

## Fox River Alliance

### Position on ICC Docket No. 06-0706

We, the Fox River Alliance, through a large effort by hundreds of concerned citizens, have been able to succeed in reopening Illinois Commerce Commission Docket No. 06-0706, with regards to the portion of the 138KV power line routing between Ottawa and Wedron. This portion of the route was determined by a stipulation agreement between parties that do not represent the residents of the area. The route, as it stands, is a grave injustice to the residents, a severe safety threat, and an impending ecological disaster. We only ask that the routing be determined by the evidence presented. We simply want the due process that we believe we are entitled to under the US Constitution. Let's consider some of the evidence.

We went to public hearings about this project, raised questions about the Fox River routing, and we were told by Ameren project engineers that this route was only included to satisfy a law requiring that 3 routes be submitted. They assured us that they were only considering a route either well East or well West of the Fox River Valley, and we need not be concerned. We believe, to this day, that they were sincere in their assessment, and everyone went home with confidence about the integrity of the route selection process. This turned out to be very bad advice. In legal terms, this is often called detrimental reliance.

These sorts of projects surely impose a burden on the entire community. During the hearings, evidence was presented on how to minimize the impact on the entire community. This line needs to connect Ottawa and Wedron. There are dozens, likely hundreds, of potential routes. We have now proposed an alternate route that avoids passing by homes, has little visual impact, and costs Ameren ratepayers (us) millions of dollars less to construct and maintain.

Our general theories are these:

In routing a power line, when possible, it is in the best public interest to avoid densely populated areas. The only densely populated area of Ottawa is to the east and northeast of the substation. The original routing passes directly through the middle of that area. There is only 1 densely populated area between Ottawa and Wedron, the historic town of Dayton. The original routing passes directly through the middle of it. From these perspectives, the original route is the worst one.

In routing a power line, when possible, it is in the best public interest to favor level ground over steeply sloped areas. From widely available topological data, the original routing passes directly through the very steepest terrain. This will require the widest clear cutting of trees and the most future problems with erosion. From this perspective, the original route is the worst one.

In routing a power line, when possible, it is in the best public interest to favor routing through areas free of trees, especially old growth trees, to minimize the impact to the environment.

From available aerial photos, the original routing passes directly through the most heavily wooded parts of this area. From this perspective, the original route is the worst one.

In routing a power line, when possible, it is in the best public interest to favor areas free of endangered species and Bald Eagles. The original route passes directly through the only part of this area that is habitat for the endangered Indiana bat and the heavily protected Bald Eagle. The vast majority of the other areas are home to open farmland. These fields have been clear cut for well over a century. From this perspective, the original route is the worst one.

There are few types of businesses that are specifically affected by nearby power lines. Airports are one such example, and especially airports that are skydiving training centers. By routing a power line anywhere near such a place, this will surely result in the loss of human life. It is not a question of "if", but "when". From current aeronautical charts, the original routing passes adjacent to the only airport in the area and directly through an alternate landing area of one of the busiest skydiving centers in the world, Skydive Chicago. In addition, it poses a severe safety threat to the heliport at the Ottawa Regional Hospital. From these perspectives, the original route is the worst one.

In addition, because of the terrain in the river valley, this is the most expensive of the proposed routes. The unnecessary additional cost will be passed on to the ratepayers. From this perspective, the original route is the worst one.

There are several other considerations, all pointing to the same conclusion. The route, as originally decided by the ICC, is not only a bad routing; it is the worst possible routing. When agreeing to this stipulation agreement, this evidence was clearly ignored. Due to public statements by Ameren, the landowners along the stipulated route were not represented in the agreement. The public trust of the entire area has been betrayed. The stipulated route imposes the maximum possible impact to the public and the environment. By reopening this docket, the ICC has given us a chance to present evidence to support our claims, and route this power line in a manner that minimizes impact to the public and to the environment. After consideration of the evidence, we believe that the public welfare can be better served, and this tragedy can be avoided.