarding management and construction of the Projects, and Ameren Services' internal standards in support of Staff's conclusion. *Id.*

ATXI has established through the above-cited record evidence that it is qualified to construct, operate, and maintain the Phase 1 Projects, and no party contests this conclusion. Therefore, the Commission should find that ATXI has satisfied this *Tartan* factor.

VII. ATXI's Financial Ability

ATXI's financial ability is not disputed. ATXI has demonstrated that it has the financial ability to provide the service it proposes. *See Tartan*, 1994 WL 762882, at *8-9.

ATXI witness Greg Gudeman described the financing for the Projects. He testified that ATXI will finance initial capital cash flow requirements for the construction with either cash on hand, retained earnings, or short-term borrowings, which would be available under the Ameren entities' Utility Money Pool arrangement. Ex. 044 (Gudeman Dir.) at 7. Over time, as the level of short-term borrowings increase, ATXI will replace short-term borrowings with a permanent source of capital that includes a balanced blend of long-term debt and common equity. *Id.* Prior to being placed in service, ATXI will transfer a 49% interest in the FDIM Project and a 49% interest in the competitive portion of the DZTM Project (approved in Docket EA-2025-0087) to MJMEUC, leaving 51% to ultimately be funded by ATXI long-term. *Id.* at 5. The total cost to construct the three projects in the Program (FDIM, MMRX, and DZTM) in their entirety is approximately $568.4 million. *Id.* at 4-5.

As noted, in addition to cash on hand, ATXI has the ability to access short-term funds pursuant to FERC authorization in Docket No. ES23-9. Ex. 044 (Gudeman Dir.) at 8. ATXI can exercise this authorization by accessing funds under the Ameren Utility Money Pool Arrangement, up to a $300 million limit. *Id.* The related amount of ATXI borrowings outstanding as of March 31, 2024 was $115.40 million, leaving ATXI a remaining capacity of $184.60 million. *Id.* However, ATXI periodically replenishes short-term debt by funding with long-term capital sources (blend of long-term debt and equity). *Id.*

ATXI has also had several long-term debt issuances over the last several years. Ex. 044 (Gudeman Dir.) at 8. In June 2017, ATXI issued a $150 million principal amount of senior unsecured notes and, in August 2017, issued an additional $300 million principal amount of senior unsecured notes, to investors through private placement offerings. *Id.* As part of this process, ATXI sought an investment credit rating from Moody's and received a strong A2 credit rating, based in large part on the supportive FERC regulatory framework and the strength of ATXI's credit metrics. *Id.* at 8-9. More recently, in November 2021, ATXI closed on the issuance of a $75 million principal amount of senior unsecured notes through a second private placement offering. *Id.* at 9. The proceeds were used to pay down a portion of a $75 million promissory note due in 2025 and to repay Money Pool short-term debt. *Id.* A second $95 million tranche of senior unsecured notes was also issued in August 2022, with the proceeds used to refinance the remaining portion of the $75 million promissory note, to repay the $49.5 million principal payment due on the senior notes on August 31, 2022, and to repay Money Pool short-term debt. *Id.* ATXI plans to issue additional long-term debt in the future as it continues managing its capital structure with a balanced blend of debt and equity. *Id.*

Additionally, continued operation of ATXI's regulated transmission business provides ATXI with on-going cash and equity in the form of retained earnings from transmission revenue. Ex. 044 (Gudeman Dir.) at 9. Retained earnings are a source of equity that builds on the balance sheet and will provide a source of financing for the Program. *Id.* Additionally, Ameren may make periodic equity infusions into ATXI in support of ATXI's long-term capital structure target. *Id.* That said, ATXI's retained earnings are a source of equity that offset the need for equity financing from Ameren.

During construction, ATXI will finance the initial capital cash flow requirements with either available cash on hand or short-term borrowings under Ameren's Utility Money Pool arrangement up to the $300 million limit. Ex. 044 (Gudeman Dir.) at 9. During the approximately five additional years needed to complete the Program, ATXI will continue to evaluate its financing needs, including any maturing debt and short-term debt levels, and manage its long-term capital structure to maintain the targeted 60% equity ratio. *Id.* at 9-10. Also, FERC approved the Construction Work in Progress (CWIP) in rate base incentive for the MMRX project, as well as the Maywood Substation upgrades under the DZTM project. CWIP in rate base will provide real time funding for these projects through transmission rates. *Id.* at 10.

After construction is complete, ATXI will only need to finance 51% of the final costs of FDIM and the competitive portion of DZTM, which lowers the total amount ATXI will need to finance to only \$397.9 million. Ex. 044 (Gudeman Dir.) at 10. Mr. Gudeman testified that ATXI's financing plans are always being monitored with an eye toward upcoming project needs. *Id.* Therefore, there is no particular identifiable end point to the financing of the Program as a standalone proposition. *Id.* However, ATXI will eventually replace any short-term borrowings with a permanent source of capital that includes a balanced blend of long-term debt and common equity. *Id.*

As Mr. Gudeman testified, these sources of capital are sufficient to finance the Program, including the Phase 1 Projects. Ex. 044 (Gudeman Dir.) at 10. In 2020, ATXI completed construction of its three large MISO Multi-Value Projects (MVPs): Spoon River, Mark Twain, and Illinois Rivers. *Id.* Since that time, ATXI's total capital expenditures have been substantially lower than in previous years. *Id.* Further, ATXI is now earning on those investments, which creates retained earnings. *Id.* The combination of retained earnings, access to short-term debt through the Ameren Utility Money Pool Arrangement, the proven ability to issue external long-term debt, and the availability of equity infusions from Ameren provide ATXI sufficient capital to finance the Program as well as the additional LRTP projects that ATXI will be constructing in Illinois. *Id.*

ATXI's strong investment grade credit rating combined with an attractive transmission investment profile has historically created strong investor demand that is expected to continue with the Program. *Id.* at 10-11.

Staff agrees that ATXI has the financial ability to provide the service it is proposing in this case. Ex. 100 (Staff Recommendation) at 14. Staff witness Won noted that S&P and Moody's have both rated Ameren Corporation as investment grade, ATXI "demonstrates financial strength, as evidenced by its Moody's A2 issuer credit rating," and ATXI has a "low business risk profile." *Id.* at 15-16. Staff also conducted its own pro forma analysis and found that "there is no significant change in ATXI's financial risk profile due to the Projects." *Id.* at 15. Staff witness Won concluded that "considering the proposed cost, which is less than 3% of Ameren Corp.'s and ATXI's capital expenditure over five years, and the financial impact of the Projects . . . ATXI has the financial ability to own, operate, and maintain the Projects." *Id.* at 16.

Considering the evidence ATXI presented, the support of Staff, and the lack of any objection or contrary testimony by any other party, the Commission should find that ATXI has the financial ability to provide the proposed service—to construct, operate and maintain the FDIM and MMRX Projects.

VIII. Economic Feasibility of the Proposal

The economic feasibility of ATXI's proposal is not disputed. The economic benefits that support the need for the Projects, discussed above, are relevant to demonstrating that the Projects are economically feasible. Those benefits are a reduction in production costs and a corresponding reduction in costs for ratepayers, resulting in net reductions in electricity costs for Missouri customers of approximately $76.2 million. *Supra*, Section V.C.; Ex. 031 (Schatzki Dir.) at 27, 31-32

ATXI witness Schatzki identified two other factors that demonstrate the economic feasibility of the Projects. First, FERC has reviewed and approved the revenue requirement for recovery through the MISO Tariff, which provides ATXI with a means to recover Phase 1 Project development and operation costs. Ex. 031 (Schatzki Dir.) at 15. ATXI witness Gudeman further explained the recovery mechanism, testifying that the revenue requirement for the Program will be calculated under MISO Attachment MM and collected through MISO Schedule 26-A from the MISO Midwest MVP Cost Allocation Subregion. Ex. 044 (Gudeman Dir.) at 11. This is essentially the same Subregion that currently pays for the existing MISO Multi-Value Projects. *Id.* The Program's cost will be recovered the same as all projects in MISO's LRTP Tranche 1 Portfolio. *Id.* at 11-12.

The second additional factor that ATXI witness Schatzki identified that supports the economic feasibility of the Projects is ATXI's financing plan, described in detail above in Section VII. That ATXI has secured and has access to the necessary financing further supports the economic feasibility of the Projects.

Staff agrees that ATXI has demonstrated the proposed service is economically feasible. Ex. 100 (Staff Recommendation) at 16-20. While Staff witness Michael Stahlman expressed that he "has concerns that the benefits of MISO's Tranche 1 projects are overstated," Staff acknowledges that "none of that analysis is specific to ATXI's proposed Projects" and "Staff agrees that the benefits of the proposed Projects to ATXI likely exceed ATXI's costs because the Projects have been approved by FERC for recovery through the MISO Tariff." *Id.* at 20.

Based on the record evidence provided by ATXI, the support of Staff, and lack of objection from any other party in the case, the Commission should find that ATXI has demonstrated the Projects are economically feasible.

IX. The Public Interest

That the Projects are in the public interest is not generally disputed, and construction of the Projects will serve the public interest. Again, "there is no specific definition of what constitutes the public interest," and "positive findings with respect to the other four standards will in most instances support a finding that an application for a certificate of convenience and necessity will promote the public interest." *Tartan*, 1994 WL 762882, at *14.

ATXI has described in this brief and demonstrated in its Application that it has satisfied the other four factors of the *Tartan* analysis. Staff agrees. *See generally* Ex. 100 (Staff Recommendation). The Projects are needed, ATXI is qualified to implement the Projects, ATXI has the ability to finance the Projects, and the Projects are economically feasible. Because ATXI has satisfied these requirements, the law supports a finding that the Projects are in the public interest. The Projects present a variety of reliability, economic, and environmental benefits that Missouri customers will receive, discussed in detail above, which show the Projects are in the public interest.

Staff agrees that the Projects are in the public interest but recommends the Commission adopt several "conditions" that would be applicable to ATXI in this case and/or future cases related to "ensur[ing] the Project is in the public interest." Ex. 100 (Staff Recommendation) at 40. ATXI suggested limited revisions to Staff's conditions and agreed subject to those modifications (the Revised Conditions). The Revised Conditions have been accepted by Staff and ATXI, and no other party objected. Joint Status Report, EFIS #68 (Mar. 7, 2025). The conditions include following specific procedures for micrositing and easement tracking, making various filings with the Commission during the finalization and construction process, and creating and updating interactive maps and property record searches. *Id.* at Appendix A.

The Commission should therefore find that the Projects are in the public interest and approve them as satisfying all of the *Tartan* factors.

X. The Route Selection Process

To determine which route ATXI would ultimately propose in its Application for the FDIM and MMRX Projects, ATXI, along with its routing expert James Nicholas, engaged in a thorough route selection process. At a high level, that process involved a narrowing of routing options through consideration of a multitude of factors, or routing criteria, including land use impacts, impacts on ecological and cultural features, economic and technical feasibility, and landowner and other stakeholder input. Ex. 008 (Nicholas Dir.) at 7-25.

More specifically, Mr. Nicholas compiled a Route Selection Study, which details the processes, criteria, data, and information used to select the Proposed Route and explains why the Proposed Route is the optimal route for Phase 1's transmission lines. Ex. 008 (Nicholas Dir.) at 5. The route selection process was a collaborative effort among members of the Routing Team, which was comprised of subject matter experts from various groups, including ATXI's transmission planning, transmission line engineering, substation engineering, project management, environmental, construction management, public outreach, vegetation management, and land and right-of-way groups in addition to TRC's routing and GIS mapping staff. *Id.*

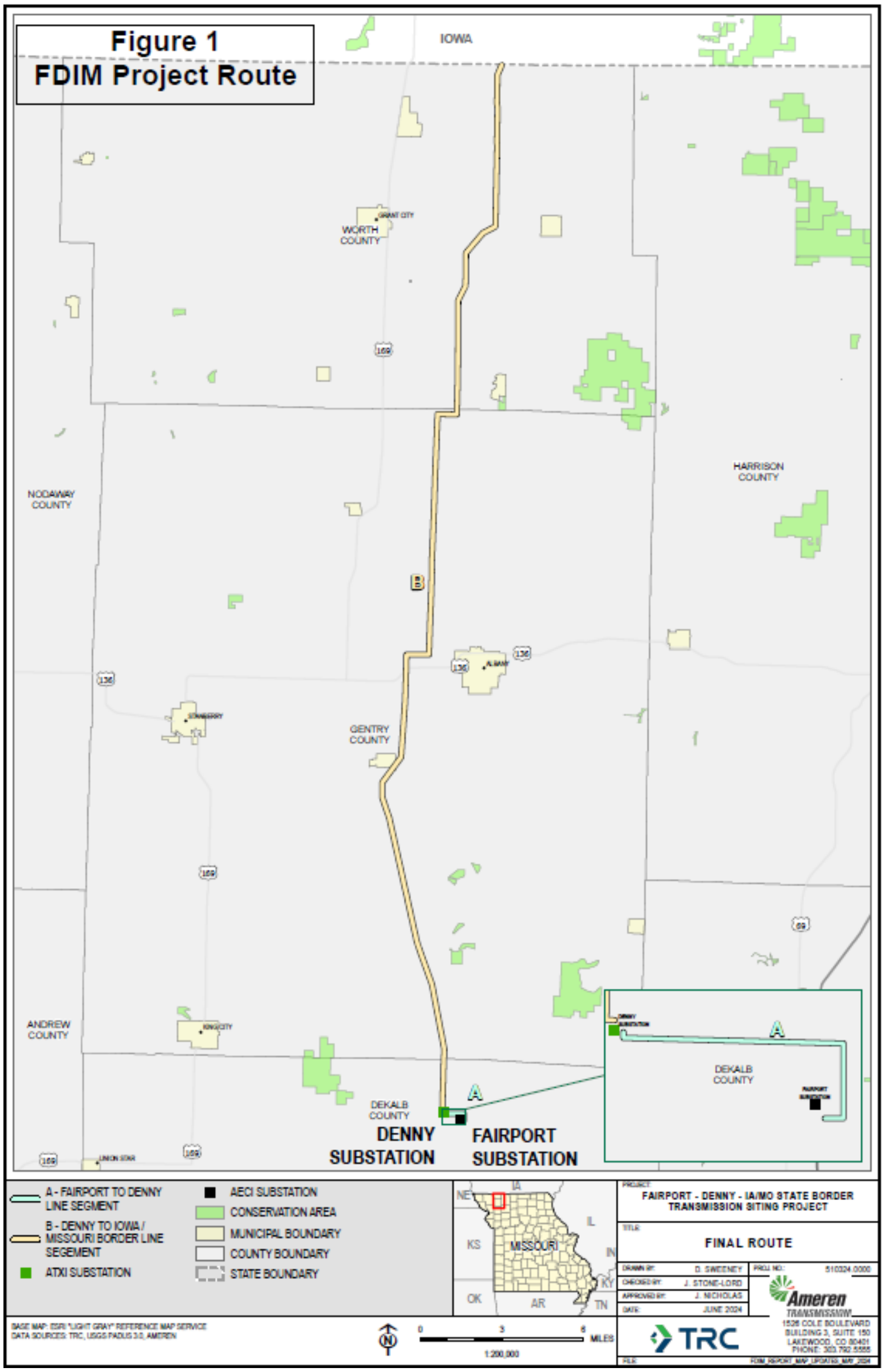
The route selection process began with the selection of the Study Area, which is the geographic region that is considered for opportunities and constraints during the siting process. Ex. 008 (Nicholas Dir.) at 8. A constraint is a characteristic or location considered unfavorable for placement of a new transmission line. *Id.* at 9. An opportunity is a condition or location considered favorable for such placement. *Id.* A route generally seeks to avoid constraints and maximize opportunities to the extent feasible and within the context of the route as a whole. The Study Areas for the FDIM and MMRX Projects were selected based on the siting experience of the Routing Team and the geographic characteristics of the region, as well as the physical endpoints of the Projects. *Id.* Once the Study Areas were selected, the Routing Team collected and mapped constraint and opportunity data for the areas, and from that information, identified viable routes. Ex. 008 (Nicholas Dir.) at 10. Those routes were then compared and ranked, with the more favorable options receiving a more detailed analysis of quantifiable and non-quantifiable characteristics. *Id.*

The complete route selection process for the FDIM Project occurred in stages over an extended timeframe because the FDIM Project was subject to MISO's competitive developer selection process. Specifically, while ATXI conducted a preliminary route selection study with identification of a route for purposes of developing ATXI's proposal to MISO, ATXI did not conduct the public engagement portion of the route selection process or select a final proposed route until after it was selected by MISO as the developer on October 27, 2023. Based on information obtained during the extended route selection study process, including information obtained as part of the public engagement process, a portion of ATXI's final Proposed Route was not the same as the route identified prior to conducting the public engagement process. Also, because there were changes and some uncertainty as to the interconnection point with the Iowa portion of the line at the Missouri-Iowa border, ATXI had identified larger Study Areas for the northern portion of the line in Worth County at the time of the open house meetings. ATXI was transparent about these aspects of its route selection process in its testimony and route selection studies. Some landowner concerns focus on this aspect of the route selection process. ATXI submits that these landowner concerns are misplaced and fail to recognize the extended and ongoing route selection process that necessarily occurs for transmission projects subject to MISO's competitive developer selection process.

As stated, the public engagement process began once ATXI was selected by MISO as the winning bidder and after ATXI had completed a preliminary routing study as required by MISO. During the public engagement process, the Routing Team held open houses and gathered information from landowners and stakeholders. Ex. 008 (Nicholas Dir.) at 10; Ex. 001 (Dettmers Dir.) at 6-9. This feedback resulted in adjustments to the proposed route that ATXI submitted to MISO and the selection of the route that ATXI included in its Application in this proceeding and that ATXI asks this Commission to approve (the Proposed Route). *See id.* at 10-11. ATXI's public engagement process and its use in routing for the Projects is discussed in greater detail below in Section XII.

XI. The Proposed Route

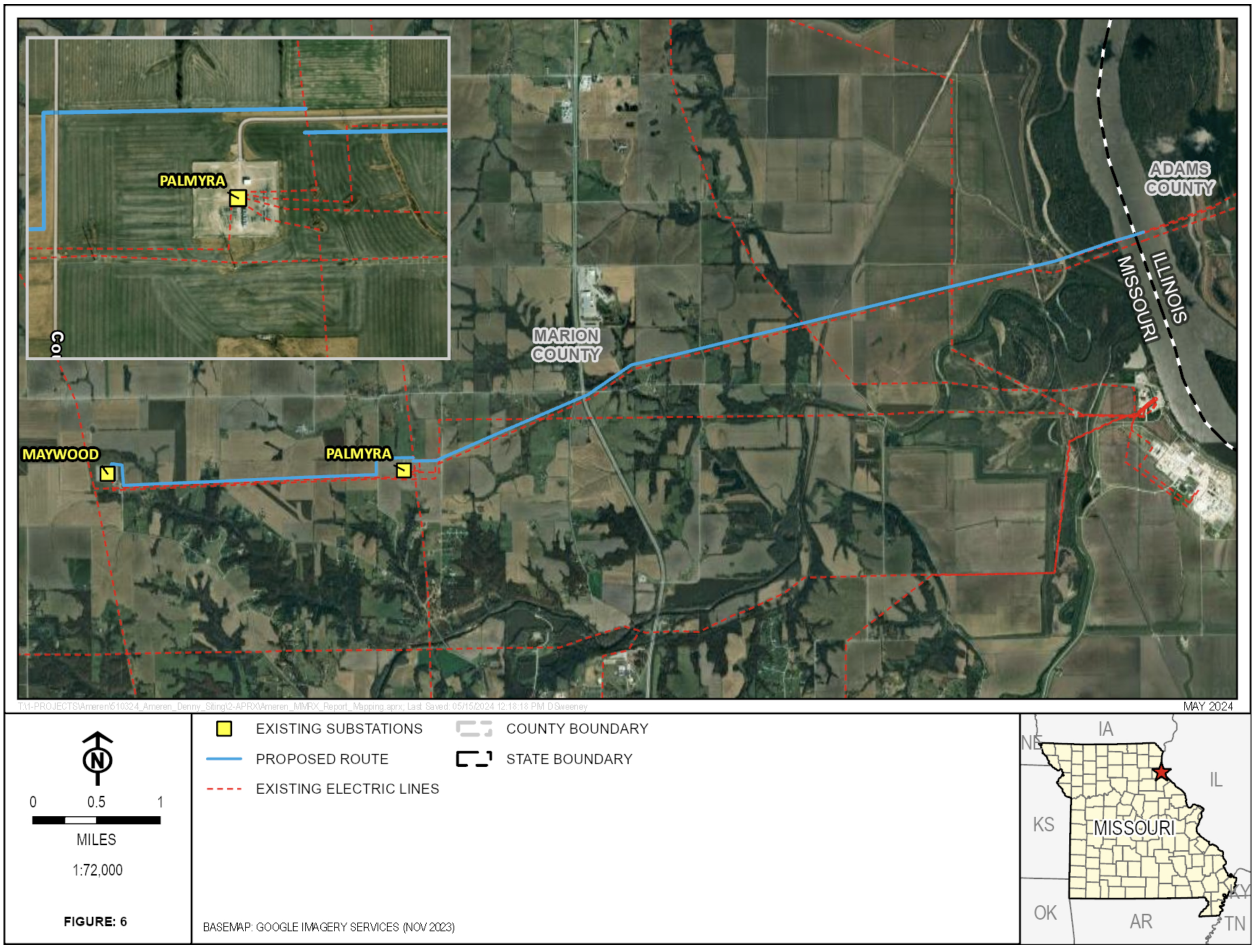
In its Application and testimony, ATXI identified its Proposed Route for both the FDIM and MMRX Projects. The FDIM section of the Proposed Route was identified as route option DO-28 in ATXI's Route Selection Study and is shown as the yellow line in the figure below.



Ex. 019 (Dencker Dir.) at 7.

The MMRX section of the Proposed Route parallels the north side of the existing double circuit 345/345kV Maywood to Palmyra line and a rebuild route of the existing 161kV Palmyra to

Mississippi River line to a new 161/345kV double circuit line. It is identified as the blue route in the figure below.



Ex. 008 (Nicholas Dir.) at 7.

As stated above, the FDIM Proposed Route takes into consideration several specific pieces of feedback and information—much of which was gathered during ATXI's pre-filing public engagement process. These factors led ATXI to the determination that the Proposed Route, the FDIM portion of which was previously known as DO-28, was the appropriate route and was preferable to other options, including route option DO-27, which ATXI initially identified at the time of its submission to MISO. Ex. 008 (Nicholas Dir.) at 20-21.

Several key factors were considered by the Routing Team and drove the determination that there was a need to consider and adopt a final proposed route that turned east just south of the Gentry County and Worth County border. While all available information was considered including feedback from public engagement efforts, the key factors were: (i) that a house at the intersection of Highway N and Kent Lane effectively prevented the route from continuing north on its existing alignment; and (ii) further investigation revealed that the route also needed to avoid turning west at that location (the DO-27 route option) because property on the south side of 230th Road west of Highway N was also part of a USDA-regulated hog farm and would present access issues, both for construction and ongoing line maintenance, due to access restrictions to avoid contamination concerns. As a result, the Routing Team considered and adopted a Proposed Route (DO-28) that turned east at the intersection of Highway N and Kent Lane about 1,000 feet south of 230th Road. The Proposed Route then headed north following property lines and roads as much as practical before turning to the northeast (while avoiding woodlots, streams, and structures as much as practical) then north to again follow property lines and roads as practical. In other words, the Routing Team focused on maximizing opportunities and minimizing constraints. Ex. 011 (Nicholas Reb.) at 3, 21. More generally, ATXI and its routing expert determined that the DO-28 option was favorable for additional reasons, including that it crosses fewer parcels, is two miles shorter, and allows for construction access by being adjacent to local roads. *Id.* at 22. ATXI submits that its Proposed Route represents the best route to minimize the overall effect of the Projects on the natural and human environment, while avoiding unreasonable and circuitous routes, unreasonable costs, and special design requirements." *Missouri Landowners Alliance v. Public Service Commission*, 593 S.W.3d 632, 639, 642 (2019)

A. Landowner Routing Proposals

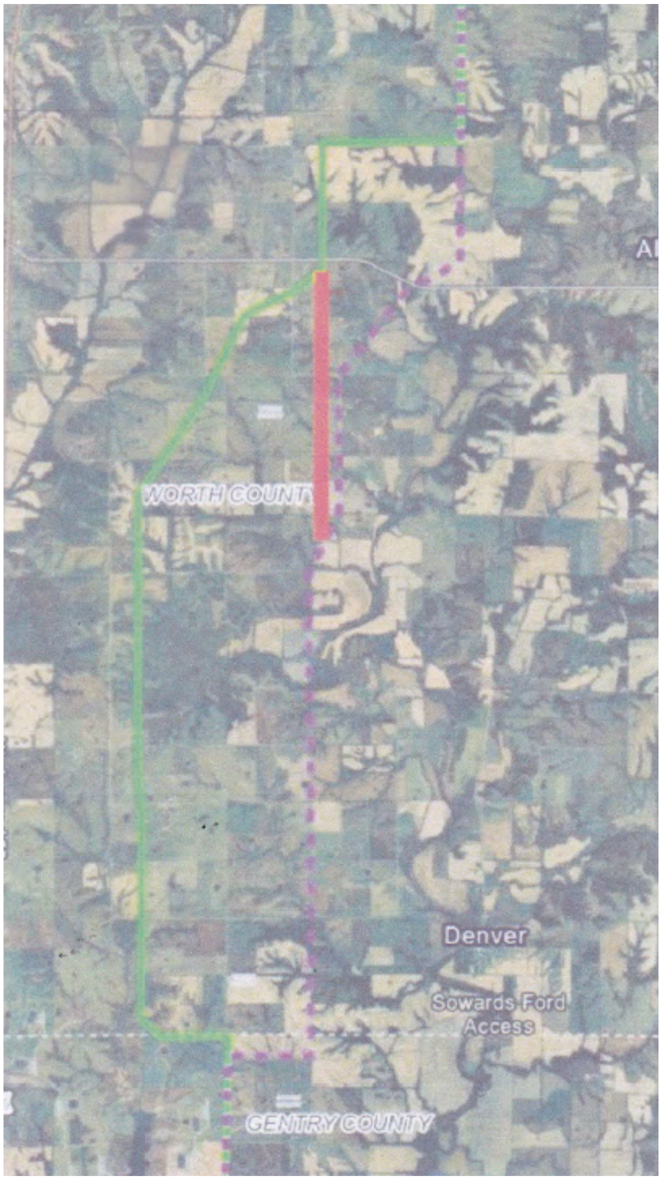
Several landowner intervenors have expressed specific concerns regarding the Proposed Route and asked ATXI to alter the route to accommodate them. As discussed more fully below, while ATXI has concluded that these re-routes are constructible, it continues to support its original Proposed Route and believes that route best balances the various routing factors.

1. Harding Routing Proposals

While landowner intervenor Mark Harding proposes a specific route alternative, he first criticizes ATXI's routing process as a whole and claims that it did not follow typical professional standards or produce a reasonable route. Ex. 811 (Harding Sur.) at 11. ATXI explains at length in Section XI above and in the testimony of ATXI's routing expert Mr. Nicholas the iterative, thorough routing process that the Company employed as well as the reasoning behind the routing decisions that it made in this case. ATXI also explains in detail in Section XII below and in the testimony of ATXI witness Dettmers how the public engagement process dovetailed with the routing process, leading to the selection of the Proposed Route based on feedback from the public. Mr. Harding's accusations are, therefore, not grounded in the record evidence.

In addition to high-level criticisms of the routing process, Mr. Harding takes issue with the specific location of the Proposed Route near his property. Mr. Harding has two primary concerns with the location of the route for the FDIM Project: 1) the proximity of the line to a related person's residence on parcel not owned by Mr.. Harding, which is 500 feet from the Proposed Route and 2) that the line traverses his crop field. Ex. 806 (Harding Dir.) at 2. Mr. Harding proposes two route modifications and requests that the Proposed Route be located at least 1000 feet from the residence not on his property. *Id.*; Ex. 025 (Morris Reb.) at 7-8.

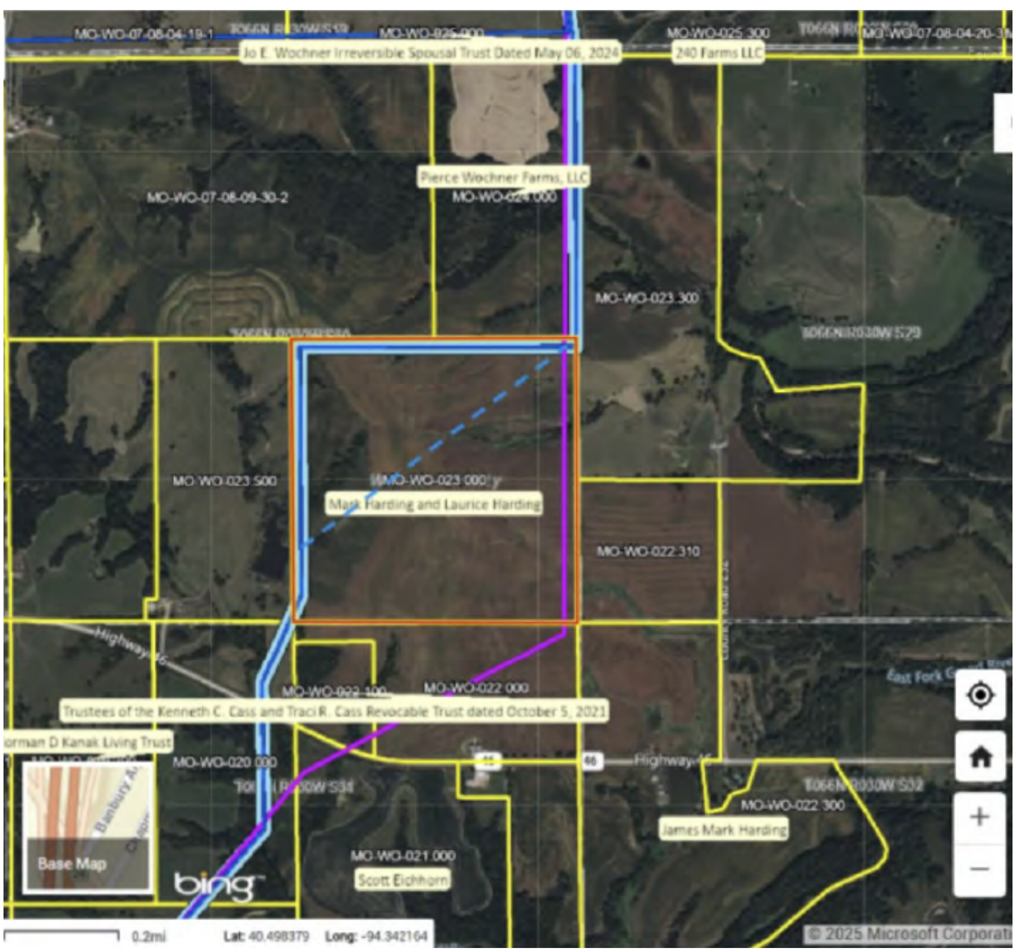
The first route modification is depicted by a red line in Attachment L to Mr. Harding's direct testimony ("Harding Modification 1"), reproduced below.



Ex. 806 (Harding Dir.) at 83.

Harding Modification 1 connects a portion of ATXI's Proposed Route with a portion of DO-27, a prior route option discussed above. Ex. 025 (Morris Reb.) at 8. ATXI witness Sam Morris testified that based upon preliminary reviews, Harding Modification 1 appears to be technically constructible, however, there are several concerns. *Id.* First, ATXI's Proposed Route more closely follows along an existing road (Pike Avenue) and generally along property or section lines, whereas the Harding Modification 1 is generally located more centrally through affected parcels. *Id.* Harding Modification 1 would also impact landowners differently than the Proposed Route, which may or may not be preferred by those landowners. *Id.* Further, the route modification may increase difficulty associated with construction access due to the increased distance from the roadway. *Id.* Harding Modification 1 would also impact landowners who did not receive notification of ATXI's Application because ATXI's Proposed Route did not directly impact those landowners. Ex. 025 (Morris Reb.) at 8; Ex. 101 (Eubanks Sur.), Schedule CME-s3.

Mr. Harding's second route modification is depicted as the solid blue line/corridor in Attachment N to his direct testimony ("Harding Modification 2"), reproduced below.



Ex. 806 (Harding Dir.) at 88. The Proposed Route is represented by the purple line, and the parcel outlined in orange is the Hardings' property. Ex. 011 (Nicholas Reb.) at 16.

Harding Modification 2 modifies the Proposed Route generally on or near Mr. Harding's property to follow along the western property boundary before turning east along the northern boundary. Ex. 025 (Morris Reb.) at 8. While this route appears to also be technically constructible, ATXI has estimated a cost increase of approximately $800,000 associated with this route modification due to the addition of at least two heavy angle structures and one medium angle structure, and an increase in overall route length of approximately 1,200 feet. *Id*. at 8-9. The 90-degree turns included in Harding Modification 2 are also more technically challenging than diagonals and while they can be used as an alternative where there are cost or impact savings, those savings are not present with Harding Modification 2. Ex. 008 (Nicholas Dir.) at 5. Further, Harding Modification 2 would increase the length of the line on the property of an adjacent landowner and potentially impact an additional parcel for that individual, which was not within the notice corridor and therefore notice was not provided for that parcel. Ex. 011 (Nicholas Reb.) at 16-17.

ATXI proposed an alternative third potential modification that aimed to decrease costs while still addressing Mr. Harding's concerns (Harding Modification 3). This was a further modification to Harding Modification 2 and is depicted by the blue hashed line in Attachment N to Mr. Harding's direct testimony, pictured above. Ex. 025 (Morris Reb.) at 9; *see* Ex. 806 (Harding Dir.) at 88. It attempts to minimize the costs associated with various angle structures necessitated by Mr. Harding's proposal by traversing a portion of his property diagonally. *Id.*

In considering the various potential modifications along with ATXI's Proposed Route for this area of the FDIM Project, ATXI continues to support the Proposed Route for several reasons, including the ones discussed above. Additionally, as Mr. Harding expressed concern about the proximity of the line to a residence on a parcel not owned by Mr. Harding, the Proposed Route is located approximately 500 feet away from that house, and as explained by ATXI witness Nicholas, it is not typical to treat homes as an isolated factor constituting a significant constraint; rather, they are considered in the context of other significant criteria. Ex. 008 (Nicholas Dir.) at 6. Here, those other criteria are the significant additional cost and complication associated with Mr. Harding's alternatives, as well as proximity to other houses and residential properties, including one that did not receive notice. *See* Ex. 025 (Morris Reb.) at 8-9; Ex. 008 (Nicholas Dir.) at 7.

However, as stated, the Harding Modifications 2 and 3 appear to be technically constructible and on balance relatively comparable in terms of routing impacts (although less favorable in other ways) to ATXI's Proposed Route in this area. Ex. 025 (Morris Reb.) at 9. Therefore, while ATXI continues to support its Proposed Route, if the Commission determines there is a need to address concerns raised by Mr. Harding for his property notwithstanding the significant cost impacts, the Commission should mitigate those cost impacts by selecting the less costly Harding Modification 3, should the Commission deem appropriate. *Id.* ATXI respectfully notes, however, that the Commission should consider the costs to customers and impacts to adjacent landowners outlined above. *Id.* Specifically, the Commission should not adopt a route modification that directly impacts parcels owned by landowners who did not receive notice of the Application in this proceeding.

2. Hiatt Routing Proposal

Rochelle and Kevin Hiatt are landowners who intervened in this case and proposed an alternative route. Appl. to Intervene, EFIS #93 (Apr. 28, 2025). However, the Hiatts withdrew their application for intervention on October 26, 2025, and there are no longer any contested issues in the case related to them, including the alternative route they proposed. *Dismissal of Intervention*, EFIS #203 (Oct. 26, 2025).

3. MK Farms Routing Proposal

Rebecca McGinley testified on behalf of MK Farms, another landowner intervenor, and proposed an alternative route near the MK Farms' parcel containing what she identified as the MdGinley residence. Ms. McGinley expressed concern about the proximity of the Proposed Route to the McGinley residence and its impact on property values. Ex. 950 (McGinley Dir.) at 10. She is also concerned that the line would impact the status of MK Farms' enrollment in the Department of Agriculture's Conservation Reserve Program and that exposure to EMF would be harmful for her and her family's health. *Id.* at 11-12. As ATXI witness Nicholas explained, the McGinley residence is approximately 650 feet from the Proposed Route. Ex. 011 (Nicholas Reb.) at 13.[6]

Prior to addressing the specific route alternative Ms. McGinley proposes, ATXI will address the other concerns she raises. First, Ms. McGinley states that she is concerned the proximity of the transmission line will decrease the value of property. Ex. 950 (McGinley Dir.) at 10-11. ATXI's real estate witness, Chris Korsmeyer, testified regarding this topic, stating that "while an encumbrance may impact the value of the underlying property ... ATXI does not agree that power lines automatically adversely impact the values of adjacent or nearby properties." Ex. 017 (Korsmeyer Reb.) at 8. Mr. Korsmeyer also provided a professional industry article

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[6] Landowner intervenor concerns related to alleged damages to property, land, crops, property value, contracts, and similar items raise issues that, if ATXI and the landowner are unable to reach a voluntary agreement, would be addressed through an eminent domain proceeding in the circuit courts and are beyond the jurisdiction of the Commission. It is well established that Chapter 523, RSMo., gives circuit courts, and not the Commission, the statutory authority to resolve all factual and legal issues related to eminent domain actions. *Timothy Allegri, Complainant, v. Evergy Metro, Inc. d/b/a Evergy Missouri Metro and Evergy Missouri West, Inc. d/b/a Evergy Missouri West, Respondent*, Mo.P.S.C. 2023 WL 6388854, *1, EC-2024-0015, Order Denying Staff's Motion to Pursue an Injunction (August 31, 2023) ("Chapter 523 empowers the circuit court, and not the Commission, with authority over condemnation proceedings."); *Missouri Landowners Alliance, Eastern Missouri Landowners Alliance d/b/a Show Me Concerned Landowners, and John G. Hobbs, Complainants, v. Grain Belt Express, LLC, and Invenergy Transmission, LLC, Respondents*, 2021 WL 3419557, *8 (Mo.P.S.C.), EC-2021-0059, Report and Order (August 4, 2021) ("The Commission has no jurisdiction or authority to grant a public utility eminent domain."). Neither the value of individual parcels nor the compensation to landowners directly impacted by the route for the proposed transmission line are issues before the Commission in this proceeding.

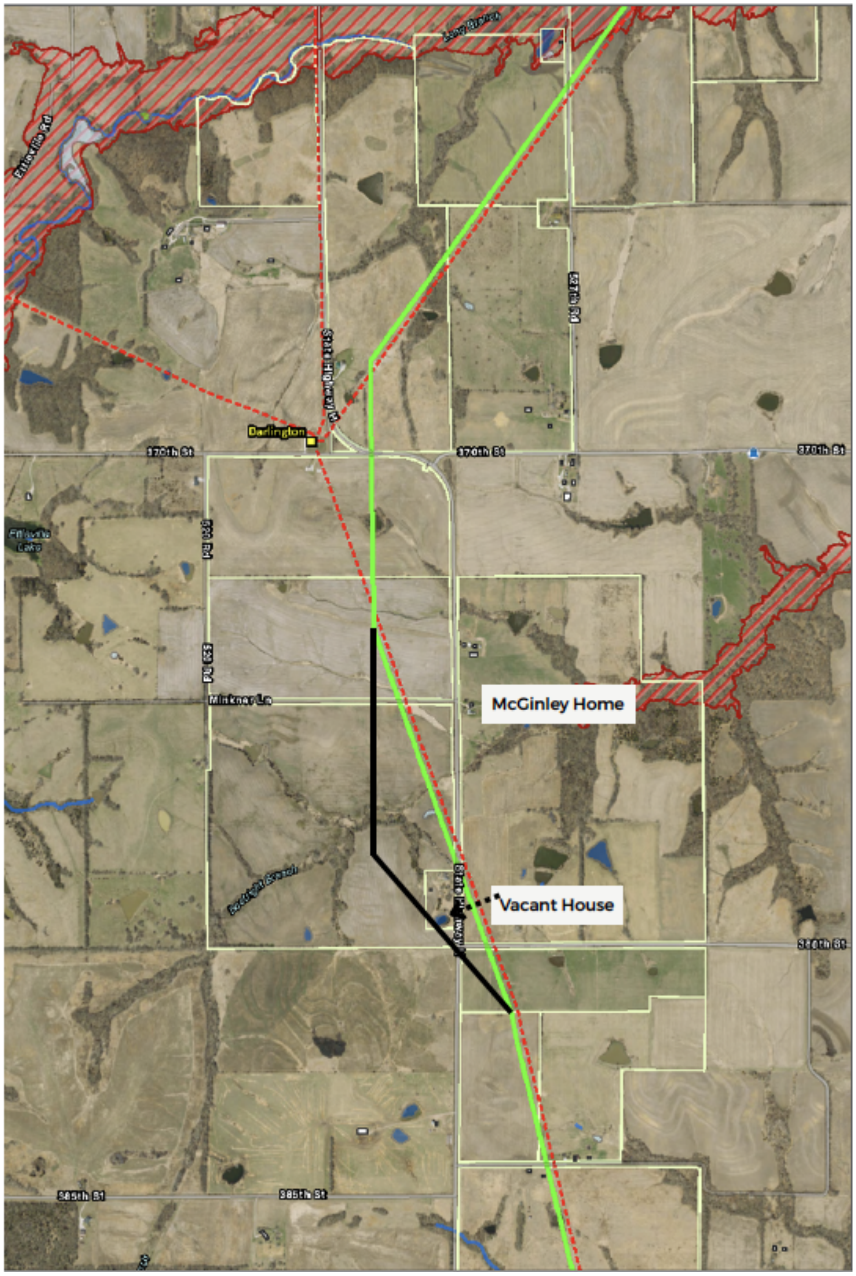
regarding property value impacts from transmission lines, which concluded that based on actual sales data of prices paid for properties on or adjacent to power lines, including single-family homes and farmland, transmission lines do not have significant impact on property values, especially over time. *Id.* at 9-10. The Commission accepted this same study in a recent proceeding to find that the presence of transmission lines do not have a significant impact on farmland property values. *In the Matter of the Application of Grain Belt Express Clean Line LLC*, No. EA-2016-0358 at ¶ 117, 2019 WL 1354055, at *22 (Mo. P.S.C. Mar. 20, 2019) (finding that "transmission lines do not have a significant adverse impact on farmland prices and values."). Regardless, if there is an impact to the value of a landowner's underlying property, ATXI will fairly compensate that landowner for the diminution of value. Ex. 017 (Korsmeyer Reb.) at 8.

Ms. McGinley also states she is concerned that MK Farms' status in the U.S. Department of Agriculture's (USDA) Conservation Reserve Program (CRP) could be affected by the location of the Proposed Route. Ex. 950 (McGinley Dir.) at 11. She testifies that "even partial impacts can trigger USDA compliance issues or contract modifications." *Id.* at 15. While Ms. McGinley criticizes ATXI for not having consulted with the USDA regarding the transmission line's potential impact on her CRP status, she admitted that she has not even reached out to anyone herself to confirm there could be an effect. Tr. at 260-61 (Oct. 27, 2025); *see id.* When asked how a CRP could be affected by a new transmission line, Ms. McGinley responded: "I actually have not explored. I have not talked to the FSA office in regards to what problems I might have." Tr. at 260:19-21 (Oct. 27, 2025). Her statements concerning any impacts to her CRP status, then, are pure speculation and without reasonable basis.

Further, ATXI witness Mr. Korsmeyer testified that based on his experience, a utility easement "does not preclude enrollment in a CRP," and the "use of land as part of a CRP does not conflict with or interfere with the operation of a transmission line." Ex. 017 (Korsmeyer Reb.) at 13. Therefore, ATXI does not anticipate an impact on Ms. McGinley's CRP status. However, if there were impairment to the CRP contract as a result of the transmission line, ATXI would compensate Ms. McGinley for the loss as part of its damage settlement process. *Id.*

Ms. McGinley also raises the issue of electromagnetic field (EMF) exposure from transmission lines. She testifies that she is concerned about the negative health impacts from such exposure. Ex. 950 (McGinley Dir.) at 12. Issues related to EMF exposure have been raised in prior transmission line certificate proceedings, and it is ATXI's understanding that there are no conclusive findings of health risks associated with EMF exposure at the levels associated with the Projects' facilities. Ex. 025 (Morris Reb.) at 5. Organizations including the World Health Organization (WHO) have thoroughly considered this issue and have concluded that, on balance, the scientific weight of evidence does not support the conclusion that low level EMF exposure causes any long-term adverse health effects. *Id.* Staff has also spoken to the issue and does not recommend rejection of ATXI's application on the basis of EMF concerns. Ex. 100 (Staff Recommendation) at 40.

Aside from these overarching concerns related to construction of the FDIM Project, Ms. McGinley raises specific routing concerns regarding the MF Farm's property and proposes an alternative route. The alternative route Ms. McGinley proposes can be found in Schedule MS-4 of her direct testimony, depicted by a black line (McGinley Modification 1) and pictured below.

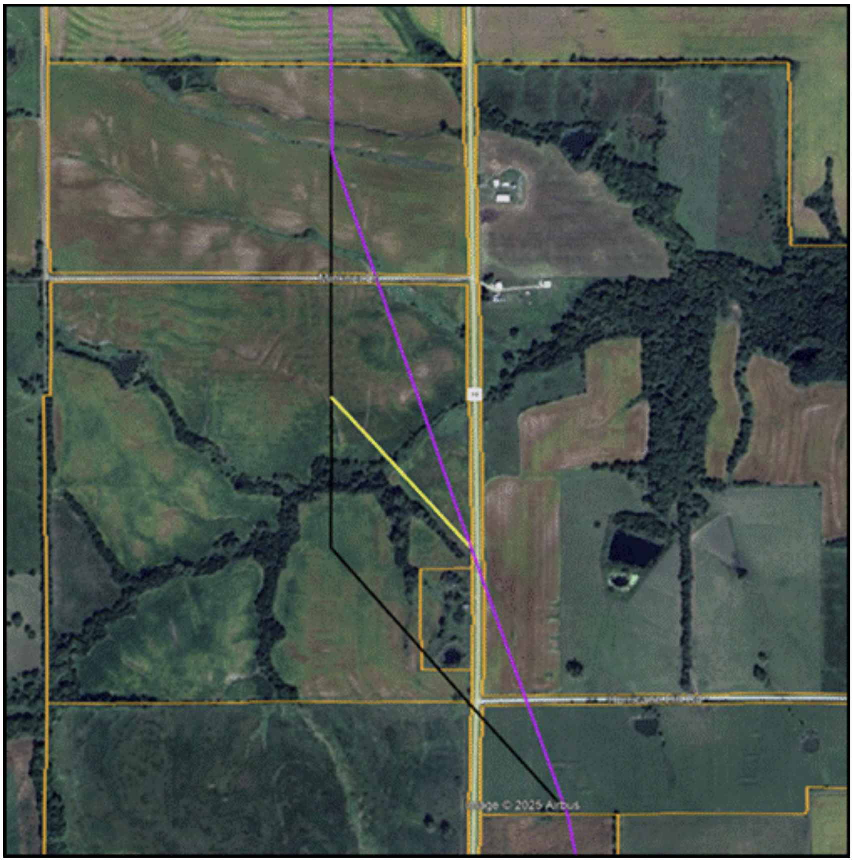


Ex. 950 (McGinley Dir.) at 21.

In this area, ATXI's Proposed Route parallels an existing 69 kV electric line on the west side, meaning that the Proposed Route would sit on the far side of a 69 kV line that is already on Ms. McGinley's property. Ex. 025 (Morris Reb.) at 13. As ATXI witness Nicholas explained, paralleling an existing transmission line is a significant opportunity and drove the location of the Proposed Route in this area. Ex. 011 (Nicholas Reb.) at 14. The property is already bisected by the existing line, which minimizes impacts. *Id.* The McGinley Modification 1 diverges from paralleling the existing 69 kV before reaching the McGinley parcel, heading northwest before turning north and rejoining ATXI's Proposed Route on an adjoining landowner's parcel. Ex. 025 (Morris Reb.) at 13. It would add about 150 feet and one additional turn to the route, plus some additional tree clearing costs. Ex. 011 (Nicholas Reb.) at 14, 18.

ATXI reviewed McGinley Modification 1 and discovered that the required right of way would overhang a landowner and parcel that was not previously notified due to being outside of the Proposed Route notification corridor. Ex. 025 (Morris Reb.) at 13. It would additionally impact two other property owners, dividing their properties with a second transmission line where there is already one it could parallel on MK Farms' and the adjoining landowners' property. *Id.*; 011 (Nicholas Reb.) at 14-15, 18.

ATXI worked with Ms. McGinley to find a mutually acceptable modification that would avoid directly impacting a new landowner and did not object to an adjustment called McGinley Modification 2. Ex. 025 (Morris Reb.) at 13. The modification is pictured below by a yellow line.



Ex. 025 (Morris Reb.) at 14. This modification minimizes addition tree clearing costs and avoids impacting a landowner and parcel not previously notified because they were not impacted by ATXI's proposed route.

However, there is a landowner to the west of Ms. McGinley who would be directly impacted by this modification. That landowner, who is within the Proposed Route notification corridor and did receive notice, was unwilling to agree to any change from the Proposed Route on their property. Ex. 025 (Morris Reb.) at 14. ATXI was therefore unable to move forward with McGinley Modification 2. *Id.*

Ms. McGinley also testifies as to McGinley Modification 2 that no structures should be placed on her parcel. Ex. 951 (McGinley Sur.) at 5. This request is not technically feasible. Tr. at 224:11-225:2 (Oct. 27, 2025) (testimony from ATXI witness Morris that neither the Proposed

Route nor McGinley Modification 2 would be technically constructible with no structures to be located on Ms. McGinley's property). The monopole structures for the Projects have span ranges of 750 to 1,000 feet. Ex. 038 (Molitor Dir.) at 9; Ex. 040 (Schedule AM-D2). While ATXI can technically locate just one pole structure on the southwest portion of the MK Farms' parcel with the McGinley residence,[7] the length of the line on the MK Farms' parcel is longer than the maximum span for the structures and is not technically feasible.

ATXI continues to support its Proposed Route in this area. Even if technically constructible, the proposed McGinley modifications pose challenges and risks due to newly impacted landowners who were not previously notified (on McGinley Modification 1) and disagreement from other adjacent landowners to adjust the Proposed Route (on McGinley Modification 2), as explained above. Ex. 025 (Morris Reb.) at 15. Further, Ms. McGinley's route modification would introduce the addition of one additional angle structure and additional tree clearing, thereby increasing the cost of the project. *Id.* While ATXI continues to support its Proposed Route, if the Commission determines there is a need to address concerns raised by Ms. McGinley for the MK Farms parcel with the McGinley residence notwithstanding the cost and other impacts, the Commission should mitigate those cost impacts by selecting the less costly McGinley Modification 2, should the Commission deem appropriate. Any alternative route approved by the Commission should not include a direction that no pole structures be located on the MK Farms parcel, as the record demonstrates that is not technically feasible. Further, the Commission should not adopt McGinley Modification 1, as it would impact a landowner who did not receive notice of ATXI's Application because the Proposed Route did not impact that landowner.

[7] The McGinley residence is in the middle of the parcel in question, located far north of the most northern point of the Proposed Route on that parcel. Exhibit 951C,Schedule MS-7.

4. Mathews Routing Proposal

The final routing proposal was made by landowner F. Neil Mathews. Mr. Mathews does not propose a specific routing modification. Rather, he suggests that the Commission approve the DO-27 route, which again, was one of the route options ATXI considered prior to filing its Application. *See* Ex. 851 *(*Mathews Dir.) at 4. Mr. Mathews claims that DO-27 would have been less costly in addition to being overall preferred given the data comparisons provided by ATXI. *Id.* at 3.

The data comparisons to which Mr. Mathews is referring are located in Table 4 to the routing study for the Projects, appended to ATXI witness Nicholas' testimony. Ex. 009 (Schedule JN-D1) at 30. Mr. Nicholas discusses the comparisons in Table 4 in his rebuttal testimony, noting that DO-27 and DO-28 (now the Proposed Route) were broadly similar overall, but DO-28 was comparable or slightly more favorable than DO-27. Ex. 011 (Nicholas Reb.) at 12; *see also id.*at 30-32 ("the Routing Team considered DO-28 as the most viable route considering the overall ecological, land use and technical considerations, in addition to input received from the public and right-of-way considerations.").

The identification of the active hog farm, which the DO-27 route would have crossed, was a significant reason for the selection of DO-28 as the Proposed Route. ATXI concluded that the hog farm was a sensitivity that needed to be avoided to ensure the reliability of the line and avoid unnecessary costs associated with additional burdens on construction and operation of the line. Ex. 011 (Nicholas Reb.) at 12. Facilities such as hog farms commonly have stringent requirements and restrictions in place to protect the health and wellness of animals and humans, prevent disease and biological hazards, reduce impacts on quality of water and air, and to ensure the safety of the food supply. Ex. 025 (Morris Reb.) at 10. This results in restrictions on access, such as requiring advance notice to access the property, limited entry points, limiting the number of outside individuals to the farm, and documenting/record keeping of visitors. *Id.* There can also be limitations on the location and movement of vehicles and equipment and required monitoring or escort by farm personnel, in addition to enhanced tracking and biosecurity measures such as cleaning, washing, or disinfecting vehicles, equipment, or clothing before and after leaving the farm. *Id.* Special training of Company or contractor personnel could also be required. *Id.* at 10-11. Reviewing only Table 4, as Mr. Mathews does, omits this significant routing factor along with its aforementioned restrictions that need to be considered in selecting the most appropriate route. *See* Ex. 011 (Nicholas Reb.) at 12.

ATXI witness Morris also responded to Mr. Mathews' claim that DO-27 would have been a less costly route. Mr. Morris refutes this claim, noting that DO-27 was 2 miles longer and included one additional turning structure (between 15-49 degrees) and two additional structures greater than 50 degrees. Ex. 025 (Morris Reb.) at 16. A longer transmission line introduces additional costs in the form of increased material costs for support structures, conductor, and hardware; increases the costs associated with property acquisition, due to a larger impacted area; and increases labor costs associated with the installation of additional facilities. *Id.* Similarly, angle structures are significantly more expensive than tangent structures due to the additional loads imparted on angle structures, which increase the size of both the structure and foundation significantly. *Id.* Therefore, while DO-28 requires more tree clearing, and crosses additional wet areas, the cost savings associated with reduced line length and reduced angle structures for the Preferred Route is anticipated to reduce the overall costs of the Program when compared to DO-27. *Id.*

XII. Public Engagement Process

ATXI engaged in a thorough public engagement process in this case through which it sought to gain landowner and stakeholder feedback regarding the Projects generally and potential routes. As ATXI witness Leah Dettmers explained, in April 2024—following the selection of ATXI's FDIM Project proposal by MISO—ATXI conducted a series of public information meetings for both the FDIM and MMRX portions of Phase 1. Ex. 001 (Dettmers Dir.) at 4. ATXI provided the public with both in-person, virtual, and other engagement opportunities to learn more about the Phase 1 Projects and provide input on the Projects' Study Areas and route corridors. *Id.*

To ensure robust participation, those opportunities included: (1) two in-person open houses for each county affected by the Phase 1 Projects; (2) a website dedicated to the Program as a whole; (3) a self-paced, self-guided virtual open house with an interactive mapping tool, parcel maps and county level maps, and a comment feature; and (4) other ways to learn about and provide feedback on the Projects and connect with the Public Engagement Team. Ex. 001 (Dettmers Dir.) at 4-5. Ms. Dettmers explains each of these public engagement opportunities in detail in her direct testimony. *See generally id.*

At a high level, two open houses were held in each affected county, one mid-day and one in the evening to accommodate various schedules. Ex. 001 (Dettmers Dir.) at 6. ATXI sent postcards to landowners within the Study Area, a broad area in which routes were being considered, inviting them to the open houses. *Id.* ATXI also included notice of the open houses on its website for the Phase 1 Projects, published notice in local newspapers, and sent letters to each county's clerk, other government officials, and local cooperatives. *Id.* at 7. At the open houses, attendees had the opportunity to speak to members of the Public Engagement Team at various stations, view their area of interest on large tabletop aerial maps and a large free-standing county map, and provide comments and feedback to the Public Engagement Team on those maps. *Id* at 8. Interactive GIS mapping stations were also available. *Id.* ATXI received a variety of comments, including related to utility corridors, residential development areas, future land use, structures, and impacts to specific property. *Id.* at 9. This feedback informed the routing process and was considered in micrositing along the Proposed Route. *Id.*

As mentioned, there was also a website dedicated to the Phase 1 Projects. This website went live on March 22, 2024 and is still active. Ex. 001 (Dettmers Dir.) at 10. During the public engagement process, the website provided general information about the Phase 1 Projects, including maps, graphics, explanatory text of the public involvement process, and milestones throughout the implementation of the Program. *Id.* The Program website also allowed members of the public to submit a direct comment to the Public Engagement Team and join the Program email or mailing list through digital submission forms. *Id.* Additionally, the website provided the team's contact information, to provide community members and landowners the opportunity to discuss the Projects through a hotline and email correspondence, as well as notice of the open houses. *Id.* The website was referenced in all mailings and newspaper notifications regarding the Phase 1 Projects. *Id.* at 12.

ATXI also offered a self-paced, self-guided, virtual open house that provided the same information made available at the in-person public open house meetings to those members of the public who were unable to attend an in-person meeting or who preferred the convenience of an at-home virtual experience. Ex. 001 (Dettmers Dir.) at 13. The virtual open house provided visitors the opportunity to step through a series of informational sections. Those sections included an overview of the Phase 1 Projects with a link to a video about the Projects, a Study Area map, information regarding reliability and the need for the Projects, an anticipated regulatory approval and construction schedule, information regarding structure designs, and information regarding the anticipated construction and routing processes, as well as real estate impact information and agency and environmental coordination information. *Id.* at 14. County-specific information was also provided, and visitors were able to leave detailed comments with pins on the interactive map as well as connect with the Public Engagement Team via email, hotline, an interactive GIS map, and the Program website. *Id.* at 15. Any comments received were used to inform the routing process. *Id.* at 18.

Landowners also had the option of calling ATXI's dedicated hotline for the Projects and emailing or sending a letter to ATXI representatives. Ex. 001 (Dettmers Dir.) at 19. ATXI did receive several comments through these means, and those comments, again, were used to inform the routing process. *Id.*

A. Landowner-Intervenor Public Engagement Complaints

Several landowner intervenors in the case raised concerns regarding the public engagement process, including the notices that were sent, landowner parcel information, and maps provided with open house notices and on ATXI's website. The record reveals that many of these allegations are not based in fact, and in any event, do not require any action on the part of the Commission as they either do not relate to the specific landowner intervenor's notice or involve notice issues that have been cured by ATXI under the applicable regulatory framework. The landowners who intervened in this case have had ample opportunity to be heard. They were provided with two opportunities to intervene and have advocated for their interests through their testimony and overall participation in the case.

1. Landowner Notifications

Pursuant to Section 4240-20.045 of the Missouri regulations concerning electric utilities, ATXI was required to comply with certain notice requirements related to the Projects. First, ATXI was required to send notice of its application to "directly affected" landowners as stated in the records of the applicable county assessor's office. 20 CSR 4240-20.045(6)(K)(1). Second, ATXI was required to hold a public meeting in any county where 25 or more people were entitled to receive notice of the application. 20 CSR 4240-20.045(6)(K)(3). Notice of the public meeting was to be sent to anyone who was entitled to receive notice of the application. *Id.*

As explained by ATXI witness Ms. Dettmers, ATXI mailed notice of its open houses to 232 landowners and 119 stakeholders in March 2024. Ex. 001 (Dettmers Dir.) at 6. Ms. Dettmers provided an example of the open house notifications in the Engagement Summary attached to her direct testimony as Schedule LD-D1. In addition to providing details about the time and location of open houses, the postcards included information about the Projects as well as contact information and an invitation to provide feedback to ATXI. Ex. 002 (Schedule LD-D1) at 3.

As explained above, ATXI held two open houses in each county, one in the morning and afternoon from 11:00 AM until 1:00 PM, and one in the evening from 5:00 PM until 7:00 PM. Ex. 001 (Dettmers Dir.) at 6. The counties in which ATXI held these open houses were Worth County, Gentry County, DeKalb County, and Marion County. Missouri regulations require that only one open house be held in each county, but ATXI held two in each to ensure that landowners entitled to notice would be afforded a reasonable amount of time to pose questions or to state their concerns. *Id.*; *see also* 20 CSR 4240-20.045(6)(K)(3).

ATXI also sent notice of its application to directly affected landowners on July 5, 2024. Ex. 001 (Dettmers Dir.) at 20. A copy of the letter that was sent is attached to Ms. Dettmers' testimony as Schedule LD-D2. Ex. 003 (Schedule LD-D2). The letter informed recipients that they had been identified as owning property along the route and that ATXI would soon submit an application to the Missouri Commission for approval of the FDIM and MMRX Projects. It provided some general information about the Projects, a high-level map, and several pieces of contact information such as a phone number and email address for communications about the Projects. *Id.*

Several landowner intervenors raised concerns regarding the notices that they received of the application and/or open houses. None of the landowner intervenors in this case claim that they did not receive either a notice of application or open house notice. Rather, they take issue with some content in the notices and ATXI's public engagement process in general, which they claim caused them confusion.

a. Landowner Intervenor Mathews

Landowner intervenor Mathews voiced concerns regarding the notice provided by ATXI, primarily claiming that DO-27 was the only route option communicated to him and that he relied on information from "sources inside Worth County" who told him that ATXI would identify DO-27 as its proposed route. Ex. 851 (Mathews Dir.) at 2. Mr. Mathews also took issue with the fact that ATXI did not send its notices to him via certified mail. *Id.*

As an initial matter, to the extent Mr. Mathews is relying on unidentified "sources" for his information, ATXI has no control over the accuracy of the information being communicated to him by third parties. Mr. Mathews evidently chose not to consult with ATXI or its public-facing resources regarding the Projects.

Moreover, despite Mr. Mathews' claims to the contrary, "at no time did ATXI present DO-27 on public-facing materials at the open houses, via any mailings, or on the Program website." Ex. 004 (Dettmers Reb.) at 7:16-17; *see also* Ex. 813 (Response to MPSC 0020.1 ("DO-27 was not displayed on the Program website during the time period April 5, 2024 to June 1, 2024")); Tr. at 80:20-21 (Oct. 27, 2025) ("we do not propose any select route on a map made available to the public."). Mr. Mathews' accusation that ATXI committed to select DO-27 as the Proposed

Route is simply inaccurate, and he has not pointed to any evidence showing otherwise.[8] Further, there is no requirement that ATXI send notices via certified mail. Ex. 004 (Dettmers Reb.) at 5; 20 CSR 4240-20.045(6)(K) (requiring certified mail only where notices were not initially sent to a landowner).

More importantly, however, Mr. Mathews does not raise any legal issues with the notice he received from ATXI. He does not claim that he failed to receive either the open house notice or notice of application. And in fact, ATXI's records show that he received both. Ex. 004 (Dettmers Reb.) at 6. Additionally, Mr. Mathews does not allege that ATXI violated any legal requirement regarding landowner notice. Neither Mr. Mathews nor any other landowner intervenor alleges a failure to comply with the Commission's requirements regarding the content of such notices. The required content for notice of an application for a CCN is the following:

> Any letter sent by applicant as notice of the application shall be on its representative's letterhead or on the letterhead of the utility, and it shall clearly set forth–
> A. The identity, address, and telephone number of the utility representative;
> B. The identity of the utility attempting to acquire the certificate;
> C. The general purpose of the proposed project;
> D. The type of facility to be constructed; and
> E. The contact information of the Public Service Commission and Office of the Public Counsel.

[8] To the extent any party has suggested that DO-27 was a "known alternative route" within the meaning of 20 CSR 4240-20.045(6)(K)(1) and that landowners along DO-27 should have received notice, ATXI has responded to those claims in several pleadings it has filed in this docket. *See Response of Ameren Transmission Company of Illinois to Mark Harding Request for Clarification*, EFIS #119 (June 18, 2025); *Reply of Ameren Transmission Company of Illinois to OPC Response to Staff Recommendation*, EFIS #72 (Mar. 21, 2025). Generally speaking, the argument that ATXI was required to provide notice of its application to landowners along route alternative DO-27, which was identified along with 27 other route alternatives in the RSS (Ameren Schedule JN-D1) for the FDIM Project, where it differs from route DO-28 proposed by ATXI in its Application, is contrary to law and without merit. The Company's notice of its application to landowners was compliant with Section 4240-20.045(6)(K), which clearly provides that the required notice is to be given "to landowners directly affected by electric transmission line routes or transmission substation locations **proposed by the application**." 20 CSR 4240-20.045(6)(K) (emphasis added). ATXI did not propose route alternative DO-27 in its Application.

20 CSR 4240-20.045(6)(K)(2). The full requirements stated in the Commission's rules for a county meeting (open house), including the notice for such meeting, are as follows:

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

20 CSR 4240-20.045(6)(K)(3). Because the landowner intervenors' alleged concerns related to the content of ATXI's notices are not tied to or supported by any requirement in a statute, rule, or order, such concerns do not constitute matters which the Commission has the authority to address and this Commission's inquiry should end there, as there is no legal issue to remedy.

It is worth noting, however, that the notice of application Mr. Mathews received stated that "public records show that you own property along the route of new transmission lines that ATXI is proposing to develop." Ex. 002 (Schedule LD-D2). If Mr. Mathews had concerns or questions about how his property may have been affected by the Projects, he had the opportunity to attend an open house or reach out to ATXI via the contact information included in the notices. He did not do so and instead assumed the route would follow a specific path because of information he received from unknown third parties. This is no fault of ATXI.

b. Landowner Intervenor Harding

Landowner intervenor Mr. Harding also raised concerns with the notice in this proceeding. Mr. Harding complains not only regarding the notice he received but also regarding the notice and acquisition of parcel information as it relates to other related property owners, who live nearby. *See* Ex. 806 (Harding Dir.) at 2. ATXI will address issues regarding parcel information generally in the following section but note here that Mr. Harding's intervention was granted "in a limited capacity to only the issue of routing concerns affecting [his] property." Order Regarding Applications to Intervene, EFIS # 103 (May 7, 2025). Testimony and argument regarding other landowners' property are therefore outside the scope of his intervention and improperly raised. Those other landowners had an opportunity to intervene in this proceeding to assert her own interests and chose not to do so. The Commission should disregard Mr. Harding's attempts to raise issues for other landowners.

Regarding Mr. Harding's own claims, he asserts similarly to Mr. Mathews that he believed ATXI was going to select DO-27 as the proposed route and therefore was not concerned about his property being affected. *See* Ex. 806 (Harding Dir.) at 3. First, as stated with respect to Mr. Mathews' testimony, ATXI never presented DO-27 on any public-facing materials; therefore, any assumption that ATXI would propose DO-27 was just that, an assumption. *See* Ex. 004 (Dettmers Reb.) at 7, 9 ("ATXI had not publicly revealed any specific line route in any materials mailed, online or at the open houses."). While Mr. Harding states that he "only attend[s] meetings if they concern me," it is unclear how Mr. Harding could have come to the conclusion that the transmission line would not concern him. *See* Ex. 806 *(*Harding Dir.) at 3. He received both the open house and application notices, and the notice of application clearly stated that Mr. Harding owned property along the route of a new transmission line and would be affected by it. Ex. 003 (Schedule LD-D2). In sum, the assumption Mr. Harding made that the Proposed Route would not concern him was not based on the materials ATXI provided. Further, Mr. Harding did not make an effort to reach out to ATXI or attend the open house to verify his beliefs or seek clarification.

Ultimately, as is the case with Mr. Mathews, Mr. Harding received both the open house notice and the notice of application and confirmed that in his direct testimony. *See* Ex. 806 (Harding Dir.) at 3. Mr. Harding was informed through those notices that his property was along the route of a new transmission line. Mr. Harding elected not to attend the open houses, and did not reach out to ATXI for months after receiving those notices and after the application was already filed was his choice. Further, Mr. Harding does not allege any legal deficiencies with the notice he received. While he claims the notices were, in parts, unclear, he does not claim that ATXI violated Section 4240-20.045(6)(K) or any other legal obligation. He simply does not seek a legal remedy outside of his requested route modifications and, therefore, there is no action for the Commission to take regarding Mr. Harding's notice allegations.

c. Landowner Intervenor McGinley

The third landowner intervenor that took issue with the notice they received was Ms. McGinley. Ms. McGinley does not go into much detail regarding notice but generally states that the public engagement process should have "included meaningful opportunities for stakeholder input before final route selection, not after." Ex. 951 (McGinley Sur.) at 8. But to be clear, ATXI did provide meaningful opportunities for input prior to filing of a Proposed Route. The open houses were such opportunities where landowners could directly interact with ATXI representatives and provide feedback that would inform the selection of the Proposed Route. As ATXI witness Ms. Dettmers testified, "[c]omments received at the April 2024 meetings and through other communications around that time were collected, reviewed, and considered…." Ex. 001 (Dettmers Dir.) at 9:18-19. Not only did landowners have an opportunity to provide feedback at the open houses, but as discussed above, they were able to participate in the virtual open house or reach out to ATXI representatives using the various contact information provided. In fact, Ms. McGinley attended one of the open houses. Tr. at 113:8 (Oct. 27, 2025).

And again, nowhere does Ms. McGinley suggest that she did not receive any notice she was entitled to receive or that ATXI did not fulfill any applicable legal requirement. Accordingly, there is no legal issue for the Commission to remedy as to Ms. McGinley's notice complaints.

2. Landowner Parcel Information

Missouri regulations set forth certain procedures regarding the collection of landowner parcel information. Section 4240-20.045 states that the utility 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." 20 CSR 4240-20.045(6)(K)(1). The regulations also provide a procedure for curing any notice issues. This procedure is to be followed in the event that the applicant becomes aware that a person who should have received notice did not receive it. If that occurs, the "applicant shall, within twenty (20) days, provide notice to that person by certified mail, return receipt requested, containing all the required information." 20 CSR 4240-20.045(6)(K)(4). The applicant must also file supplemental proof of compliance for the additional notice. *Id.*

Landowner intervenor Harding has raised concerns about the process by which ATXI obtained parcel information for its notices of application in this proceeding, specifically related to Worth County. Mr. Harding accuses ATXI of not contacting the Worth County Assessor's Office to obtain landowner information and states that ATXI's information is several years old. Ex. 806 (Harding Dir.) at 12. Mr. Harding testifies to the contents of several supposed email exchanges which he claims show the information ATXI had was not current.

As an initial matter, it is improper for Mr. Harding to testify to email exchanges between himself and third parties without providing the original communications to authenticate those conversations. ATXI objected to such testimony on the grounds that it is hearsay and unauthenticated, and as such asks the Commission to afford it no weight. *See Bynote v. Nat'l Super*

Markets, Inc., 891 S.W.2d 117, 120 (Mo. 1995) (hearsay generally excluded as unreliable); *Rob Lee, Complainant*, No. WC-2009-0277, 2009 WL 1505334, at *1-2 (May 19, 2009) (rule barring hearsay applies in Commission proceedings); Tr. at 256:16-25 (Oct. 27, 2025) (ATXI objection to hearsay contained within Mr. Harding's testimony).

Regarding Mr. Harding's substantive claims, ATXI witness Ms. Dettmers testified that they are simply incorrect. ATXI's consultant, Contract Land Services (CLS) contacted the Worth County Assessor's Office and was directed to the website devnetwedge.com to obtain parcel information. Ex. 004 (Dettmers Reb.) at 15. There was no receipt to document the acquisition of parcel data via this means because there was no cost associated with accessing this website. *Id.*

Ms. Dettmers also testified that the parcel identification numbers used in ATXI's notices of application are valid and represent the Missouri Uniform Parcel Numbering System standard, also shown on devnetwedge.com records as alternate parcel numbers, or APNs. Ex. 004 (Dettmers Reb.) at 16-17. When ATXI obtained Mr. Harding's and Mr. Mathews' property record cards directly from the Worth County Assessor, those cards contain the APN numbers from ATXI's notices, obtained from devnetwedge.com. *Id.* at 17. This indicates that the information provided by devnetwedge.com was accurate, and at the very least, the information provided for Mr. Harding and Mr. Mathews' properties was accurate.

In addition to these claims, Mr. Harding raises concerns regarding several other landowners who did not initially receive notice of the application because of parcel splits. As Ms. Dettmers testified, the parcels at issue involved a split of an existing parcel. Ex. 004 (Dettmers Reb.) at 18. When ATXI obtained updated information for these parcels, that information did not indicate there had been a change because the parent parcels still existed. *Id.* For that reason, ATXI did not initially send notice to the parcels that split off. When ATXI learned of the new parcels, however, it followed the procedures laid out in Section 4240-20.045(6)(K)(4) and sent notice to those landowners via certified mail within 20 days. Ex. 004 (Dettmers Reb.) at 18. Ms. Dettmers filed an affidavit certifying that the additional notices were sent and complied with Section 4240-20.045(6)(K)(4). Dettmers Affidavit, EFIS #67 (Mar. 3, 2025).

ATXI regrets that these notices were not initially sent. At the same time, ATXI cured the notice issues by following the procedure set forth by the Missouri regulations.[9] Therefore, there is nothing left for the Commission to address on this point. Further, this issue goes beyond the scope of intervention granted to Mr. Harding and the other landowner-intervenors as it does not relate to them or their parcels.

Further, ATXI agreed that in future cases, it will refresh its data within 90 days after filing an application for a transmission line certificate to confirm the parcels and owners of land that are directly affected by the project and to whom notice was sent. Joint Status Report, EFIS #68 (Mar. 7, 2025). This confirmation is intended to avoid similar issues in the future.

3. Mapping Information

As described above, ATXI provided a number of maps to landowners throughout the public engagement process. There were high-level maps included with the open house notices and notices of application, maps displayed on the Program's website, and an interactive map that was part of the virtual open house process, which allowed landowners the opportunity to leave detailed comments with pins. Ex. 001 (Dettmers Dir.) at 10, 14-15; Ex. 002 (Schedules LD-D1); Ex. 003

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[9] Any suggestion that the ability to cure notice issues under Section 4240-20.045(6)(K)(4) is limited to instances where " a parcel changes ownership after an applicant properly gathers the most recent landowner addresses from the County Assessor's Office" is unfounded and not supported by the statutory text. *See Harding Position Statement,* EFIS #192 at 3 (Oct. 17, 2025). The statute does not limit the application of this section to any particular scenario or scenarios. Rather, it applies broadly where the applicant "becomes aware of a person entitled to receive notice of the application to whom applicant did not send such notice." 20 CSR 4240-20.045(6)(K)(4). Exceptions cannot be read into a statute or rule where they do not exist. *In Int. of J.L.H.*, 488 S.W.3d 689, 696 (Mo. Ct. App. 2016) ("[w]here no exceptions are made in terms, none will be made by mere implication or construction").

(LD-D2). This is in addition to the maps displayed at the in-person open houses, including large tabletop aerial maps, a large free-standing county map, and interactive GIS mapping stations. Ex. 001 (Dettmers Dir.) at 8-9. There is no requirement in the applicable rule to provide any maps as part of the public engagement process. 20 CSR 4240-20.045.

Mr. Harding takes issue with certain aspects of ATXI's maps in this proceeding. He claims that he "knew" from the open house notification that his property would not be along the Proposed Route. Ex. 806 (Harding Dir.) at 3. And, therefore, he was surprised when he realized that his property was, in fact, along the route. Essentially, Mr. Harding appears to claim that ATXI's maps were not accurate.

But as ATXI witness Ms. Dettmers explains and as is evident from reviewing the maps themselves, they are extremely high level, and it would be nearly impossible to identify with certainty the precise area of the Projects and which parcels they would cross. Ex. 004 (Dettmers Reb.) at 22; Ex. 002 (Schedule LD-D1) at 3. The open house map did not depict any centerline or specific route for the transmission line; it was simply a map depicting the localized area that could be affected by the Projects and certain corridors of interest. *Id.* Notwithstanding having received notice of the open house, Mr. Harding again made an assumption because a corridor of interest depicted on the open house invitation map (what he calls the "skinny line") appeared to him to not impact his property, and he therefore elected to not attend the open house. This was not ATXI's intent and it is unfortunate, but it is not a violation by ATXI of any applicable requirement. Nor has Mr. Harding been prejudiced, as his intervention was allowed, and he has had every opportunity in this proceeding to present his routing concerns.

Additionally, all maps displayed at ATXI's open houses and online contained a disclaimer stating that the maps were "for discussion purposes only," that they did "not represent a final determination . . . as to route selection," that ATXI was "not restricted or barred from modifying or deviating from the routes proposed, or considering new or different routes," and that "[a]ll routes are subject to change pending MoPSC approval." Ex. 004 (Dettmers Reb.) at 23:21-24:9, 26. Mr. Harding has acknowledged that he visited ATXI's Program website which contained these disclaimers. Ex. 806 (Harding Dir.) at 3.

If Mr. Harding had reached out to ATXI prior to a Proposed Route being selected, including by attending one of the open houses, he would have been able to gather more definitive information regarding the potential route, but he chose not to do so and instead relied on assumptions about the location of the route. This is no fault of ATXI's.

XIII. Conclusion

For the reasons explained above, the Commission should, consistent with the weight of the evidence, grant ATXI's certificate of convenience and necessity (CCN) for its Proposed Route, and in doing so, approve Phase 1 of the Northern Missouri Grid Transformation Program, which will add needed transmission capacity to the grid, ensure reliability and resiliency, and reduce costs for both generators and residents in Missouri.

Dated: November 18, 2025

Respectfully submitted

AMEREN TRANSMISSION COMPANY OF ILLINOIS

By: */s/ Carmen L. Fosco*
One of its Attorneys

Eric E. Dearmont (Mo. Bar #60892)
Jason Kumar (Mo. Bar #64969)
AMEREN SERVICES 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

Albert D. Sturtevant (*practicing pro hac vice*)
Carmen L. Fosco (*practicing pro hac vice*)
Christine Prorok (*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
prorok@witt-sturtevant.com

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 18, 2025.

/s/. Carmen L. Fosco
Carmen L. Fosco