

**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.)

**ALTERNATIVE PROPOSED PROCEDURAL SCHEDULE OF NEIGHBORS UNITED
AND SUGGESTIONS IN SUPPORT**

COMES NOW Neighbors United Against Ameren’s Power Line (Neighbors United), by and through the undersigned counsel, and hereby respectfully requests the Commission adopt the alternative procedural schedule proposed herein. In support, the undersigned states as follows:

1. On July 29, 2015, the Commission held an agenda session to discuss the two opposing procedural schedules filed in this matter. Thereafter, the Commission issued an Order directing the parties to discuss the schedules again in the attempt to develop an agreed upon schedule.

2. There were questions as to why Neighbors United proposed the additional time it did to present its case. In part, this case will ask the Commission to consider a new question of law—whether the Commission may grant a certificate of convenience and necessity to Ameren Transmission Company of Illinois (ATXI) to build a transmission line across more than 300 properties, many if not all farms, in light of the Missouri Right-to-Farm Amendment 1, a legislatively-referred constitutional amendment passed by voters on August 5, 2014.

3. Article 1, Section 35 of the Missouri Constitution reads:

That agriculture which provides food, energy, health benefits, and security is the foundation and stabilizing force of Missouri's economy. To protect this vital sector of Missouri's economy, the right of farmers and ranchers to engage in farming and ranching practices shall be forever guaranteed in this state, subject to duly authorized powers, if any, conferred by article VI of the Constitution of Missouri.

To present this question to the Commission will require preparing evidence for over 300 different properties. Neighbors United is also in the process of retaining other experts that have stated their reports will take at minimum three months to prepare.

4. As stated in its July 22, 2015 filing, Neighbors United is the only party to this case that has significant property rights at stake in this matter. As such, Neighbors United proposed a schedule that provided due process and allowed all parties a sufficient opportunity to fully set forth their rights and positions in this case. However, mindful of the Commission’s discussion at the July 29 Agenda, the undersigned reached out to counsel for ATXI in the attempt to develop a schedule that more closely reflected the Commission’s comments, but still allowed all parties the time necessary to prepare this case.

5. Unfortunately, Neighbors United was not able to reach agreement with ATXI’s alternative schedule and proposed the alternative schedule set forth in paragraph 7 below.

6. This schedule splits the difference in time between the original competing schedules, while allowing additional time for parties to prepare rebuttal testimony. Scheduling with the Christmas holiday season makes it difficult to accommodate a hearing in late December. But Neighbors United’s schedule attempts to reflect the Commission’s discussion, while allowing the parties the necessary time to prepare.

7. For the reasons stated above, Neighbors United believes the following schedule will allow each party a sufficient opportunity to present its case in this matter:

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| Response time for Data Requests shortened to 10 Calendar days to Respond and 5 Business days to object/notify of need for additional time to respond | Ordered to begin with the effective date of the Commission’s Order setting forth the procedural schedule for this case |
| Local Public Hearings | Potential dates for three local public hearings: October 19, 21, 26, 28. |
| Non-Company Parties file Rebuttal Testimony | November 9, 2015 |
| Response time for Data Requests shortened to 5 Calendar days to Respond and 2 Business days to object/notify of need for additional time | |

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| to respond | |
| Company files Surrebuttal/Other Parties file Cross-Surrebuttal Testimony | November 30, 2015 |
| Last day to Request Discovery | December 14, 2015 |
| Deadline to File List of Issues, List of Witnesses, Order of Cross-Examination and Order of Opening Statements | December 14, 2015 |
| Deadline to File Statements of Position | December 21, 2015 |
| Evidentiary Hearings | January 4-8, 2016 (expedited transcripts) |
| Deadline to File Initial Briefs | January 29, 2016 |
| Deadline to File Reply Briefs | February 5, 2016 |

Because of the expedited schedule, Neighbors United respectfully requests the data request time to be shortened as identified herein to allow adequate discovery time in the shortened schedule.

8. Neighbors United proposes three public hearings, one in Shelbina in Shelby County, one in Queen City in Schuyler County, and one in Kirksville in Adair County. These locations are located closest to the affected citizens in each of the counties to allow participation. Neighbors United has recommendations for locations in these cities and can work with the parties to secure an appropriate location.

9. Neighbors United proposes the following procedural items for this case:

- a. All parties shall provide copies of testimony (including schedules), exhibits and pleadings to other counsel by electronic means and in electronic form essentially concurrently with the filing of such testimony, exhibits or pleadings where the information is available in electronic format (.PDF, .DOC, .WPD, .XLS, etc.). Parties are not required to put information that does not exist in electronic format into electronic format for purposes of exchanging it.
- b. Parties shall try to not include highly confidential or proprietary information in data request questions. If either highly confidential or proprietary information must be included in data request questions, the

highly confidential or proprietary information will be appropriately designated as such pursuant to 4 CSR 240-2.135.

- c. Counsel for each party shall receive electronically from each other party serving a data request, an electronic copy of the text of the “description” of that data request contemporaneously with service of the data request. If a party desires the response to a data request that has been served on another party, the party desiring a copy of the response must request a copy of the response from the party answering the data request. Data requests, objections to data requests, and notifications respecting the need for additional time to respond to data requests shall be sent by e-mail to counsel for the other parties. Counsel may designate other personnel to be added to the service list for data requests, but shall assume responsibility for compliance with any restrictions on confidentiality. Data request responses shall be served on counsel for the requesting party, unless waived by counsel, and on the requesting party’s employee or representative who submitted the data request, and shall be served electronically, if feasible and not voluminous as defined by Commission rule.
- d. If a data request has been responded to, a party’s request for a copy of the response shall be timely responded to, considering that the underlying data request has already been responded to.
- e. Workpapers prepared in the course of developing a witness’ testimony (including schedules) and exhibits shall not be filed with the Commission, but shall be submitted to each party within 2 business days following the filing of the particular testimony, unless a party has indicated that it does not want to receive some or all of the workpapers. Workpapers containing highly confidential or proprietary information shall be appropriately marked.
- f. Where workpapers or data request responses include models or spreadsheets or similar information originally in a commonly available format where inputs or parameters may be changed to observe changes in inputs, if available in that original format, the party providing the workpaper or response shall provide this type of information in that original format with formulas intact.

- g. Documents filed in EFIS shall be considered properly served by serving the same on counsel of record for all other parties via e-mail.
- h. Data requests sent after 5:00 pm will be considered served on the next business day.
- i. Unless otherwise ordered, all other Commission's rules will apply to this matter.

WHEREFORE, the undersigned files this alternative proposed procedural schedule and suggestions in support for the Commission's information and consideration and respectfully requests the Commission issue a procedural schedule and the procedural items as described herein.

Respectfully submitted,

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ATTORNEY FOR NEIGHBORS
UNITED AGAINST AMEREN'S POWER
LINE

Certificate of Service

I certify that a true copy of the above and foregoing was served to all counsel of record by electronic mail this 3rd day of August 2015.

/s/ Jennifer Hernandez

Jennifer Hernandez