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Witness: Douglas J. Brown
Sponsoring Party: Ameren Transmission
Company of Illinois
Type of Exhibit: Direct Testimony
Case No.: EA-2015-0146
Date Testimony Prepared: May 29, 2015

MISSOURI PUBLIC SERVICE COMMISSION

CASE NO. EA-2015-0146

DIRECT TESTIMONY

OF

DOUGLAS J. BROWN

ON

BEHALF OF

AMEREN TRANSMISSION COMPANY OF ILLINOIS

St. Louis, Missouri
May 2015

ATX1 Exhibit No. 7
Date 4/25/16 Reporter JL
File No. EA-2015-0146

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DIRECT TESTIMONY

OF

DOUGLAS J. BROWN

CASE NO. EA-2015-0146

1 **I. INTRODUCTION AND WITNESS QUALIFICATIONS**

2 **Q. Please state your name, business address and present position.**

3 A. My name is Douglas J. Brown, and my business address is 2100 Bluestone Drive,
4 St. Charles, Missouri 63303. I am employed as Manager - Real Estate by Ameren Services
5 Company ("Ameren Services"). Ameren Services provides various corporate support services for
6 the operating subsidiaries owned by Ameren Corporation, including accounting, legal, treasurer
7 and real estate services, including for Ameren Transmission Company of Illinois ("ATXI").

8 **Q. Please summarize your professional experience and educational background.**

9 A. I have been employed by Ameren Services since June 2002. Prior to my
10 employment with Ameren Services, I was employed by Union Electric Company for 14 years. I
11 have held a managerial position in the Real Estate Department for 12 years. I have a Bachelor
12 degree in Business Administration, Marketing and Finance from the University of Missouri, St.
13 Louis.

14 **Q. What are your duties and responsibilities in your position?**

15 A. I am one of the persons responsible for acquisition of right-of-way and for
16 providing other real estate services to the operating companies for whom Ameren Services
17 provides services, including ATXI. Particularly, I am responsible for electric transmission right-
18 of-way acquisition for the Mark Twain Project that will be constructed by ATXI.

1 **II. PURPOSE AND SCOPE**

2 **Q. What is the purpose of your testimony?**

3 A. The purpose of my testimony is to provide information regarding the acquisition
4 of the property rights needed to construct the proposed Mark Twain Project, and ATXI's plans
5 for addressing construction damages.

6 **Q. Are you sponsoring any schedules in support of your direct testimony?**

7 A. Yes. I am sponsoring **Schedule DJB-01** (4 CSR 240-3.105(1)(B)1 Listing).

8 **III. REAL ESTATE ACTIVITIES**

9 **Q. What real estate services are required in connection with locating a new**
10 **electric transmission line and its related facilities?**

11 A. During the development of the route, the Real Estate Department at Ameren
12 Services provides comments to the responsible engineering project managers and assists with
13 public workshops and public outreach. Once the route is selected, we engage in the acquisition of
14 land rights and permits that are required for the new project through direct negotiations with
15 landowners and agencies. We also serve as the point of contact for property owners for the
16 settlement or restoration of construction damages that may occur during the construction phase
17 of the project.

18 **Q. Has ATXI identified the landowners and other entities affected by the final**
19 **route for the Mark Twain Project?**

20 A. ATXI has identified the landowners affected by the final route and has identified
21 the electric and telephone lines of regulated and non-regulated utilities, railroad tracks, and
22 underground facilities that the proposed construction may cross, as required by 4 CSR 240-

1 3.105(1)(B)1. The list of those entities that the proposed construction may cross as contemplated
2 by 4 CSR 240-3.105(1)(B)1 is attached as **Schedule DJB-01**.

3 **Q. Has ATXI involved the landowners along the final route in the siting of the**
4 **proposed Mark Twain Project?**

5 A. Yes. As discussed in the direct testimony of ATXI witness Christopher Wood,
6 ATXI conducted an extensive stakeholder and public input process. Open houses were
7 conducted between August 2014 and February 2015, and comments were solicited from all
8 participants. Details of the siting and public participation process are contained in Mr. Wood's
9 direct testimony.

10 **Q. Have the property owners of the affected parcels along the Mark Twain**
11 **Project route been directly contacted by ATXI?**

12 A. For purposes of the project notification and public participation and siting
13 process, the landowners along all proposed routes were specifically invited to participate in the
14 public input process as part of the route selection as described in Mr. Wood's testimony. Once
15 the final route was selected, ATXI sent letters to the affected and non-affected landowners,
16 giving them notice of the selection of the final route.

17 **Q. Please describe the land rights that ATXI will need to acquire to**
18 **accommodate the proposed Mark Twain Project.**

19 A. ATXI will need to acquire easements, including all necessary and appurtenant
20 land rights, for approximately 95 miles of the 345-kV transmission line and the 2.2 mile-long
21 161-kV connector line which are described in the direct testimony of ATXI witness David
22 Endorf. In addition, ATXI has acquired the site for the proposed Zachary Substation.

1 **Q. How wide will the right-of-way need to be to accommodate the proposed**
2 **transmission lines for the Mark Twain Project?**

3 A. As discussed by Mr. Endorf, as designed, the proposed transmission line for the
4 345-kV portion will require easements of 150 feet in width, and the transmission line for the
5 161-kV portion will require easements of 100 feet in width.

6 **Q. Are there any sections of the route where a right-of-way other than 150 feet**
7 **would be required for transmission line easements?**

8 A. In some instances, ATXI may require additional permanent or temporary access
9 or construction easements in excess of the 150-foot easement for the 345-kV line and the
10 100-foot easement for the 161-kV line.

11 **Q. How many acres of land will be involved in the easement acquisition process?**

12 A. The total easement area for the final route will contain approximately 1,754 acres.

13 **Q. What is the minimum width required for any construction easements?**

14 A. In most instances, the permanent easement obtained by ATXI will provide
15 sufficient area for construction of the transmission line. As explained by Mr. Endorf, however,
16 during the installation of the wires, the construction contractor may have a need to set up
17 equipment outside the permanent easements ATXI obtains for the transmission line. Depending
18 on where this might occur, there may be a need to obtain temporary construction easements.

19 **Q. How does ATXI intend to acquire the property rights it needs for the Mark**
20 **Twain Project?**

21 A. ATXI intends to acquire any needed property or other property rights such as
22 permanent or temporary easements through voluntary negotiations. However, ATXI cannot rule

1 out the possibility that eminent domain authority would be exercised if our good faith efforts to
2 negotiate the required easements prove unsuccessful.

3 **Q. Please explain the process by which ATXI will negotiate the acquisition of the**
4 **necessary property or property rights.**

5 A. ATXI will make initial contact with landowners this summer regarding the
6 purpose of the proposed acquisition. Once the specific easements rights that will be needed are
7 determined, ATXI will mail written notices to the affected landowners of record notifying the
8 landowner of the specific easement rights to be acquired. Representatives of ATXI will,
9 subsequent to these written notices, contact landowners, in person if possible, and discuss the
10 Project in detail, including the scope of the proposed easement. ATXI's representatives will be
11 available for discussion and negotiations as required by each landowner. Should ATXI and the
12 landowner not be able to reach agreement for the purchase of the necessary property rights,
13 ATXI will send by certified or registered mail a written binding offer to the landowner that
14 provides the landowner an appraisal or an explanation with supporting financial data for ATXI's
15 determination of the just compensation for the property rights to be acquired. All acquisition
16 efforts will be performed in accordance with Missouri law.

17 **Q. How does ATXI plan to address construction damages to the property of**
18 **each owner?**

19 A. ATXI will notify each landowner prior to commencement of construction, and
20 ATXI will assess each property for damages caused during construction. Each landowner will be
21 provided contact information for an ATXI representative to report damages. ATXI will restore
22 property damaged during construction or will compensate the landowner for the damage.

1 **Q. Are there provisions in the easements that ATXI will acquire that facilitate**
2 **vegetation management practices to protect reliability of the line?**

3 A. Yes, the standard easement that ATXI will utilize contains language to allow for
4 trimming or removal of trees and shrubs along the easement strip and maintenance of the
5 transmission line.

6 **Q. Will the construction of the proposed 345-kV transmission line remove**
7 **agricultural land from cultivation?**

8 A. No agricultural land will be permanently removed from cultivation other than the
9 area of the footprint of the foundations of the structures which, as Mr. Endorf indicates in his
10 testimony, will have a diameter of 7 to 10 feet. The final route easement area covers
11 approximately 523 agricultural acres, which means that less than one acre of actual farmland will
12 be taken out of production. The 523 acres represents the agricultural acreage within the required
13 150-foot wide easements. The construction of single shaft steel poles with no down guys and
14 anchors will help reduce the amount of land removed from cultivation. The majority of the
15 easement area will only have overhanging wires.

16 **Q. Will the proposed transmission line interfere with the operation of any public**
17 **use airports?**

18 A. The proposed transmission line will not interfere with any public use airports.

19 **IV. REAL ESTATE ACTIVITIES: MAYWOOD TO ZACHARY**

20 **Q. How many parcels of property and landowners will be affected along the**
21 **Maywood to Zachary segment of the final route?**

22 A. Approximately 224 parcels of property will be affected along the Maywood to
23 Zachary segment of the final route, affecting approximately 167 landowners. ATXI will need to

1 acquire easements, including all necessary and appurtenant land rights for this approximately 60-
2 mile long segment of the Project.

3 **Q. How many acres of land will be involved in the easement acquisition process**
4 **for the Maywood to Zachary segment?**

5 A. The total easement area for the Maywood to Zachary segment of the final route
6 will contain approximately 1,091 acres. Please note that these acreages do not include permanent
7 access, temporary access, or temporary construction easements.

8 **V. REAL ESTATE ACTIVITIES: ZACHARY SUBSTATION**

9 **Q. How many parcels of property and landowners were affected by the Zachary**
10 **Substation?**

11 A. Only one parcel of property will be affected due to the construction of the
12 Zachary Substation. ATXI has already acquired fee title ownership of the 60 acres needed for the
13 substation from this landowner.

14 **VI. REAL ESTATE ACTIVITIES: 161-kV CONNECTOR LINE**

15 **Q. How many parcels of property and landowners will be affected along the**
16 **161-kV connector line between the proposed Zachary Substation and the existing Adair**
17 **Substation?**

18 A. Approximately 12 parcels of property will be affected along the Zachary to Adair
19 connector route, affecting approximately 10 landowners. ATXI will need to acquire easements,
20 including all necessary and appurtenant land rights for this 2.2-mile long segment of the Project.

21 **Q. How many acres of land will be involved in the easement acquisition process**
22 **for the Zachary to Adair connector line?**

1 A. The total easement area for the Zachary to Adair connector line will contain
2 approximately 27 acres. Please note that these acreages do not include permanent access,
3 temporary access, or temporary construction easements.

4 **VII. REAL ESTATE ACTIVITIES: ZACHARY TO STATE LINE**

5 **Q. How many parcels of property and landowners will be affected along the**
6 **Zachary to State Line segment of the final route?**

7 A. Approximately 142 parcels of property will be affected along the Zachary to State
8 Line segment of the final route, affecting approximately 106 landowners. ATXI will need to
9 acquire easements, including all necessary and appurtenant land rights for this approximately 35-
10 mile long segment of the Project.

11 **Q. How many acres of land will be involved in the easement acquisition process**
12 **for the Zachary to State Line segment of the Project?**

13 A. The total easement area for the Zachary to State Line segment of the final route
14 will contain approximately 636 acres. Please note that these acreages do not include permanent
15 access, temporary access, or temporary construction easements.

16 **Q. Does this conclude your direct testimony?**

17 A. Yes, it does.

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

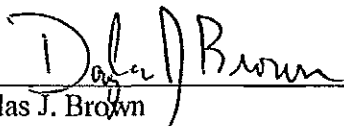
In the Matter of the Application of Ameren Transmission)
Company of Illinois for Other Relief or, in the Alternative,)
a Certificate of Public Convenience and Necessity)
Authorizing it to Construct, Install, Own, Operate,) File No. EA-2015-0146
Maintain and Otherwise Control and Manage a)
345,000-volt Electric Transmission Line from Palmyra,)
Missouri, to the Iowa Border and an Associated Substation)
Near Kirksville, Missouri.)

AFFIDAVIT OF DOUGLAS J. BROWN

STATE OF MISSOURI)
) ss
COUNTY OF ST. CHARLES)

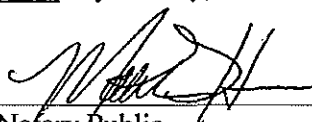
Douglas J. Brown, being first duly sworn on his oath, states:

1. My name is Douglas J. Brown. I work in St. Charles, Missouri, and I am employed by Ameren Services Company.
2. Attached hereto and made a part hereof for all purposes is my Direct Testimony on behalf of Ameren Transmission Company of Illinois consisting of 8 pages, and Schedule(s) DJB-01 all of which have been prepared in written form for introduction into evidence in the above-referenced docket.
3. I hereby swear and affirm that my answers contained in the attached testimony to the questions therein propounded are true and correct.



Douglas J. Brown

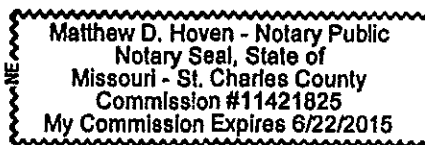
Subscribed and sworn to before me this 21 day of May, 2015.



Notary Public

My commission expires:

06/22/2015



4 CSR 240-3.105(1)(B)1 Listing

COMPANY NAME

DISTRIBUTION

Ameren Missouri Electric

Macon County Electric Cooperative

Lewis County Electric Cooperative

Ralls County Electric Cooperative

Missouri Rural Electric Cooperative

Tri County Electric Cooperative

CITY MUNICIPALS

Adair County Public Water Supply District 1

Knox County Public Water Supply District 1

Clarence Cannon Wholesale Water Commission

Schuyler County Public Water Supply District 1

Hannibal Board of Public Works

Marion County Public Water Supply District 1

Shelby County Public Water Supply District 1

TELEPHONE & CATV

AT&T

MNA-Bluebird

Northeast Missouri Rural Telephone

Superior Cable and Data

Mark Twain Rural Telephone

Cable One

Century Link

GAS COMPANIES

Liberty Utilities

GAS PIPELINE COMPANIES

Enbridge Energy

Sinclair Transportation Company

BP Pipeline North America

Enterprise/Mid-America Pipeline

RAILROADS

BNSF Railway