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APPLICATION OF TXU ELECTRIC
DELIVERY TO AMEND A CERTIFICATE
OF PUBLIC CONVENIENCE AND
NECESSITY (CCN) FOR A PROPOSED
TRANSMISSION LINE WITHIN JACK,
WISE AND DENTON COUNTIES, TEXAS

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BEFORE THE PUBLIC UTILITY
PUBLIC UTILITY COMMISSION
FILING CLERK
COMMISSION OF TEXAS
AT THE STATE OFFICE OF
ADMINISTRATIVE HEARINGS

DIRECT TESTIMONY

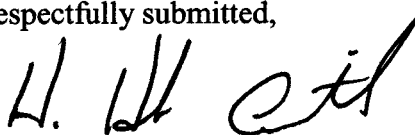
of

H. HUNT ARMISTEAD

TO THE HONORABLE ADMINISTRATIVE LAW JUDGES:

Intervenor H. HUNT ARMISTEAD hereby files the attached direct testimony.

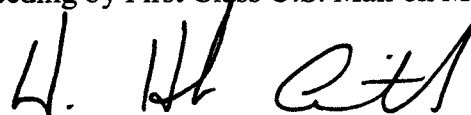
Respectfully submitted,



H. Hunt Armistead
13237 Dime Box Trail
Austin, Texas 78729
(512) 401-2020 (voice)
hunt@huntarts.com

CERTIFICATE OF SERVICE

I certify that a copy of this Direct Testimony was served on the Applicant by hand delivery to the PUC Filing Clerk and on all parties of record in this proceeding by First Class U.S. Mail on March 15, 2005.



H. Hunt Armistead

DIRECT TESTIMONY OF H. HUNT ARMISTEAD

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3 **Q. PLEASE STATE YOUR NAME AND ADDRESS**

4 A. H. Hunt Armistead, 13237 Dime Box Trail, Austin, Texas, 78729

5 **Q. WHO DO YOU REPRESENT IN THESE PROCEEDINGS**

6 A. I represent my Mother, Mrs. Josephine M. Armistead, owner of approximately 500 acres that is
7 in use as an active cattle ranch and part time residence.

8 **Q. HAVE YOU EVER SUBMITTED TESTIMONY BEFORE THE PUBLIC UTILITY**
9 **COMMISSION OF TEXAS ?**

10 A. No.

11 **Q. DESCRIBE THE PROPERTY YOU REPRESENT.**

12 A. The property is located approximately 12 miles East of Jacksboro and is in close proximity to
13 Cundiff Community. It is bordered to the North by FM 1810 and to the East by the Coca Cola
14 Ranch Road. The address is 10600 Coca Cola Ranch Road, Jacksboro, Texas, 76458.

15 **Q. WHICH ROUTES IN TXU'S APPLICATION WOULD DIRECTLY AFFECT THE**
16 **PROPERTY YOU REPRESENT ?**

17 A. Routes 9, 10 and 20.

18 **Q. WHICH ROUTES IN TXU'S APPLICATION DO YOU OPPOSE ?**

19 A. I oppose routes 9, 10, and 20.

20 **Q. WHY DO YOU OPPOSE THOSE ROUTES ?**

21 A. Because they will negatively impact 1) the access to the southern-most area of the property, 2)
22 the water collection and retention in the Southern-most area of the property, 3) the natural
23 growth and animal habitat of the property, and 4) the visual aesthetics of the property. I also

1 oppose these routes because they directly and negatively impact the character and make-up of
2 Cundiff Community.

3 **Q. WOULD YOU PROVIDE SOME DETAILS FOR YOUR OPPOSITION ?**

4 A. 1. Due to creeks and water washes, the only vehicular access to the Southern-most area of the
5 property is through a gate that is directly under routes 9 and 20, where they intersect Coca Cola
6 Ranch Road.

7 2. A water retention stock tank has been installed in the Southern-most region of the property to
8 take advantage of the natural terrain. Clearing the required right-of-way will modify the natural
9 terrain such that a water retention stock tank in this part of the property may not be possible, thus
10 rendering this part of the property of limit value for live stock ranching.

11 3. The natural growth and animal habitat in this part of the property is good for deer as well as
12 live stock. As the property is leased for deer hunting, clearing the required right-of-way will
13 modify this natural growth and animal habitat such that it would reduce the leasable acreage for
14 deer hunting.

15 4. As the proposed 345kV transmission towers stand 120' tall and routes 9 and 20 follow the
16 high ridge along the Southern-most property line, the towers would clearly be visible from both
17 of the habitable structures on the property.

18 **Q. CAN YOU DESCRIBE CUNDIFF COMMUNITY ?**

19 A. Yes. It is an area that still retains many of the qualities that characterized rural Texas from the
20 time Texas was annexed. According to "The Handbook of Texas", settlement in the area began
21 in the mid-1850's, and was laid out as a township in 1891. It had a United States Post Office, a
22 cotton gin, a blacksmith shop, a Methodist church, a Baptist church, four stores, a cemetery, and
23 a school. Prior to his death, my Grandfather did business with one of these stores and I attended
24 the Baptist Church's Vacation Bible School in my youth. Currently the community consists of

1 45 residents, a Baptist church, and a cemetery – and is still surrounded by active farms and
2 ranches.

3 **Q. DID THE ENVIRONMENTAL ASSESSMENT AND ROUTING STUDY TAKE THE**
4 **IMPACT TO CUNDIFF COMMUNITY INTO CONSIDERATION ?**

5 A. Yes. Application for CCN, Environmental Assessment and Routing Study, paragraph 7.8.1
6 (pages 7-44 and 7-45) notes “Only the far western and northern portions of the study area [where
7 Cundiff Community is located] still retain landscape characteristics representative of historic
8 period agricultural development in the area.” The study also notes that Cundiff Cemetery is a
9 THC designated cemetery.

10 **Q. FROM A HISTORICAL PERSPECTIVE, WHAT CONCLUSION DID THE**
11 **ENVIRONMENTAL ASSESSMENT AND ROUTING STUDY REACH ?**

12 A. That routes 9, 10, and 20 number among the 5 least desirable routes out of the 20 routes studied.

13 **Q. DO YOU AGREE WITH THESE CONCLUSIONS ?**

14 A. Yes.

15 **Q. DOES THIS CONCLUDE YOUR DIRECT TESTIMONY ?**

16 A. Yes.