

ORIGINAL

PUBLIC HEARING RE: AMEREN POWER LINE

MARCH 7, 2013

LIBERTY COMMUNITY CENTER

1600 S. WITHERS DRIVE

LIBERTY, MO

Reported by: Marie A. McCracken, RPR, CCR

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P.O. Box 520079, Independence, MO 64052
(816) 419-8224 Fax (816) 461-8084

1 MR. COBLE: My name is Dan Coble and
2 I live at 9505 Clarksboro right here
3 (indicating). Either way, there was a statement
4 made back here about health concerns, who made
5 that?

6 AUDIENCE MEMBER: I said somebody
7 on our block.

8 MR. COBLE: That's a true fact.
9 Grant it, I'm not a borderline property owner
10 that's going to be affected, but electromagnetic
11 interference is a very real thing, all right. We
12 have this property line (indicating) that runs
13 across here. We also have this property line
14 that runs across your property and my property,
15 the unknown property and Danny's property all the
16 way to town. When I bought out there it was back
17 (indicating). There was also an easement that
18 runs from here all the way somewhere across the
19 back of my property.

20 Now, that puts us in a dangerous
21 triangle. And if the power companies would flip
22 the switch back on, especially this one here
23 (indicating), how would that affect the health of
24 everybody in the Clarksboro neighborhood, let
25 alone you folks, right?

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1 This is the 69,000 volt line and you
2 know the history of Ameren to maintain their
3 lines as well as I do. There is poles on your
4 property and my property that were damaged by the
5 tornado of 2003 that still have not been repaired
6 and on this mystery property right here over that
7 pond, how long did it take them to get those off
8 the wall, a long damn time. So we got a real
9 health concern here.

10 So my message here is us neighbors that
11 are Tier 2, or even the people back over here,
12 need to help our -- help support our front line
13 neighbors like this man here (indicating), and
14 worry about the health concerns about bringing in
15 the 69,000 volt single line power pole behind
16 your homes to help support the Magna plant that
17 they moved down from Excelsior Springs. You are
18 correct, T.J.

19 MR. BERRY: The Magna plant
20 Excelsior is still up and functioning. Both the
21 Excelsior Magna plant and that plant will still
22 function.

23 MR. COBLE: You are right. I think
24 that everybody needs to think about the health
25 concerns, so encourage your neighbors, whether

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1 they are here tonight or not, to, you know, get
2 in on this. I think everybody's got something to
3 worry about.

4 MS. SCHMITT: I'm Barbara Schmitt
5 and my husband, Jim, we have lived here since
6 1978. We were the first ones in the West
7 Clarksboro area. I'm very concerned about the
8 health concerns and -- but one of the things we
9 really haven't -- I mean, it's very obvious, but
10 just the aesthetics of being able to look out
11 westward through Dan's property, seeing the
12 rolling hills is just so beautiful. We don't
13 want to lose that.

14 MR. BUSCH: I got a call last night
15 from Commissioner Mason asking to be her eyes and
16 ears. She's stranded in Texas. The blizzard
17 from the east coast cancelled her flight and she
18 could not be here and she and I spoke on the
19 phone last night. Same thing T.J. was talking
20 about tonight. The obvious solution would be if
21 the power supply of the KCP&L is nearby.

22 Just based on my lawyer's ears, be sure
23 you stay focused. When you are contacting PSC,
24 talk about reclassifying that area, the trade of
25 the territory. You don't want to go off a

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1 hundred different directions and PSC not
2 understand what your focus is. Obvious solution
3 is KCP&L.

4 MR. BRENTON: I was going to say
5 the same thing. I'm in a little bit of a awkward
6 position because I work for Kansas City Power &
7 Light. I'm sure we have been on the other side
8 of this fence, too. I just suggest your
9 strongest argument are the alternatives. The
10 not-in-my-backyard argument, you need to make
11 that one, but that's the one you always hear.
12 The esthetic argument, you need to make that one,
13 but everybody hears that one. Even the health
14 issue, everybody makes that one and I know you
15 said it's proven, but I think they will try all
16 kinds of -- you can go back.

17 Your strongest argument in my opinion is
18 either KCP&L supplies it. There should be a way
19 that actually KCP&L could be the supplier of the
20 electricity at a metered point and Ameren, they
21 are still an Ameren customer and all they pay
22 KCP&L is the transmission rights. That is
23 another alternative.

24 The upgrade of the 69 Highway is an
25 alternative. They ought to be able to co-locate

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1 on that existing cooperative line. They ought to
2 be able to put two lines on the poles that --
3 either on the poles that exist or replace the
4 poles and co-locate on one pole rather than
5 having two separate lines.

6 AUDIENCE MEMBER: I did suggest
7 that to them and I was told that the cooperative
8 would not allow that, which it happens a lot.

9 MR. BRENTON: We are in the process
10 of co-locating with a cooperative right now
11 between here and Maryville. My suggestion would
12 be make those other arguments, but your strongest
13 arguments are, These folks have other
14 alternatives. It's not like this is their only
15 alternative. And like Mr. Hemphill said, if you
16 all go off in different ways, that's kind of what
17 they have to say. Providing the alternate route
18 on your property, the problem with that is, then
19 you have a plate of spaghetti and they are not
20 going to do that, say that's not an alternative
21 at that point. But anyway, I spoke too long.

22 AUDIENCE MEMBER: It would impact a
23 lot of us people. One line for that one part and
24 he's more important than a hundred people.

25 AUDIENCE MEMBER: Can you talk

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1 about two things, one, who is actually paying for
2 the cost of getting that line, because logic says
3 it's going to cost a whole lot more to do a line
4 for five miles versus probably less than a mile
5 for KCP&L, whatever you call it there, and the
6 plant. So who is actually going to have to pay
7 for that? And what about the cooperative that
8 was talked about, if they are currently getting
9 power, why can't that continue?

10 MR. BERRY: I can only tell you
11 what I've been told, okay. The cooperative said
12 that their service territory north is growing and
13 that they could not afford over a long period of
14 time to tap that line, okay, with the growth
15 curve further north of us, okay. So temporarily
16 for a short several years they could do it, but
17 in their long term look at what is going on, they
18 say there is no way for them to do that.

19 The case, who is paying for it, Ameren
20 is paying for that line because Ameren is going
21 to make the money, okay, that's why they are
22 willing to do that. If you had a customer that
23 was going to spend a million or \$2 million a year
24 with you, you would do anything you can.

25 MRS. NOLAND: Isn't there a bill

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1 coming up that they are trying to pass the
2 infrastructure cost to the consumer?

3 MR. BERRY: No, there is not. What
4 that bill says is any infrastructure that is in
5 place, that the maintenance of that
6 infrastructure there is a bill dealing with that.
7 There is no way that the PSC would allow for new
8 construction or new generation not to go in front
9 of them. So that bill is dealing with current
10 maintenance.

11 MRS. NOLAND: What bill is that?

12 MR. BUSCH: What I was told in a
13 conversation with Ms. Mason again was that Ameren
14 told Magna, or whatever the parent company is,
15 that they would have to put down a -- I don't
16 remember the number, million dollar retainer or
17 whatever, to help them build this line and that
18 they said, No, we are not going to. That's when
19 the KCP&L option came in because the company, the
20 factory looked for a different power source
21 because they weren't going to pay Ameren to run
22 the line, which why would you. So the company
23 went out and found out that there is power right
24 there and now it's a million dollar company
25 arguing with a million dollar company about where

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1 they are going to get the power.

2 MR. BERRY: KCP&L would have to
3 build infrastructure also, but their power
4 generation station that sits at Hallmark would
5 have to be upgraded in order to do this. They
6 are more than willing, of course, to do those
7 upgrades.

8 MR. MEAD: This is all for a
9 company that's going to build the interior for
10 the transit van? They don't even know if it's
11 going to sell.

12 MR. BERRY: To answer that if you
13 go anywhere --

14 MR. MEAD: I know, it's a copycat
15 of the Dodge Freightliner they can't sell.

16 MR. BUSCH: That conversation was
17 probably two or three months ago. When she said
18 that, that we probably didn't need to worry about
19 it because this is probably going to happen, I
20 kind of just backed off the whole deal because
21 why am I going to fight for something going in my
22 backyard that's not going to be there and the
23 next thing I know, it's back up again.

24 MR. OSTEN: Just like they built an
25 interstate right there, what's going to happen

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1 after they build that, they are going to build a
2 bunch of houses because they have the power, so
3 there goes our rural area. We fought annexation
4 twice, I don't know if we can do it one more
5 time.

6 DR. SHEMWELL: I notice at night
7 it's all lit up.

8 MR. NOLAND: That's what
9 Mr. Tarwater said. I drive by there. It's got
10 plenty of power. It's lit up.

11 AUDIENCE MEMBER: They are getting
12 it as a temporary thing. They can't supply it
13 long term.

14 MR. BERRY: All this industrial
15 park, the power that all those buildings and all
16 those factories are pulling right now will not
17 equal the Magna plant, okay, so to put it in
18 perspective, you've got a lot of industrial in
19 that industrial park, but this plant, its usage
20 is a tremendous amount of electricity or it
21 wouldn't be that big of a deal. A 69,000 volt
22 line is a significant line for power usage.

23 MR. NOLAND: So we all have kind of
24 a plan following Luann's suggestion to get with
25 these people on the Missouri Public Service

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1 Commission.

2 MR. OSTEN: How did they get so
3 much power without having to notify us? It's sad
4 that the world, politicians excluded here, that
5 we elect people that give away our rights and now
6 we are just sitting powerless.

7 AUDIENCE MEMBER: I do agree with
8 the gentleman with KCP&L.

9 MR. BUSCH: We can't just call them
10 and say, Don't do it, like the man said. You
11 have to give them --

12 MS. RIDGEWAY: Actually that is
13 really important to follow up on what Steve
14 Hemphill said and mayor candidate. I would
15 really strongly suggest that you say, Look, get
16 that territory over to Kansas City Power & Light,
17 there is just -- you know, and then talk about
18 the problems, because you are right, if we start
19 diluting our message. That's going to be my
20 message to the people I know on there, what is
21 the problem, we can't turn this loose, I know
22 it's for-profits, but for heaven's sake, do you
23 know all the stuff that's going on down here.

24 Doug, I got a question for you, doesn't
25 Missouri still have temporary nuisance when it

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1 comes to situations like this, so that there
2 stands a possibility of recurring lawsuits over
3 that line?

4 MR. NOLAND: I think so, I think
5 so. All these people here that it doesn't go
6 across their line?

7 MS. RIDGEWAY: Yes, because of the
8 diminution in value and the peace and everything
9 that they used to have and the lack of noise and
10 stuff like that. I mean, it's not a good answer,
11 but it's something that I can use with Public
12 Service Commission and say, Look, if you just
13 want rolling lawsuit after rolling lawsuit, let
14 Ameren do what it wants to do.

15 MR. NOLAND: I think condemnation
16 would be a possible remedy for people where there
17 is really no taking of your property, but you are
18 affected by it would be a remedy.

19 MS. RIDGEWAY: We are asking that
20 they reclassify the area and have KCP&L as a
21 supplier.

22 MR. NOLAND: A supplier, that they
23 have alternatives.

24 MR. BUSCH: They can either upgrade
25 their line going up 69 or they can upgrade the

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1 cooperative line as far as I'm concerned. If
2 they upgrade that line to a bigger line.

3 MR. NOLAND: Mr. Brenton.

4 MR. BRENTON: I still say, if the
5 roles were reversed, I doubt very seriously if my
6 company would cede a \$2 million customer to
7 somebody else, so I mention that as an
8 alternative. It makes the most sense, but we all
9 live in a capitalistic society and we know
10 what -- so I would say that's about the fourth
11 alternative would be sharing.

12 AUDIENCE MEMBER: Would they share
13 it?

14 MR. BRENTON: I would suggest get
15 Ameren and KCP&L to work this out so you minimize
16 the amount of infrastructure that's needed and
17 the affect on all of you. You all decide what
18 you are going to say, but I'm just telling you as
19 a company, that would probably be the one that
20 would be the least appealing for me to just give
21 away a significant customer.

22 AUDIENCE MEMBER: What is the best
23 message?

24 MR. BRENTON: I think it would be
25 for Kansas City Power & Light and Ameren to

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1 cooperate on this. I believe Kansas City Power &
2 Light can produce the electricity up to the line
3 that exists. There would be a meter probably
4 somewhere between Magna's door and that line
5 where you could meter and say here's how much
6 electricity went into that. Ameren would pay us
7 a wholesale rate and they would bill Magna a
8 retail rate and that's where they make their
9 margin. That means they are still going to give
10 up the power wielding revenue that they would
11 have got. I'm sure that's why they want to build
12 the line themselves. They will get not only the
13 electricity costs, but they will get the power
14 wielding cost. It's kind of a -- there are
15 multiple facets to how costs are recovered when
16 the electricity arrives at your home. One of it
17 is the production of it, one of it is the
18 transmission, and one of it is the distribution
19 of it. You are talking about the transmission
20 piece right here.

21 AUDIENCE MEMBER: Who owns the line
22 coming out of H Highway?

23 MR. BRENTON: I'm not familiar with
24 that.

25 AUDIENCE MEMBER: I am talking

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1 about the ones that comes out of H Highway, who
2 owns that line?

3 MR. NOLAND: That's Ameren.

4 MR. BRENTON: They want all the
5 transmission revenues so they want to tap point
6 their own line.

7 MS. BUSCH: Before we leave tonight
8 you would like for us to step to the court
9 reporter and state our names and what our
10 objection is?

11 MR. NOLAND: Yes.

12 MS. BUSCH: We also want to make
13 sure we re-sign the petition to make sure we have
14 it updated with e-mails and phone numbers.

15 MR. NOLAND: Could we all do that.

16 MRS. NOLAND: Why don't you send
17 out some talking points tonight that way
18 everybody is on kind of the same --

19 MR. NOLAND: We can do that if you
20 leave your e-mail and I'll try to get an e-mail
21 out to you tomorrow.

22 MR. TARWATER: I think Ameren is
23 very serious about eminent domain and
24 condemnation. This is not a joke. They are set
25 forward in their mind to do this.

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1 MR. NOLAND: We may find the
2 sheriff on our door step tomorrow for all the
3 seven property owners. I still think we ought to
4 keep up the fight on this here.

5 AUDIENCE MEMBER: If we have to go
6 forward, would you represent us? We need to put
7 something together to have the funds to keep this
8 going.

9 MR. NOLAND: That's kind of a
10 separate issue if it gets to the condemnation.
11 This was kind of just to try to get everybody
12 together and get your voices heard and I think
13 these are some good suggestions as to not only
14 who to contact, but what message to say and I'm
15 no politician or anything, but I just think, too,
16 if we could just light up the phone with these
17 people and send e-mails and Luann and T.J. were
18 kind enough to be here tonight.

19 MR. OSTEN: I bet Ameren has more
20 attorneys than are people in this room.

21 AUDIENCE MEMBER: If they do
22 business the way they seem to, I am sure that
23 they do.

24 MS. BUSCH: Doug, we appreciate
25 your time.

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1 MR. NOLAND: I'm glad everybody
2 could come. If we could get you to do this
3 before you leave, that way we have got a record
4 of everybody, we'll send that on to the Public
5 Service Commission.

6 MS. BUSCH: I'm Andrea Busch,
7 B-U-S-C-H. I live at 9620 West Clarksboro,
8 Liberty, Missouri, and I am opposed to the high
9 voltage power line going in the property behind
10 West Clarksboro. I propose that KCP&L and Ameren
11 work together, cooperate, put it up the line that
12 already exists, upgrade the power line on 69,
13 reclassify the area and, again, work together.

14 MS. JOHNSON: Craig and Julie
15 Johnson, 9723 East Clarksboro Drive. We are
16 opposed for various reasons.

17 MR. WRIGHT: Kenneth Wright, 9904
18 Clarksboro. We are opposed to it. One thing we
19 didn't bring up tonight, already on my property I
20 have an east/west major truck line already going
21 through from that Cameron power company and it's
22 already there, it bisects our east and west and
23 that's not even counting this new thing. So I
24 would be in cross hairs on it and my house sits
25 on the back of my lot. I've got four acres. My

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1 house sits clear on the back of the lot about 25
2 feet from the property line. If they put a line
3 down there and put an easement up, I could lose
4 everything theoretically.

5 MS. SCHNEEGASS: I'm going to spell
6 it for you, Paul, and I am Lori, L-O-R-I,
7 S-C-H-N-E-E-G-A-S-S, and we are at 9412 West
8 Clarksboro. This goes right in our backyard,
9 blocks our view. It puts in the electric
10 triangle and our home values are just now
11 starting to come up with everything we have put
12 in in the last two years, so I'm disgusted with
13 them.

14 MS. TARWATER: Bonnie Tarwater,
15 3120 B Highway, Liberty. I'm opposed to it. I
16 am one of the property owners. It will devalue
17 my property. I'm concerned for health reasons
18 and just the inconvenience and aggravation of
19 them coming off and on our property for who knows
20 how long to put these poles up.

21 MS. SCHMITT: I'm Barbara Schmitt,
22 S-C-H-M-I-T-T. My husband, Jim, and I have lived
23 on West Clarksboro since 1978, 9603 West
24 Clarksboro Drive, and we have enjoyed the
25 beautiful view we have from our home since 1978,

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1 but what I wanted to state was that KCP&L and
2 Ameren, I recommend that they cooperate to
3 reclassify the area to transmit the power for the
4 Magna plant.

5 MS. JOHNSON: My name is Penny
6 Johnson. My address is 9613 East Clarksboro.
7 Basically I'm just here to support everybody
8 because we have enough power lines running out
9 there already. I've got one that runs through my
10 yard. She's got one that runs throughout her
11 yard. We are in a deadly triangle. We will do
12 the procedure telling them to reclassify the
13 area.

14 MS. WOOD: I am Gayle, G-A-Y-L-E,
15 Wood. I'm at 9625 East Clarksboro and I am kind
16 of in that same situation. I already have power
17 lines behind me. This does kind of triangle us
18 in and I'm concerned with property values and
19 such that I don't need that to hinder us any more
20 than we already are.

21 MR. BARRON: Danny Barron,
22 B-A-R-R-O-N, and my address is 16810 H Highway,
23 Liberty. I have lived on my property for 55
24 years and this is right in my backyard and I have
25 spent my whole life improving my property and I

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1 feel just like all the other neighbors, it's not
2 fair in any way for Ameren to bring a line to our
3 property. It's a health concern and it
4 definitely damages our -- the monetary value of
5 our property, plus it just ruins the whole -- it
6 ruins the whole setting of everybody's place, so
7 that's what I got to say.

8 MR. MORROW: Scott Morrow,
9 M-O-R-R-O-W, 9518 West Clarksboro. I'm opposed
10 to it.

11 MR. DANIELS: Chris Daniels. I own
12 the 9718 West Clarksboro house right next door to
13 Busch. Mainly that they coincide with KCP&L to
14 go that route instead of trying to come through
15 our backyard and take property away from us on
16 Clarksboro due to an easement -- due to the fact
17 that an easement would be put in place, not to
18 mention the health risks that come with the
19 69,000 volt line.

20 MR. TARWATER: Tom Tarwater, 3120 B
21 Highway, Liberty, 64068. And I'm totally opposed
22 to the Ameren power line going across my property
23 for numerous reasons and they know what it is.

24 MS. MILLER: I'm Betty Miller, 9816
25 Clarksboro. And I am really opposed because of

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1 the health issues basically because right there,
2 and I don't know for sure if it connects with
3 that or not the lines and everything, plus the
4 property value going down. We are at retirement
5 now and I'm sure in the next couple years would
6 be selling the house and moving to town or
7 something, I don't know, but I'm just concerned
8 about mostly those two things.

9 MR. CALDER: My name is Steve
10 Calder, C-A-L-D-E-R, 9825 Clarksboro Drive East,
11 and I'm opposed to this. Seems like there is
12 another alternative.

13 MR. OSTEN: Gary Osten, O-S-T-E-N,
14 9809 West Clarksboro Drive, Liberty, Missouri
15 64068. I'm opposed.

16 MR. BUSCH: Edward Busch,
17 B-U-S-C-H, 9620 West Clarksboro, Liberty.

18 MS. SHEMWELL: Patricia Shemwell,
19 S-H-E-M-W-E-L-L, and my husband, Robert, 10206
20 Ridge View Road, Liberty, and we are against the
21 Ameren UE supplying electricity on our property.

22 MR. MEAD: Anthony Mead, M-E-A-D,
23 1925 Shepherd Road, Liberty, Missouri. I think
24 that they ought to hook on to KCP&L just like
25 they all do together, work together. They can

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1 meter off their power plant. They do it with
2 houses, they do it with other businesses and they
3 cross lines all the time. So I think that would
4 be the easiest, simplest thing to do.

5 MS. NOLAND: Kate Noland, 10009
6 Wellington Way, Liberty.

7 MR. SPURGEON: Rick Spurgeon, 12690
8 S. Hallet Street, Olathe, Kansas 66062. I am
9 opposed because it will devalue the property and
10 loss of rights of usage.

11 * * *

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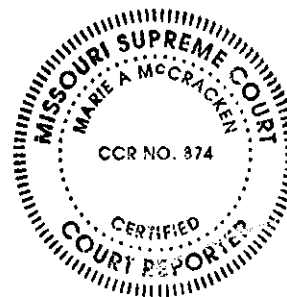
C E R T I F I C A T E

I, MARIE A. McCRACKEN, a Certified Court Reporter in the State of Missouri and a Registered Professional Reporter, do hereby certify that the foregoing is a true and correct transcript of the proceedings had in the above-entitled cause on the date as indicated.

IN WITNESS WHEREOF, I hereunto set my hand this 11th day of March, 2013.



MARIE A. McCRACKEN, CCR, RPR
Certified Court Reporter
Missouri #874
Kansas #0680



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