## 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 Associated Substation	)
Near Kirksville, Missouri. 1	)

### LIST OF ISSUES, ORDER OF WITNESSES, ORDER OF CROSS-EXAMINATION, AND ORDER OF OPENING STATEMENTS

COME NOW Ameren Transmission Company of Illinois ("ATXI"), the Staff of the Missouri Public Service Commission ("Staff"), the Office of the Public Counsel ("OPC"), Neighbors United Against Ameren's Power Line ("Neighbors United"), the Midcontinent Independent System Operator, Inc. ("MISO"), United For Missouri, Inc. ("UFM") and IBEW Local 1439 ("IBEW") (the foregoing parties, being all of the parties to this docket, are individually referred to herein as a "Party" and are collectively referred to herein as the "Parties"), and in response to the Commission's November 25, 2015 *Order Granting Motion to Amend Procedural Schedule*, hereby file a List of Issues, Order of Witnesses, Order of Cross-Examination, and Order of Opening Statements. In this regard, the Parties state as follows:

### LIST OF ISSUES

This joint filing does not indicate that the Parties agree with the statement of every issue, or that each issue on the following List of Issues is appropriate for Commission decision, and the Parties reserve the right to comment in their Position Statements on whether a listed issue is properly before the Commission.

<sup>&</sup>lt;sup>1</sup> The project for which the CCN is sought in this case also includes a 161,000-volt line connecting to the associated substation to allow interconnection with the existing transmission system in the area.

- 1. Does the Commission possess authority to approve ATXI's application?
- 2. Does the evidence establish that the Mark Twain transmission line project, as described in ATXI's application in this docket, and for which ATXI is seeking a certificate of convenience and necessity ("CCN"), is "necessary or convenient for the public service" within the meaning of that phrase in section 393.170, RSMo?
- 3. Do §§ 393.170 and 229.100, RSMo., require that before the Commission can lawfully issue the requested CCN the evidence must show the Commission that where the proposed Mark Twain transmission line project will cross public roads and highways in that county ATXI has received the consent of each county to cross them? If so, does the evidence establish that ATXI has made that showing?
- 4. If the Commission decides to grant the CCN, what conditions, if any, should the Commission impose?

### **ORDER OF OPENING STATEMENTS**

ATXI

Staff

OPC

**MISO** 

**UFM** 

**IBEW** 

Neighbors United

### **ORDER OF WITNESSES**

### Monday, January 25<sup>2</sup>

Maureen Borkowski (ATXI)
Dennis Kramer (ATXI)
William Bailey, PhD (ATXI)
Michael Silva (ATXI)
Doug Brown (ATXI)
Vicki Turpin (ATXI)<sup>3</sup>
Aaron DeJoia (ATXI)
Jeff Hackmann, PE (ATXI)

2

<sup>&</sup>lt;sup>2</sup> If witnesses are available, the parties may agree to advance a witness from the next day to the current day if the cross-examination of witnesses listed on a particular day is complete and hearing time remains for that particular day, if approved by the Regulatory Law Judge/Commission.

<sup>&</sup>lt;sup>3</sup> Must be complete by January 27.

### Tuesday, January 26

William Powers, PE (Neighbors United)
Matt Michels (ATXI)<sup>4</sup>
David Endorf (ATXI)
Chris Wood (ATXI)
Robert Vosberg, PE (ATXI)
Joe LaMacchia (ATXI)
James Jontry, PE (ATXI)

### Wednesday, January 27

Jamison T. Smith (MISO)<sup>5</sup>
Dennis Smith, DO (Neighbors United)<sup>6</sup>
Natelle Dietrich (Staff)
David Murray (Staff)
Michael Stahlman (Staff)
Shawn Lange (Staff)
Sarah Kliethermes (Staff)

### Thursday, January 28

Todd Schatzki, PhD (ATXI)<sup>7</sup>
Daniel Beck (Staff)
Jason Haxton (Neighbors United)
Boyd Harris (Neighbors United)
Noel Palmer (Neighbors United)

### Friday, January 29

Geoffrey Hewings, PhD (ATXI)<sup>8</sup> Janet Akers (Neighbors United) Robert Jackson (Neighbors United) Mike Walter (IBEW)

<sup>&</sup>lt;sup>4</sup> Not available until January 26.

<sup>&</sup>lt;sup>5</sup> Testimony as first witness on January 27, regardless of the order of witnesses.

<sup>&</sup>lt;sup>6</sup> Only available January 27.

<sup>&</sup>lt;sup>7</sup> Cannot testify before January 28.

<sup>&</sup>lt;sup>8</sup> Cannot testify before January 29.

### **ORDER OF CROSS-EXAMINATION**

(Least Adverse to Most Adverse)

ATXI's Witnesses	Staff's Witnesses	Neighbors United's Witnesses	IBEW's Witness
Staff	ATXI	OPC	ATXI
MISO	MISO	UFM	IBEW
IBEW	IBEW	IBEW	Staff
UFM	UFM	Staff	UFM
OPC	OPC	MISO	OPC
Neighbors United	Neighbors United	ATXI	Neighbors United

WHEREFORE, the Parties make this filing in accordance with the Commission's

November 28 Order Granting Motion to Amend Procedural Schedule.

Dated: January 15, 2016

Respectfully submitted,

### ATTORNEYS FOR AMEREN TRANSMISSION COMPANY OF ILLINOIS

### /s/ James B. Lowery

James B. Lowery MBE# 40503 Michael R. Tripp MBE# 41535

Smith Lewis, LLP

111 S. Ninth Street, Ste. 200

P.O. Box 918

Columbia, MO 65205

Telephone: (573) 443-3141 Fax: (573) 442-6686

Email: lowery@smithlewis.com

tripp@smithlewis.com

### /s/ Jeffrey K. Rosencrants

Jeffrey K. Rosencrants, Mo. Bar #67605

Senior Corporate Counsel Ameren Services Company

One Ameren Plaza

1901 Chouteau Avenue

P.O. Box 66149 (MC 1310)

St. Louis, MO 63166-6149

(T) (314) 554-3955

(F) (314) 554-4014

<u>Jrosencrants@ameren.com</u>

# ATTORNEYS FOR THE STAFF OF THE MISSOURI PUBLIC SERVICE COMMISSION

### /s/ Nathan Williams

Nathan Williams, MBE# 35512
Steven Dottheim, MBE# \_\_\_\_\_
Deputy Staff Counsel
Missouri Public Service Commission
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102-0360
staffcounselservice@psc.mo.gov

## ATTORNEY FOR NEIGHBORS UNITED AGAINST AMEREN'S POWER LINE

### /s/ Jennifer Hernandez

Jennifer Hernandez, MO Bar No. 59814 Hernandez Law Firm, LLC 1802 Sun Valley Drive Jefferson City, Missouri 65109

Phone: 573-616-1486 Fax: 573-342-4962

E-Mail: jennifer@hernandezlegal.com

# ATTORNEYS FOR IBEW LOCAL UNION 1439

### /s/ Sherrie A. Hall

Sherrie A. Hall, MBN 40949

Emily R. Perez, MBN 62537 Hammond and Shinners, P.C. 7730 Carondelet Avenue, Suite 200 St. Louis, MO 63105 sahall@hammondshinners.com (email) eperez@hammondshinners.com (email)

## ATTORNEY FOR OFFICE OF THE PUBLIC COUNSEL

### /s/ Tim Opitz

Tim Opitz Senior Counsel Missouri Bar No. 65082 P. O. Box 2230 Jefferson City MO 65102 (573) 751-5324 (573) 751-5562 FAX Timothy.opitz@ded.mo.gov

# ATTORNEYS FOR MIDCONTINENT INDEPENDENT SYSTEM OPERATORS

### /s/ Jeffrey L. Small

Jeffrey L. Small Adm. *Pro Hac Vice*Attorney
Midcontinent Independent System Operator, Inc.
720 City Center Drive
Carmel, IN 46032
Telephone: (317) 249-5400
Email: jsmall@misoenergy.orgs

### /s/ Joshua Harden

Joshua Harden, #57941 Dentons US, LLP 4520 Main Street, Suite 1100 Kansas City, MO 64111 Telephone: 816-640-2400 Facsimile: 816-531-7545 jsmall@misoenergy.org joshua.harden@dentons.com

## **CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing was served via e-mail on counsel for all parties of record on this  $15^{th}$  day of January, 2016.

/s/ James B. Lowery
James B. Lowery