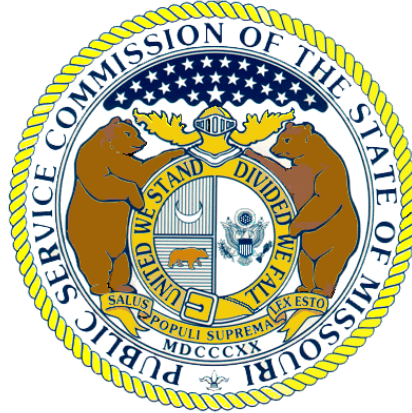


**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**



In the Matter of the Application of Ameren)
Transmission Company of Illinois for a)
Certificate of Convenience and Necessity)
Under Section 393.170.1, RSMo, relating to)
Transmission Investments in Northwest)
and Northeast Missouri)

Case No. EA-2024-0302

REPORT AND ORDER

Issue Date: December 11, 2025

Effective Date: January 10, 2026

TABLE OF CONTENTS

APPEARANCES..... 4

PROCEDURAL HISTORY 6

FINDINGS OF FACT 7

CONCLUSIONS OF LAW..... 20

DISCUSSION AND DECISION 23

ORDERED PARAGRAPHS..... 28

APPEARANCES

AMEREN TRANSMISSION COMPANY OF ILLINOIS

Jason Kumar, Corporate Counsel, Ameren Service Company, 1901 Chouteau Avenue, St. Louis, Missouri 63166

Eric Dearmont, Corporate Counsel, Ameren Service Company, 1901 Chouteau Avenue, St. Louis, Missouri 63166

Carmen Fosco, Whitt Sturtevant LLP, 180 North LaSalle Street, Suite 2020, Chicago, Illinois 60601

Albert Sturtevant, Whitt Sturtevant LLP, 180 North LaSalle Street, Suite 2020, Chicago, Illinois 60601

Christine Prorock, Whitt Sturtevant LLP, 180 North LaSalle Street, Suite 2020, Chicago, Illinois 60601

STAFF OF THE PUBLIC SERVICE COMMISSION

Travis Pringle, Governor Office Building, 200 Madison Street, Jefferson City, Missouri 65102

Eric Vandergriff, Governor Office Building, 200 Madison Street, Jefferson City, Missouri 65102

OFFICE OF THE PUBLIC COUNSEL

Anna Martin, Governor Office Building, 200 Madison Street, Jefferson City, Missouri 65102

Marc Poston, Governor Office Building, 200 Madison Street, Jefferson City, Missouri 65102

MISSOURI ELECTRIC COMMISSION

Doug Healy, Healy Law Offices, LLC, 3010 East Battlefield, Suite A, Springfield, Missouri 65804

Peggy Whipple, Healy Law Offices, LLC, 3010 East Battlefield, Suite A, Springfield, Missouri 65804

RENEW MISSOURI

Nicole Mers, Renew Missouri, 915 Ash Street, Columbia, Missouri 65201

James Owen, Renew Missouri, 915 Ash Street, Columbia, Missouri 65201

CLEAN GRID ALLIANCE

Elizabeth Wheeler, Clean Grid Alliance, 570 Asbury Street, Suite 201, St. Paul, Minnesota 55104

Judith Willis, The Law Offices of Judith Anne Willis, 2313 Route J, Jefferson City, Missouri 65101

SIERRA CLUB

Sarah W. Rubenstein, Great Rivers Environmental Law Center, 319 North Fourth Street, Suite 800, St. Louis, Missouri 63102

Caitlin Stiltner, Great Rivers Environmental Law Center, 319 North Fourth Street, Suite 800, St. Louis, Missouri 63102

MIDCONTINENT INDEPENDENT SYSTEM OPERATOR

Jeffrey Small, Midcontinent Independent System Operator, Inc., 720 City Center Drive, Carmel, Indiana 46032

Max Meyer, Midcontinent Independent System Operator, Inc., 2985 Ames Crossing Road, Eagan, Minnesota 55121

William Steinmeier, William Steinmeier, P.C., 2031 Tower Drive, Jefferson City, Missouri 65109

F. NEIL MATHEWS

F. Neil Mathews, 1369 North Port Washington Road, Unit 107, Grafton, Wisconsin 53024

MARK HARDING

Mark Harding, 30525 178th Road, Denver, Missouri 64441

MCGINLEY-KRAWCZYK FARMS

Stephanie Bell, Ellinger Bell LLC, 308 East High Street, Suite 300, Jefferson City, Missouri 65101

Marc Ellinger, Ellinger Bell LLC, 308 East High Street, Suite 300, Jefferson City, Missouri 65101

Regulatory Law Judge: **Riley G. Fewell**

REPORT AND ORDER

Procedural History

On July 16, 2024, Ameren Transmission Company of Illinois (ATXI or the “Company”) filed an application (Application) with the Commission requesting a Certificate of Convenience and Necessity (CCN) to construct, install, own, operate, maintain, and otherwise control 44 miles of 345 kV transmission line. The line will be constructed in two segments, with one segment in Worth, Gentry, and DeKalb counties, a new 345 kV substation named Denny in DeKalb County (referred to as the “Fairport-Denny-Iowa/Missouri Border Project” or the “FDIM Project”), and 9 miles of 345 kV transmission line in Marion County between ATXI’s existing Maywood Substation near Palmyra, Missouri, and the Mississippi River Illinois/Missouri border.¹

The Application also requested permission and authority 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 d/b/a Missouri Electric Commission (MEC).

The Commission directed notice of the filings and set an intervention deadline. MEC, Renew Missouri, Clean Grid Alliance, Sierra Club, and Midcontinent Independent System Operator (MISO) requested and were granted intervention. The Staff of the Public Service Commission (Staff) and the Office of the Public Counsel (Public Counsel) were also parties.

An in-person local public hearing was held on December 9, 2024, in Albany, Missouri, and a virtual local public hearing was held on December 10, 2024. On December 20, 2024, Staff filed *Staff Recommendations* requesting an additional local

¹ The CCN would include upgrades to the Maywood Substation (Maywood-Mississippi River Crossing or MMRX Project).

public hearing as well as addressing right-of-way acquisition and micro-siting, reporting requirements, and landowner communication. Furthermore, an additional virtual local public hearing was held on January 16, 2025, for landowners who were not affected by the Company's proposed route but would have been affected by one of the route alternatives previously considered by the Company.

On March 7, 2025, a *Joint Status Report* (Status Report) was filed by ATXI, MEC, Renew Missouri, Sierra Club, MISO and Staff (together, "Signatories"). The Status Report included revised recommendations agreed upon by ATXI and Staff and to which the other Signatories did not object. The same day, Public Counsel filed a response asserting that several landowners had not received notice. However, no party objected to the revised conditions.

The Company filed multiple replies to Public Counsel's response to the Status Report and ultimately provided additional notice to several other landowners that had not or may not have been previously notified. So that sufficient opportunity to participate was provided to all unnoticed landowners, the intervention period was reopened from April 4, 2025, until April 18, 2025, and F. Neil Mathews, Mark Harding, Kevin and Rochelle Hiatt,² and McGinley-Krawczyk Farms were granted limited intervention to address only the routing of the line that would affect their property.

Pre-filed testimony was filed according to the procedural schedule and an evidentiary hearing was held on October 27, 2025.³ Exhibits and live testimony were provided during the evidentiary hearing. There were 19 exhibits filed between October 28 and October 30, 2025. ATXI objected to several of Harding's exhibits. The Commission

² Mr. and Ms. Hiatt filed a Dismissal of Intervention on October 26, 2025, stating that their concerns with the case were resolved and they were dismissed as parties on October 27, 2025.

³ Transcript (Tr.) Volume (Vol.) 8.

sustained those objections but admitted McGinley-Krawczyk exhibits 952C and MS-7C and Harding exhibits 812, 813, 820P, 825C, 826, 828P, 829, 840P and 840C into the record as late-filed exhibits. Briefs were filed on November 18, 2025, and the case was deemed submitted for the Commission’s decision on that date.

FINDINGS OF FACT

Any finding of fact for which it appears that the Commission has made a determination between conflicting evidence is indicative that the Commission attributed greater weight to that evidence and found the source of that evidence more credible and more persuasive than that of the conflicting evidence.

General Findings of Fact

1. ATXI is a certificated Missouri “electrical corporation” and “public utility” as those terms are defined at Section 386.020, RSMo (Supp. 2024).⁴

2. ATXI is a transmission-only utility, created to facilitate additional transmission development in Illinois.⁵

3. ATXI is a private company wholly owned by Ameren Corporation (Ameren).⁶

4. ATXI generally pursues and develops transmission projects that provide value to regional customers. Those kinds of projects may not align with the project development portfolios of Ameren’s traditional incumbent facilities, and ATXI affiliates, Union Electric Company d/b/a Ameren Missouri (Ameren Missouri) or Ameren Illinois Company d/b/a Ameren Illinois.⁷

⁴ All citations to Revised Statutes of Missouri reference those published in 2016, unless otherwise indicated.

⁵ *Application*, p. 2.

⁶ Ex. 100, Staff Recommendation, p. 14.

⁷ *Application*, pp. 2-3.

5. Ameren Transmission Services (Ameren Services) provides professional services to Ameren's transmission-owning subsidiaries, including ATXI.⁸

6. Public Counsel is a party to this case pursuant to Section 386.710(2), RSMo, and by 20 CSR 4240-2.010(10).

7. Staff is a party to this case pursuant to 20 CSR 4240-2.010(10).

8. MEC is a party after being granted intervention.⁹

9. Renew Missouri is a party after being granted intervention.¹⁰

10. Clean Grid Alliance is a party after being granted intervention.¹¹

11. Sierra Club is a party after being granted intervention.¹²

12. MISO is a party after being granted intervention.¹³

13. Mark Harding is a party after being granted intervention in a limited capacity to only the issue of routing concerns of his property.¹⁴

14. F. Neil Mathews is a party after being granted intervention in a limited capacity to only the issue of routing concerns of his property.¹⁵

15. McGinley-Krawczyk Farms, LLC, is a party after being granted intervention in a limited capacity to only the issue of routing concerns of its property.¹⁶

The Project

⁸ Ex. 26, Schukar Direct, p. 1.

⁹ Order Granting Applications to Intervene, issued August 12, 2024.

¹⁰ Order Granting Applications to Intervene, issued August 12, 2024.

¹¹ Order Granting Applications to Intervene, issued August 12, 2024.

¹² Order Granting Applications to Intervene, issued August 27, 2024.

¹³ Order Granting Applications to Intervene, issued August 27, 2024.

¹⁴ Order Granting Applications to Intervene and Directing Filing of Procedural Schedule, issued May 7, 2025.

¹⁵ Order Granting Applications to Intervene and Directing Filing of Procedural Schedule, issued May 7, 2025.

¹⁶ Order Granting Applications to Intervene, issued May 14, 2025.

16. ATXI is proposing two projects, collectively comprising Phase 1 of the Northern Missouri Grid Transformation Program.¹⁷

17. The first project is the FDIM Project, which involves construction of a new, approximately 44-mile, 345kV electric transmission line intended to connect a designated end point on the Missouri-Iowa state line to a new substation named Denny, located near the existing Fairport Substation, and to connect the Denny Substation to the Fairport Substation.¹⁸

18. The second project is the Maywood-Mississippi River Crossing Project (MMRX), which is located in Marion County, Missouri, and involves construction of approximately nine miles of 345kV transmission line from ATXI's existing Maywood Substation near Palmyra, Missouri, to the Mississippi River Illinois/Missouri border.¹⁹

19. On the MMRX Project, there is approximately six miles of an existing Ameren Missouri 161kV transmission line that will be rebuilt within an existing Ameren Missouri transmission corridor. Ameren Missouri will initially fund the costs associated with removal of its facilities and the installation of replacement conductor on the ATXI-owned structures but will be reimbursed by ATXI. Ameren Missouri will own, operate, and maintain its existing circuit, and ATXI will own, operate, and maintain the new support structures and 345kV circuit.²⁰

20. ATXI held open houses in April 2024 in each of the pertinent counties to gather input from affected landowners.²¹

¹⁷ Ex. 8, Nicholas Direct, p. 3.

¹⁸ Ex. 8, Nicholas Direct, p. 3.

¹⁹ Ex. 8, Nicholas Direct, pp. 3-4.

²⁰ Ex. 19, Dencker Direct, p. 12.

²¹ Ex. 1, Dettmers Direct, pp. 4- 9, 21; Ex. 2, Schedule LD-D1, pp. 1, 3, 18-19.

21. Postcard invitations for the open houses were mailed to potentially affected landowners including a map of the favored route of DO-27. This also included contact information for ATXI and that ATXI was requesting input from the local community.²²

22. The open house invitations were also placed in the newspaper.²³

23. Nearly 100 people attended the April 2024 public open house meetings.²⁴

24. ATXI also held virtual open houses with an interactive map for landowners to view during the months of April to June 2024 and provide feedback.²⁵

25. Over 30 formal comments were made during, or mailed to, ATXI after the April 2024 public open house meetings.²⁶

26. ATXI filed the application for the CCN of the FDIM and MMRX Projects on July 16, 2024, with route DO-28 designated for the FDIM portion.²⁷

27. Notice was given to the DO-28 directly affected landowners²⁸ where a permanent easement or other permanent property interest would be obtained over all or any portion of the land or if the land contains a habitable structure that would be within three hundred (300) feet of the centerline of an electric transmission line.²⁹

28. An in-person local public hearing was held on December 9, 2024, in Albany, Missouri, and a virtual local public hearing was held on December 10, 2024.

29. Staff's recommendation contained sixteen conditions, one of which being that approval of ATXI's Phase 1 Projects were contingent upon approval of ATXI's Phase

²² Ex. 1, Dettmers Direct, pp. 6-7; Ex. 2, Schedule LD-D1, pp. 3-6, 20-21,

²³ Ex. 1, Dettmers Direct, p. 7; Ex. 2, Schedule LD-D1, pp. 24-27.

²⁴ Ex. 1, Dettmers Direct, p. 8.

²⁵ Ex. 1, Dettmers Direct, pp. 4-7, 10, 13-14, 17-18, 21; Ex. 2, Schedule LD-D1, p. 41; Tr. Vol. 8, pp. 77-79, 113-114, 115-118.

²⁶ Ex. 1, Dettmers Direct, p. 9.

²⁷ Application, filed July 16, 2024.

²⁸ Ex. 1, Dettmers Direct, pp. 20-21.

²⁹ 20 CSR 4240-20.045(6)(K).

2 Project. Staff also recommended an additional virtual public hearing be held for any landowners along route DO-27 who did not receive notice of the application.³⁰

30. ATXI's Phase 2 Project was approved by the Commission contingent upon Phase 1's approval.³¹

31. The parties filed a *Joint Status Report*³² wherein the signatories to the status report did not object to revised conditions that Staff and ATXI agreed upon. Those included addressing right-of-way acquisition and micro-siting, reporting requirements, and landowner communication for current and future proceedings.³³

32. Public Counsel also did not object to the conditions, but stated in its response that several landowners had not received notice of the application.³⁴

32. At least three landowners were not given notice with the application, but notice was later issued to those landowners within 20 days of ATXI becoming aware of those unnoticed landowners.³⁵

33. The Commission reopened the intervention deadline from April 4, 2025, to April 18, 2025, due to some landowners not receiving notice until seven months after the intervention deadline had passed.³⁶ The Commission finds that all potentially affected landowners received notice and were given an opportunity to participate.

³⁰ Ex. 100, Staff Recommendation, p. 5.

³¹ Case No. EA-2025-0087, Order Granting Certificate of Convenience and Necessity, issued July 16, 2025.

³² Joint Status Report, filed March 7, 2025.

³³ Tr. Vol. 8, p. 16, ll. 3-10, p. 29, ll. 20-22.

³⁴ Response to Staff's Recommendation and List of Concerns, filed March 7, 2025.

³⁵ Reply of Ameren Transmission Company of Illinois to OPC Response to Staff Recommendation, filed 3/21/2025; Affidavit, filed November 8, 2024, providing notice to a landowner on November 7, 2024; Affidavit, filed March 3, 2025, providing notice to a landowner on March 3, 2025; Affidavit, filed March 27, 2025, providing notice to seven landowners on March 24, 2025.

³⁶ Order Setting Intervention Deadline, issued April 4, 2025.

34. Staff supports the Phase 1 Projects with the revised conditions.³⁷ The revised conditions are attached herein with Schedule CME-s1.

35. On July 17, 2025, the Hiatts proposed a modification that was evaluated by ATXI.³⁸

Need for the Project

36. The primary purpose of the FDIM and MMRX Projects is to complete Phase 1 of Missouri's jurisdictional portion of MISO's Long Range Transmission Planning Tranche 1 Portfolio ("LRTP Tranche 1"). The intent behind MISO's LRTP Tranche 1 is to mitigate grid issues resulting from different ranges of economic, policy, and technological changes anticipated to occur in the next 20 years.³⁹

37. MISO is an organization that manages the electrical grid of a region including parts of 15 U.S. states and the Canadian province of Manitoba. The MISO region also includes a portion of Missouri.⁴⁰

38. In order for Missouri to facilitate receiving the full anticipated benefits from MISO's LRTP Tranche 1 Portfolio, both Phase 1 and Phase 2 will need to be approved by the Commission.⁴¹

39. MISO anticipates thermal issues to occur within Missouri based on assumed load growth over the next 20 years. Thermal issues, in reference to transmission elements, refers to situations where transmission lines or equipment become overloaded

³⁷ Ex. 101, Eubanks Surrebuttal, p. 2.

³⁸ Ex. 25C, Morris Rebuttal, p. 12. Mr. and Mrs. Hiatt dismissed their intervention on October 26, 2025. Their modification was solely used in comparison to other proposed modifications due to its detail.

³⁹ Ex. 100, Staff Recommendation, p. 5.

⁴⁰ Ex. 100, Staff Recommendation, p. 6.

⁴¹ Ex. 100, Staff Recommendation, p. 8.

due to high levels of electrical current and become overheated. This can lead to reduced efficiency and failures.⁴²

40. MISO identified eight transmission elements forecasted to have thermal issues that LRTP Tranche 1 would relieve. The element was considered relieved “if its worst pre-project loading was greater than 95% of its monitored Emergency rating, its worst post project loading was less than 100% of its monitored Emergency rating, and the worst loading decreased by greater than 5% following the addition of the project.”⁴³

41. The LRTP Tranche 1 (which spans across many different states) can “increase transfer levels from East-West/West-East” across the MISO region.⁴⁴ Generally, the benefits of increasing the transfer levels include:

- Allowing the grid to better handle the increase in renewable energy generation since many renewable energy sources are variable and intermittent in nature,
- Allowing the grid to transfer electricity more efficiently by reducing congestion which in turn optimizes the usefulness of the energy generated,
- Allowing access to other energy generation sources across the region, and
- [It can]...help reduce the risk of power outages due to the challenges associated with balancing the supply and demand of electricity using limited transfer capability.⁴⁵

42. In addition to the Tranche 1 Projects located in Missouri, there are also Tranche 1 Projects that will span from Iowa to Michigan called the East Central Corridor

⁴² Ex. 100, Staff Recommendation, p. 8.

⁴³ Ex. 100, Staff Recommendation, p. 8-9.

⁴⁴ Ex. 100, Staff Recommendation, pp. 9-10.

⁴⁵ Ex. 100, Staff Recommendation, pp. 9-10.

Solution. MISO determined that the introduction of the East Central Corridor Solution could increase the MISO region East-West/West-East transfer levels from 1,640 megawatts (MW) to 3,773 MW. The addition of the Missouri projects (namely, these ATXI Phases 1 and 2) would further increase the transfer level from 3,773 MW to 6,000 MW.⁴⁶

Construction and Operation

43. ATXI has been in business for over fourteen years and has previously been granted CCNs from this Commission for several transmission projects dating back to 2015.⁴⁷

44. ATXI plans to utilize Ameren Services to manage and supervise the Phase 1 Projects and the operations and maintenance services of Ameren Services when the Project is complete. Ameren Services employs system operators certified by the North American Electric Reliability Corporation (NERC). Ameren Services routinely patrols and coordinates scheduled maintenance.⁴⁸

Cost

45. The total expected cost to construct the Phase 1 Projects along the entirety of the route that ATXI is proposing within the FDIM and MMRX Projects is estimated at approximately \$120.5 million.⁴⁹

46. The total expected cost to construct the FDIM Project is estimated at approximately \$88.8 million.⁵⁰

⁴⁶ Ex. 100, Staff Recommendation, p. 10.

⁴⁷ Ex. 100, Staff Recommendation, p. 13.

⁴⁸ Ex. 100, Staff Recommendation, p. 13.

⁴⁹ Ex. 19, Dencker Direct, p. 17; Ex. 26, Schukar Direct, p. 18.

⁵⁰ Ex. 19, Dencker Direct, p. 17.

47. The Hiatt Modification that was proposed was estimated to add approximately 1.2 miles to the route, six additional medium and/or heavy structures, and approximately \$1.7 million in costs to the project.⁵¹

48. ATXI and MEC have a partnership pertaining to all facilities within the FDIM Project for ATXI to construct, operate and maintain those facilities, but with a provision to eventually transfer an undivided 49% passive interest to MEC, with ATXI retaining an undivided 51% participating interest. This includes MEC's responsibility for 49% of the costs to construct FDIM as well as 49% of the costs to operate and maintain the FDIM facilities jointly owned with ATXI.⁵²

49. 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.⁵³

50. On March 23, 2023, Standard and Poor's Global Ratings forecasted that over the next five years Ameren's capital spending was projected to increase to approximately \$19.7 billion across its electric transmission and electric and gas distribution businesses.⁵⁴

Economic Feasibility

51. No party disputed that the Phase 1 Projects are economically feasible.⁵⁵

⁵¹ Ex. 25C, Morris Rebuttal, p. 12.

⁵² Ex. 19, Dencker Direct, pp. 15-16.

⁵³ Ex. 44, Gudeman Direct, pp. 9-10.

⁵⁴ Ex. 100, Staff Recommendation, p. 15.

⁵⁵ Economic Feasibility is one of the Tartan Factors along with other factors that are mentioned herein. Please refer to the Conclusion of Law section, paragraph D.

52. Staff asserted that the project was economically feasible premised on the assumptions that the benefits of the project would “likely exceed” the costs because the project was FERC approved.⁵⁶

Transmission Line Route

53. The projected route of the FDIM portion of the Project is the only contested issue.⁵⁷

54. No specific route was displayed as the preferred route at the open houses.⁵⁸

55. ATXI chose route DO-28 for the FDIM section of the Proposed Route after receiving public comments during and after the open houses and conducting additional evaluations of the routes.⁵⁹

56. These evaluations included analysis for opportunities and constraints for each route.⁶⁰

57. An opportunity for a route is a condition or location considered favorable for placement of transmission lines.⁶¹

58. A constraint for a route represents a characteristic or location considered unfavorable for placement of a transmission line.⁶²

59. A hog barn located on a parcel that would be crossed by route DO-27 was one constraint leading to ATXI choosing DO-28 as its preferred route.⁶³

⁵⁶ Ex. 100, Staff Recommendation, pp. 16-20.

⁵⁷ Tr. Vol. 5, Procedural Conference, p. 9.

⁵⁸ Tr. Vol. 8, pp. 127-129.

⁵⁹ Ex. 8, Nicholas Direct, pp. 5-6, 17-18, 20-22; Ex. 9, Schedule JN-D1, pp. 28-32; Tr. Vol. 8, p. 209.

⁶⁰ Ex. 8, Nicholas Direct, pp. 8-10, 12, 14-17, 25; Ex. 9, Schedule JN-D1, pp. 7-8, 10-15, 21-22, 27, 49-50, 52-54; Ex. 10, Schedule JN-D2, pp. 5-6, 9-13, 26-28; Tr. Vol. 8, pp. 80-81, 118, 127-128.

⁶¹ Ex. 8, Nicholas Direct, p. 9; Ex. 9, Schedule JN-D1, pp. 5-6; Ex. 10, Schedule JN-D2, pp. 7-8.

⁶² Ex. 8, Nicholas Direct, p. 9; Ex. 9, Schedule JN-D1, pp. 5-6; Ex. 10, Schedule JN-D2, p. 7.

⁶³ Ex. 8, Nicholas Direct, p. 21; Ex. 9, Schedule JN-D1, pp. 29, 46; Ex. 11C, Nicholas Rebuttal, p. 12; Tr. Vol. 8, pp. 142-143, 212-214.

60. The hog barn could lead to additional costs due to hygiene and accessibility issues with DO-27.⁶⁴

61. Route DO-27 is two miles longer and requires one additional turning structure between 15-49 degrees and two additional structures greater than 50 degrees compared to DO-28. The cost savings associated with the reduced line length and reduced angle structures is anticipated to reduce the overall costs of the project.⁶⁵

62. Angle structures are significantly more expensive than tangent structures. Due to the additional loads imparted on angle structures, the size of both the structure and foundation increase significantly.⁶⁶

63. Multiple residential structures are located within 1,000 feet of Route DO-28.⁶⁷

64. Angle structures are more expensive and larger than tangent structures due to the additional loads imparted.⁶⁸

65. Staff proposed three conditions for the Commission to consider if it orders any modifications to the route:

- That the modification not affect a landowner who did not receive notice prior to the April 18, 2025 intervention deadline;
- That all modifications do not collectively exceed 2% of the entire cost of the project; and

⁶⁴ Ex. 25C, Morris Rebuttal, pp. 10-11; Tr. Vol. 8, p. 70-71, 141.

⁶⁵ Ex. 25C, Morris Rebuttal, p. 16.

⁶⁶ Ex. 25C, Morris Rebuttal, p. 16.

⁶⁷ Ex. 11C, Nicholas Rebuttal, p. 13, one residence is 275 feet from the DO-28; Ex. 811C, Harding Surrebuttal, p. 8, one residence is 600 feet from DO-28; Ex. 950, McGinley Direct, p. 6, one residence is 400 feet from DO-28.

⁶⁸ Ex. 25C, Morris Rebuttal, p. 16.

- That the modification be routed along existing roads, transmission corridors, and property lines where feasible.⁶⁹

66. ATXI does not object to modifications on parcels owned by landowners who received notice of the proceeding.⁷⁰

Mathews

67. Route DO-28 would place the line within Mathews' property and would cross where his family farm is located.⁷¹

68. Mathews proposed either using route DO-27 or moving the line 1,320 feet to the west of his farm.⁷²

69. Mr. Mathews would support the project if it included building an exemplary wind or solar farm on his land as a demonstration site.⁷³

McGinley-Krawczyk Farms

70. Route DO-28 would place the line within 400 feet of McGinley's home.⁷⁴

71. McGinley-Krawczyk proposed two modifications. McGinley Modification One moves the line to a minimum of 1,000 feet from the McGinley residence.⁷⁵

72. McGinley Modification One crosses a parcel of land belonging to a landowner who did not receive notice of the application. McGinley Modification Two would not affect any landowner who did not previously receive notice of the application.⁷⁶

73. Modification One is longer than Modification Two.⁷⁷

⁶⁹ Ex. 101, Eubanks Surrebuttal, p. 3.

⁷⁰ Ex. 25C, Morris Rebuttal, pp. 9, 15.

⁷¹ Ex. 851, Mathews Direct, p. 4.

⁷² Ex. 851, Mathews Direct, p. 3; Ex. 852, Mathews Surrebuttal, p. 1-2; Mathews Brief, p. 3. Mathews Surrebuttal states "back to AO-27" which the Commission believes to mean "back to DO-27."

⁷³ Ex. 852, Mathews Surrebuttal, p. 2.

⁷⁴ Ex. 950, McGinley Direct, p. 6.

⁷⁵ Ex. 950, McGinley Direct, p. 12-13.

⁷⁶ Ex. 11C, Nicholas Rebuttal, p. 18; Ex. 25C, Morris Rebuttal, p. 13.

⁷⁷ Ex. 101C, Eubanks Surrebuttal, Schedule CME-s3, MPSC 0057, p. 4.

74. Both McGinley Modification One and McGinley Modification Two require an additional angle structure increasing the cost of the project.⁷⁸

75. McGinley Modification One would add 150 feet to the project.⁷⁹

76. McGinley Modification Two is shorter than McGinley Modification One.⁸⁰

77. McGinley Modification One and McGinley Modification Two would cost less than the Hiatt Modification cost estimated at \$1.7 million.⁸¹

78. Route DO-28 follows parallel on the west side of an existing 69kV electric line already located on the McGinley property.⁸²

79. ATXI Witness James Nicholas testified that there is a preference for routes to follow property lines, existing utilities, roads, and other existing rights-of-way, but while preferred, it is not always practical.⁸³

80. ATXI finds both of McGinley's proposed modifications constructible.⁸⁴

Harding

81. Route DO-28 crosses Mr. Harding's property, but the line is not near any structure he owns.⁸⁵

82. Mr. Harding provided four options of modifications to route DO-28.⁸⁶

83. Harding Modification One moves the line a minimum of 1,200 feet from any residential structure.⁸⁷

⁷⁸ Ex. 11C, Nicholas Rebuttal, p. 18; Ex. 25C, Morris Rebuttal, p. 15.

⁷⁹ Ex. 11C, Nicholas Rebuttal, p. 18.

⁸⁰ Ex. 101C, Eubanks Surrebuttal, Schedule CME-s3, MPSC 0057, p. 4.

⁸¹ Tr. Vol. 8, pp. 223-224.

⁸² Ex. 25C, Morris Rebuttal, p. 13.

⁸³ Ex. 11C, Nicholas Rebuttal, p. 5.

⁸⁴ Ex. 11C, Nicholas Rebuttal, p. 18.

⁸⁵ Ex. 811C, Harding Surrebuttal, p. 7.

⁸⁶ Ex. 101C, Eubanks Surrebuttal, Schedule CME-s3, Summary of Proposals and MPSC 0054, p. 1-4.

⁸⁷ Ex. 811C, Harding Surrebuttal, p. 7.

84. Harding Modification One would impact eight landowners who did not previously receive notice of this application, would increase the length of the route by .75 miles, and would require 3-5 additional tangent structures including creating two right angle structures.⁸⁸

85. Harding Modification Four is similar to Harding Modification One and would impact the same eight landowners who did not receive notice of this application.⁸⁹

86. There was no estimated cost for Harding Modification One or Harding Modification Four, but each modification is anticipated to be more expensive than route DO-28.⁹⁰

87. Harding Modification Two would increase the route length approximately 1,200 feet, requires two additional heavy angle structures and one medium angle structure, with an estimated cost of \$800,000.⁹¹

88. Harding Modification Three would require an additional heavy angle structure and approximately 2-3 additional medium angle structures with an estimated cost of \$300,00 to \$500,000.⁹²

89. The right-of-way for Harding Modification Two and Harding Modification Three would cross the parcel of a landowner who owns multiple, adjacent parcels and who received notice of DO-28.⁹³

90. ATXI Witness Morris stated that both Harding Modification Two and Harding Modification Three are constructible.⁹⁴

⁸⁸ Ex. 101C, Eubanks Surrebuttal, Schedule CME-s3, MPSC 0054, pp. 1-3.

⁸⁹ Ex. 101C, Eubanks Surrebuttal, Schedule CME-s3, MPSC 0054, p. 2 and MPSC 0059, p. 3.

⁹⁰ Ex. 101C, Eubanks Surrebuttal, Schedule CME-s3, MPSC 0054, pp. 3.

⁹¹ Ex. 25C, Morris Rebuttal, p. 8-9.

⁹² Ex. 101C, Eubanks Surrebuttal, Schedule CME-s3, MPSC 0054, p. 4.

⁹³ Ex. 11, Nicholas Rebuttal, pp. 16-17; Ex. 101C, Eubanks Surrebuttal, Schedule CME-s3, MPSC 0054, p. 2-3.

⁹⁴ Ex. 25, Morris Rebuttal at 9.

91. When selecting the route, ATXI did not have a goal of avoiding residences by 1,000 feet.⁹⁵

92. It is not the industry standard to have 1,000 feet clearance of a residence.⁹⁶

93. At the evidentiary hearing Mr. Harding referred to exhibits in four folders after having provided copies of the folders to each of the parties, the Commissioners and the Regulatory Law Judge. The folders contained exhibits specific to the witness labeled on each folder.⁹⁷

94. Mr. Harding represented that the exhibits provided to the other parties and the Commission were identical to the documents referred to multiple times during the evidentiary hearing.⁹⁸

95. The parties and the Commission were led to believe that those exhibits were the same as exhibits previously offered, reviewed, objected to and ruled upon, or otherwise admitted unopposed.

96. Examination of Mr. Harding's exhibits after they were offered showed that many of the documents were not identical, but rather entirely different documents that the parties did not have an adequate opportunity to review and examine.⁹⁹

97. Mr. Harding filed additional duplicative or new versions of documents with his Motion for Admittance of Pre-Filed Exhibits into the Record, to which ATXI objected and the Commission sustained the objections.¹⁰⁰

⁹⁵ Ex. 11C, Nicholas Rebuttal, p. 11.

⁹⁶ Tr. Vol. 8, pp. 193-194.

⁹⁷ Tr. Vol. 8, pp. 72, 82, 88, 92, 94, 102-103, 105, 108, 138-139, 150, 161-162, 168-169, 176-180, 189, 191, 202, 259.

⁹⁸ Tr. Vol. 8, pp. 169-170.

⁹⁹ Admitted exhibit 820 had two versions, and admitted exhibit 840 had three versions. Denied exhibit 803 had two versions; denied exhibit 829 had four versions; denied exhibit 821 had three versions; denied exhibit 837 had four versions. Exhibit 811 had three versions; one admitted as the surrebuttal testimony of Mark Harding and all other exhibits labeled exhibit 811 were withdrawn by Mr. Harding at the hearing.

¹⁰⁰ *Order Regarding Late-Filed Exhibits and Objections*, issued 11/12/2025.

98. Mr. Harding attempted to file ten additional exhibits on November 18, 2025, attached to his brief, another that same day, separately, and another still on November 19, 2025,¹⁰¹ nineteen days after the deadline to file late exhibits and fourteen days after the deadline to file objections to late-filed exhibits.¹⁰²

Conclusions of Law

A. ATXI is a public utility and an electrical corporation as those terms are defined in Section 386.020, RSMo (Supp. 2024). By the terms of the statute, ATXI is subject to regulation by the Commission pursuant to Chapters 386 and 393, RSMo.

B. No electrical corporation shall begin construction of an electric plant without first having obtained the permission and approval of the Commission.¹⁰³

C. The Commission must determine that the new transmission line is necessary or convenient for the public service to be granted a CCN.¹⁰⁴ The term "necessity" does not mean "essential" or "absolutely indispensable," but rather that the proposed project "would be an improvement justifying its cost," and that the inconvenience to the public occasioned by lack of the proposed service is great enough to amount to a necessity.¹⁰⁵

D. The Commission has articulated specific criteria, known as the Tartan Factors, when evaluating applications for utility CCNs as follows:

- (1) there must be a need for the service;
- (2) the applicant must be qualified to provide the proposed service;

¹⁰¹ See Case No. EA-2024-0302 Docket Sheet, EFIS items 294, 298 and 299.

¹⁰² Tr. Vol. 8, p. 267.

¹⁰³ Section 393.170.1, RSMo (Supp. 2024).

¹⁰⁴ Section 393.170.3, RSMo (Supp. 2024).

¹⁰⁵ *State ex rel. Intercon Gas, Inc., v. Pub. Serv. Commission of Missouri*, 848 S.W.2d 593, 597 (Mo. App. 1993), citing *State ex rel. Beaufort Transfer Co. v. Clark*, 504 S.W.2d 216, 219 (Mo. App. 1973), citing *State ex rel. Transport Delivery Service v. Burton*, 317 S.W.2d 661 (Mo. App. 1958).

- (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.¹⁰⁶

E. It is within the Commission's discretion to determine when the evidence indicates the public interest would be served by the award of the certificate.¹⁰⁷ The public interest is a matter of policy to be determined by the Commission.¹⁰⁸ Determining what is in the interest of the public is a balancing process.¹⁰⁹ In making such a determination, the total interests of the public served must be assessed.¹¹⁰ This means that some of the public may suffer adverse consequences for the total public interest.¹¹¹ Individual rights are subservient to the rights of the public.¹¹² The “public interest” necessarily must include the interests of both the ratepaying public and the investing public.¹¹³

F. CCN applicants for transmission lines are required to provide notice of their 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 60 days prior to the date the notice is sent, who would be directly affected by the requested certificate, including the preferred route or location, as applicable, and any known alternative route or location of the proposed

¹⁰⁶ *In re Tartan Energy Company*, 3 Mo.P.S.C. 173, 177 (1994).

¹⁰⁷ *State ex rel. Ozark Electric Coop. v. Public Service Commission*, 527 S.W.2d 390, 392 (Mo. App. 1975).

¹⁰⁸ *State ex rel. Public Water Supply District v. Public Service Commission*, 600 S.W.2d 147, 154 (Mo. App. 1980). The dominant purpose in creation of the Commission is public welfare. *State ex rel. Mo. Pac. Freight Transport Co. v. Public Service Commission*, 288 S.W.2d 679, 682 (Mo. App. 1956). *State ex rel. Intercon Gas, Inc. v. Public Service Com'n of Missouri*, 848 S.W.2d 593, 597-598 (Mo. App. 1993). *State ex rel. Public Water Supply Dist. No. 8 of Jefferson County v. Public Service Commission*, 600 S.W.2d 147, 154 (Mo. App. 1980).

¹⁰⁹ *In the Matter of Sho-Me Power Electric Cooperative's Conversion from a Chapter 351 Corporation to a Chapter 394 Rural Electric Cooperative*, Case No. EO-93-0259, Report and Order issued September 17, 1993, 1993 WL 719871 (Mo. P.S.C.).

¹¹⁰ *Id.*

¹¹¹ *Id.*

¹¹² *State ex rel. Mo. Pac. Freight Transport Co. v. Public Service Commission*, 288 S.W.2d 679, 682 (Mo. App. 1956).

¹¹³ *State ex rel. City of St. Louis v. Public Service Com'n of Missouri*, 73 S.W.2d 393 (Mo. banc 1934).

facilities. For purposes of this notice, land is directly affected if a permanent easement or other permanent property interest would be obtained over all or any portion of the land or if the land contains a habitable structure that would be within 300 hundred feet of the centerline.¹¹⁴

G. This notice must include the general purpose of the proposed project and the type of facilities to be constructed.¹¹⁵

H. Within 20 days of becoming aware of any unnoticed landowners, the applicant is required to send such notice and file a supplemental proof of compliance regarding the additional notice.¹¹⁶

I. The Commission may impose such conditions as it may deem reasonable and necessary in granting a CCN.¹¹⁷

J. Utilities are required to provide safe and adequate service.¹¹⁸

K. The burden of proof is on ATXI to demonstrate that it has met the requirements for a certificate of convenience and necessity for the Projects.¹¹⁹ In order to carry its burden of proof, ATXI must meet the preponderance of the evidence standard.¹²⁰ In order to meet this standard, the company must convince the Commission it is “more likely than not” that the transmission to be provided by the Projects is necessary or convenient for the public service.¹²¹

¹¹⁴ 20 CSR 4240-20.045(6)(K)(1).

¹¹⁵ 20 CSR 4240-20.045(6)(K)(2).

¹¹⁶ 20 CSR 4240-20.045(6)(K)(4).

¹¹⁷ Section 393.170.3, RSMo (Supp. 2024).

¹¹⁸ Sections 393.130 and 393.140, RSMo.

¹¹⁹ “The burden of proof, meaning the obligation to establish the truth of the claim by preponderance of the evidence, rests throughout upon the party asserting the affirmative of the issue”. *Clapper v. Lakin*, 343 Mo. 710, 723, 123 S.W.2d 27, 33 (1938).

¹²⁰ *Bonney v. Environmental Engineering, Inc.*, 224 S.W.3d 109, 120 (Mo. App. 2007).

¹²¹ *Holt v. Director of Revenue, State of Mo.*, 3 S.W.3d 427, 430 (Mo. App. 1999).

L. Witness credibility is solely a matter for the fact-finder “which is free to believe none, part, or all of the testimony.”¹²²

M. An administrative agency, as fact finder, also receives deference when choosing between conflicting evidence.¹²³

DISCUSSION AND DECISION

No party disputed that there was a need for the Project, that ATXI was qualified to construct and operate the Project, that ATXI had the financial ability to construct and operate the Project, or the economic feasibility of the Project. The Project will allow the grid to better handle the increase in renewable energy generation since many renewable energy sources are variable and intermittent in nature, allow the grid to transfer electricity more efficiently by reducing congestion which in turn optimizes the usefulness of the energy generated, allow access to other energy generation sources across the region, and it can help reduce the risk of power outages due to the challenges associated with balancing the supply and demand of electricity using limited transfer capability. MISO’s LRTP Tranche 1 is intended to help with generation for the anticipated load growth over the next twenty years. Without both ATXI’s Phase 1 and Phase 2, this will fail. Phase 2 has been approved by the Commission contingent upon the approval of Phase 1 in this case. The Commission finds that the Project is necessary to provide generation for that anticipated load growth and that the Project promotes the public interest.

Only the route that the transmission line will follow was contested and brought to hearing. An in-person local public hearing was held on December 9, 2024, in Albany, Missouri, and a virtual local public hearing was held on December 10, 2024. ATXI did not

¹²² *State ex rel. Public Counsel v. Missouri Public Service Comm’n*, 289 S.W.3d 240, 247 (Mo. App. 2009).

¹²³ *State ex rel. Missouri Office of Public Counsel v. Public Service Comm’n of State*, 293 S.W.3d 63, 80 (Mo. App. 2009).

provide notice to all affected landowners with its initial application, but it later provided notice to any previously unnoticed landowners, consistent with the Commission's rules. So that all potentially affected landowners received notice and an opportunity to participate in this proceeding, a third local public hearing was held and the intervention deadline was reopened. As a result of those actions, four additional landowners intervened. The Commission finds that all potentially affected landowners received notice and were given an opportunity to participate.

For the reasons discussed above, the Commission finds that the Project is necessary or convenient for the public service with the conditions set out and agreed to by Staff and ATXI. The Revised Conditions agreed upon by ATXI and Staff were unopposed by any other party. Therefore, the Commission finds that the revised conditions are reasonable and necessary and will adopt those conditions in granting the CCN.

Having determined that ATXI should be granted a CCN for the Project, the Commission will address the landowners' proposed modifications.

Landowner Proposed Route Modifications

ATXI initially found Route DO-27 to be an acceptable route. ATXI changed its position regarding DO-27 prior to filing the CCN, but after discussing the route with various landowners in the area at the open houses in April 2024.

ATXI's Proposed Route for this CCN in its application, DO-28, crosses numerous landowners' parcels. Three of those landowners intervened and proposed modifications to ATXI's proposed route. Staff investigated and found no concerns with Route DO-28.

Mathews Modifications

Mr. Mathews expressed a preference for the Route DO-27 route. Adopting Mr. Matthew's preference would increase costs significantly. DO-27 would be a longer route and would have to include three additional angle support structures that would significantly increase the cost compared to placing the line on DO-28. DO-27 also traverses a hog farm, which could unnecessarily introduce hygiene and accessibility requirements not previously at issue in this case. Therefore, Mr. Mathews's preference for DO-27 is unfeasible.

Alternatively, Mr. Mathews proposed moving the line 1,320 feet to the west of his farm. This proposal would greatly increase the length of the line and could require at least one additional support structure. Such an increase in the length of the line would greatly increase the cost of the route. Therefore, Mr. Mathews's request to move the line 1,320 feet to the west of his farm is unfeasible.

McGinley-Krawczyk Farms Modifications

McGinley-Krawczyk Farms proposed two modifications to the line near its property. McGinley Modification One would also cross over the parcel of another landowner who did not receive prior notice of this application. This proposal would increase the length of the line. McGinley Modification Two does not affect any new landowners. Both McGinley Modification One and Modification Two move the planned support structure, but do not add additional necessary support structures.

There were no cost estimates provided for McGinley Modifications. However, considering that the modification proposed by the Hiatts, and subsequently withdrawn, was 1.2 miles additional length, required six medium or heavy angle structures, and cost \$1.7 million, it does not appear likely that either McGinley Modification One or Modification

Two would exceed Staff's recommended cost ceiling of 2% of the entire cost of the project, or \$2.4 million.

Harding Modifications

Mr. Harding proposed the most modifications. Harding's proposed Modification One and Modification Four are similar but would require crossing multiple parcels of landowners who have not received notice of this application. Modification One and Modification Four would also add great length to the route with a right angle requiring a support structure that would cause more stress on the line than DO-28, thereby increasing the costs potentially significantly.

Harding Modification Two and Harding Modification Three are similar except in how Mr. Harding's own parcel would be treated. The right-of-way for Harding Modification Two and Harding Modification Three would cross into a neighboring parcel of a landowner who did not receive notice for that parcel, but that landowner did receive notice regarding a contiguous parcel. Further, Modification Two adds a heavy angle support structure that would cause more stress on the line than DO-28, thereby increasing the costs potentially significantly. Modification Three includes multiple angles where support structures would be required. The costs estimated for Harding Modification Two are estimated at \$800,000 and Modification Three estimates are between \$300,000 and 500,000.

Of the modifications provided, Harding Modification Two, Harding Modification Three, McGinley Modification One, and McGinley Modification Two are the only proposed options that reasonably fall under the \$2.4 million ceiling that Staff proposed the Commission consider. However, Staff's proposed financial condition of less than 2% of the total estimated cost of the CCN is accumulative for any modifications made to the route. Harding Modification Two is estimated to cost \$800,000 and its right-of-way

crosses over a parcel of a landowner who did not receive notice of this application for that parcel. Harding Modification Three is estimated to cost between \$300,000 and \$500,000, and its right-of-way crosses the same parcel. McGinley Modification One crosses over a parcel of a landowner who did not receive notice of this application and moves the route much deeper into another landowner's property. McGinley Modification Two did not have an estimated cost but is shorter than McGinley Modification One and requires no additional support poles. It also does not cross over a parcel of a landowner who did not receive prior notice of this application.

The Commission finds Mr. Harding's exhibits that were duplicative and inconsistent, were also unreliable, and consequently, the Commission gave little weight to that evidence. The Commission encourages ATXI to work with landowners to create routes that impact landowners whose parcels its lines may cross as minimally as possible and in accordance with the Commission's rules and orders, including this one. The Commission has discretion to impose any conditions that it deems reasonable and necessary when granting a CCN. Any modifications made to routes must also promote the public interest. Considering and balancing the factors and circumstances that Staff proposed, McGinley Modification Two and Harding Modification Three are the only proposed modifications that are consistent with the public interest, and the Commission will direct ATXI to accommodate those modifications of its route.

CONCLUSION

The Commission finds that the Tartan Factors have been met, and that the Projects are necessary or convenient for the public service with certain conditions and with two modified routes. The Commission further finds that the Revised Conditions contained in Schedule CME-s1 are reasonable and necessary for the grant of the CCN

and will order them. Therefore, the Commission will grant the application, subject to the Revised Conditions outlined in Schedule CME-s1 and with the route modified to accommodate McGinley Modification Two and Harding Modification Three.

THE COMMISSION ORDERS THAT:

1. ATXI's application for a certificate of convenience and necessity is granted, subject to the conditions found within Exhibit 101 - Schedule CME-s1, and the line's route modified to accommodate McGinley Modification Two and Harding Modification Three. A copy of that schedule and maps¹²⁴ of those modifications are attached to this order.

2. ATXI is granted a waiver of the rate schedule filing requirements of Commission Rule 20 CSR 4240-20.105, the annual reporting requirement of Commission Rule 20 CSR 4240-10.145, the depreciation study requirement of Commission Rule 20 CSR 4240-3.175, and the reporting requirements of Commission Rule 20 CSR 4240-3.190, all for good cause.

3. ATXI is granted permission and authority to transfer an undivided 49% interest in and to the FDIM Project assets to the Missouri Joint Municipal Electric Utility Commission d/b/a Missouri Electric Commission, in accordance with the terms of the Joint Ownership Agreement, (which is attached to the filed direct testimony of witness Tracy Dencker).

4. All other requested relief is denied.

5. This order shall become effective on January 10, 2026.

¹²⁴ The maps are general routes of the locations and are not to be interpreted as final.



BY THE COMMISSION

Nancy Dippell

Nancy Dippell
Secretary

Hahn, Ch., Coleman, Kolkmeier,
and Mitchell CC., concur and certify compliance
with the provisions of Section 536.080, RSMo (2016).

Fewell, Regulatory Law Judge

Staff Proposed Conditions with ATXI/Staff Agreed Revisions

Right-of-way Acquisition and Micro-siting

- 1) Throughout the right-of-way acquisition process, ATXI will use all reasonable efforts to follow the route(s) depicted in Attachment E of the Application. But ATXI will be allowed to deviate from the depicted route in two scenarios:
 - a. First, if surveys or testing do not necessitate a deviation, ATXI may deviate from the depicted route on a particular parcel if ATXI and each landowner on which the deviation will run agree. Either ATXI or landowner may initiate such a request to deviate.
 - b. Second, if ATXI determines that surveys or testing require a deviation, ATXI will negotiate in good faith with each affected landowner and if agreement can be reached, ATXI may deviate from the depicted route on the affected parcel(s), as agreed with the affected landowner(s).

With respect to any parcel other than the identified parcels where ATXI desires to locate the line, whether because testing or surveys necessitate acquisition of an easement on that parcel or for other reasons (e.g., a request from adjacent landowners), ATXI will negotiate in good faith with the landowner of each affected parcel over which ATXI has determined an easement is needed or desired and, if agreement is reached, may deviate from the depicted route by locating the line on the affected parcel(s) but will notify the Commission of the deviation and parcels affected prior to construction on that parcel.

If testing or surveys necessitate acquisition of an easement on such other parcel(s) and agreement is not reached, despite good faith negotiations, ATXI will file a request with the Commission to allow it to deviate from the depicted route onto the affected parcel(s) and shall, concurrently with the filing of its request with the Commission, send a copy of its request to the owner(s) of record of the affected parcel(s) via U.S. Mail, postage prepaid, as shown by the County Assessor's records in the county where the affected parcel is located, or at such other address that has been provided to ATXI by the owner(s). ATXI shall fully explain in that request why ATXI determined the change in route is needed and file supporting testimony with its request and the name(s) and addresses of the owner(s) to whom it provided a copy of its request. After Commission notice of the opportunity for a hearing on the issue of whether the change in route should be approved is given to the owner, Staff and OPC, and after an opportunity to respond, the Commission will grant or deny the request.

- 2) Absent a voluntary agreement for the purchase of the property rights, the transmission line shall not be located so that a residential structure currently occupied by the property owners will be removed or located in the easement, including for electrical code compliance purposes.

- 3) Prior to the commencement of construction on a parcel, ATXI will secure an easement, which will include a surveyed legal description showing the precise dimension, including the length and width, for the permanent transmission line easement area for each affected parcel. In addition, ATXI will track each easement grant by way of a spreadsheet that identifies each parcel by Grantor and County, and which contains the recording information for each parcel. Upon securing all necessary easements for the Project, ATXI will file a copy of the spreadsheet with the Commission, to which a map will be attached. For each parcel, the map and the spreadsheet will include a unique indicator that allows the Commission to see where on the map that parcel is located.
- 4) ATXI shall follow the construction, clearing, maintenance, repair, and right-of-way practices set out in Schedule TG-D4 filed with Tara Green's Direct Testimony.

Reporting requirements

- 5) ATXI shall file with the Commission in this case a legal description of the line segments when acquisition of the necessary land rights is finalized.¹
- 6) ATXI shall file the final Joint Use Assessment ("JUA") with the Commission in this case within 30 days of executing the agreement.
- 7) ATXI shall obtain all required government approvals and permits—e.g., any applicable land disturbance permits, Missouri State Highway Commission permits, or US Army Corps of Engineers permits— before beginning construction on the part of the Projects (FDIM and MMRX) where the approvals and permits are required, and shall file such approvals and permits with the Commission before beginning construction or, for approvals and permits obtained less than 90 days before beginning construction, within 90 days of receipt.
- 8) ATXI shall file with the Commission any agreement between ATXI and the pipeline companies that have assets being crossed by the Projects (FDIM and MMRX). The FDIM and MMRX routes do not parallel pipelines.
- 9) ATXI shall file with the Commission the annual report it files with FERC.
- 10) ATXI shall file any vegetation management filing made to FERC, NERC, or a regional reliability organization in EFIS as a non-case related filing.²

¹ Proposed descriptions are included in the Direct Testimony of Tara Green, Schedule TG-D1 and TG-D2.

² 20 CSR 4240-23.030(5).

- 11) ATXI shall obtain acknowledgement from Ameren Missouri that they remain bound by the following provision from the 4th Order Modifying the 2012 Report and Order in Case No. EO-2011-0128 with respect to the transmission facilities to be constructed as part of the Projects (FDIM and MMRX):

For transmission facilities located in Ameren Missouri's certificated service territory that are constructed by an Ameren affiliate and that are subject to regional cost allocation by MISO, for ratemaking purposes in Missouri, the costs allocated to Ameren Missouri by MISO shall be adjusted by an amount equal to the difference between:

- (I) The annual revenue requirement for such facilities that would have resulted if Ameren Missouri's Commission-authorized ROE and capital structure had been applied and there had been no construction work in progress (CWIP) (if applicable), or other FERC Transmission Rate Incentives, including Abandoned Plant Recovery, recovery on a current basis instead of capitalizing pre-commercial operations expenses and accelerated depreciation, applied to such facilities and
- (II) The annual FERC-authorized revenue requirement for such facilities. The ratemaking treatment established in this provision will, unless otherwise agreed or ordered, continue as long as Ameren Missouri's transmission system remains under MISO's functional control.

Landowner communication for current and future projects

- 12) Staff and ATXI acknowledge the Commission retains the authority to reopen this docket based on the outcome of the proceeding for Phase 2 of the Program. This condition shall not restrict ATXI's ability to exercise the authority granted in the CCN for the Phase 1 Projects, including engineering, environmental permitting, easement acquisition, right-of-way clearing, access, and line or substation construction until such time as the Commission reaches a determination with respect to Phase 2 of the Program, or thereafter assuming Phase 2 is approved. ATXI acknowledges that Staff may recommend any conditions or take any position it deems necessary in its recommendation regarding the Phase 2 program.
- 13) Staff recommends the Commission grant the CCN, subject to another virtual local public hearing for those landowners in the re-route area of DO-27 to DO-28 (generally between the corner of Highway N and Kent Lane to County Road 249), providing an opportunity to those landowners to express their concerns, if any, on the route.
- 14) ATXI shall, for all future transmission line projects in Missouri which require a CCN and also require a public meeting pursuant to 20 CSR 4240-20.045(K)(3), develop and maintain, using best efforts, route maps on its website(s) showing preferred and alternative routes that are known at that time and still under active consideration by the ATXI, as well as any related study areas. These maps shall include satellite imagery in sufficient detail

for affected landowners to locate their property. These maps shall be maintained from at least the date of any public meeting(s) held, when required, and shall display preferred and known alternative routes proposed in its application or discussed in its written testimony from the date an application is filed through the effective date of the Commission's Report and Order ruling on the subject CCN application (CCN Order) or the date ATXI discontinues development of the project, whichever occurs first. If public meetings are not required to be held, ATXI shall post maps beginning on the date it provides notice of the application to affected landowners. This condition shall be applied to all ATXI applications for a CCN filed after the Commission grants a CCN in this proceeding, should be considered independently, and any deficiencies related to this condition should not, on its own, affect the validity of a CCN granted in this proceeding.

- 15) ATXI shall, for all projects referenced in Condition 14, include instructions for accessing the website and maps referenced in Condition 14 on all required notifications sent to affected landowners. This condition shall be applied to all ATXI applications for a CCN filed after the Commission grants a CCN in this proceeding, should be considered independently, and any deficiencies related to this condition should not, on its own, affect the validity of a CCN granted in this proceeding.
- 16) ATXI shall, for all projects referenced in Conditions 14 and 15, refresh its data used to comply with 20 CSR 4240-20.045(6)(K)1 that identifies the owners of land directly affected by the requested certificate, including the preferred route and any known alternative route, and entitled to receive notice of its application. The refresh of the data shall be conducted within 90 days after filing an application for a CCN to confirm the identified parcels and owners of land directly affected by the requested certificate as of the date notice of the application was issued pursuant to 20 CSR 4240-20.045(6)(K)(1) and (2). If such refresh identifies a person entitled to receive notice of the application to whom ATXI did not send such notice, ATXI shall provide a notice to such person(s) in accordance with 20 CSR 4240-20.045(6)(K)(4). This condition shall be applied to all ATXI applications for a CCN filed after the Commission grants a CCN in this proceeding, should be considered independently, and any deficiencies related to this condition should not, on its own, affect the validity of a CCN granted in this proceeding.

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 11th day of December 2025.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

December 11, 2025

File/Case No. EA-2024-0302

MO PSC Staff

Staff Counsel Department
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
staffcounsel@psc.mo.gov

**Office of the Public Counsel
(OPC)**

Marc Poston
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opc@psc.mo.gov

**Ameren Transmission
Company of Illinois**

Eric Dearmont
11333 Cragwold Rd.
St. Louis, MO 63162
edearmont@ameren.com

**Ameren Transmission
Company of Illinois**

Carmen Fosco
180 North LaSalle Street, Suite
2020
Chicago, IL 60601
fosco@whitt-sturtevant.com

**Ameren Transmission
Company of Illinois**

Jason Kumar
1901 Chouteau Avenue
P.O. Box 66149, MC 1310
St. Louis, MO 63166-6149
jkumar@ameren.com

**Ameren Transmission
Company of Illinois**

Albert Sturtevant
180 North LaSalle St., Ste. 2020
Chicago, IL 60601
sturtevant@whitt-sturtevant.com

Clean Grid Alliance

Elizabeth Wheeler
570 Asbury Street
Suite 201
St. Paul, MN 55104
ewheeler@cleangridalliance.org

Clean Grid Alliance

Judith Willis
P.O. Box 106088
Jefferson City, MO 65110
jaw@anniewillislaw.com

F. Neil Mathews

F. Neil Mathews
1369 North Port Washington
Road - Unit 107
Grafton, WI 53024
neilmathews426@gmail.com

Kevin and Rochelle Hiatt

Brent Haden
827 E Broadway
Suite B
Columbia, MO 65201
brent@showmelaw.com

Mark Harding

Mark Harding
30525 178th Rd
Denver, MO 64441
253382@gmail.com

McGinley-Krawczyk Farms, LLC

Stephanie Bell
308 East High Street, Suite 300
Jefferson City, MO 65101
sbell@ellingerlaw.com

McGinley-Krawczyk Farms, LLC

Marc Ellinger
308 E. High Street, Ste. 300
Jefferson City, MO 65101
mellinger@ellingerlaw.com

**Midcontinent Independent
System Operator, Inc. (MISO)**

Max Meyer
2985 Ames Crossing Road
Eagan, MN 55121
mmeyer@misoenergy.org

**Midcontinent Independent
System Operator, Inc. (MISO)**

Jeffrey Small
720 City Center Drive
Carmel, IN 46032
jsmall@misoenergy.org

Midcontinent Independent System Operator, Inc. (MISO)
William Steinmeier
2031 Tower Drive
Jefferson City, MO 65109
wds@wdspsc.com

Missouri Electric Commission
Douglas Healy
3010 E. Battlefield, Suite A
Springfield, MO 65804
doug@healylawoffices.com

Missouri Electric Commission
Peggy Whipple
3010 East Battlefield, Suite A
Springfield, MO 65804
peggy@healylawoffices.com

MO PSC Staff
Eric Vandergriff
200 Madison Street
Jefferson City, MO 65101
eric.vandergriff@psc.mo.gov

Renew Missouri
Nicole Mers
915 Ash Street
Columbia, MO 65201
nicole@renewmo.org

Renew Missouri
James Owen
915 East Ash
Columbia, MO 65201
james@renewmo.org

Sierra Club
Sarah Rubenstein
319 N. 4th Street, Suite 800
St. Louis, MO 63102
srubenstein@greatriverslaw.org

Sierra Club
Caitlin Stiltner
319 N 4th St
St. Louis, MO 63102
cstiltner@greatriverslaw.org

Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



**Nancy Dippell
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.