



Control Number: 38295



Item Number: 119

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SOAH DOCKET NO. 473-10-4788
PUC DOCKET NO. 38295

APPLICATION OF WIND ENERGY
TRANSMISSION TEXAS, LLC FOR
A CERTIFICATE OF CONVENIENCE
AND NECESSITY FOR THE
PANHANDLE AD TO CENTRAL
B (COTTONWOOD TO DERMOTT)
345-KV CREZ TRANSMISSION LINE
IN DICKENS, KENT AND SCURRY
COUNTIES

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BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

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DIRECT TESTIMONY

OF

SCOTT KING

ON BEHALF OF

MARCIA FULLER FRENCH, INTERVENOR

August 20, 2010

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I. INTRODUCTION

Q. PLEASE STATE YOUR NAME AND FOR WHOM YOU ARE TESTIFYING.

A. My name is Scott King. I am testifying on behalf of Marcia Fuller French, who has filed an intervention against the Application of Wind Energy Transmission Texas, LLC for a Certificate of Convenience and Necessity for the Panhandle AD to Central B (Cottonwood to Dermott) 345- kV CREZ Transmission Line in Dickens, Kent, and Scurry Counties.

Q. BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?

A. I am employed by Mr. and Mrs. French, and as the Ranch Manager of Rough Creek Ranch ("Ranch"). The Ranch was long known as the "Fuller East Ranch." I have been in this position since June of 1995.

Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?

A. My testimony describes the Ranch and explains the negative effects that would result if the any of the proposed routes that include Segments VV, YZ, UZ, QZ, XZ, or LZ is chosen in this docket to be the location of the new CREZ transmission line.

II. SUMMARY

Q. PLEASE DESCRIBE YOUR PROPERTY, AS WELL AS ANY SPECIAL FEATURES OF THE PROPERTY?

A. Mrs. French and her ancestors have owned Rough Creek Ranch since 1902. The Ranch is approximately 35,705 acres and has been consistently maintained and expanded by the Fuller family for cattle operations and as a private family ranch. Mrs. French was deeded the surface of the Ranch in 1995 by a trust her father, W.M. Fuller, had established. The Ranch is largely in pristine condition with large open pastures. The northern and eastern sections of the Ranch, such as the Cox Hollow Pasture, which is approximately 5400 acres, and the Rough Creek Pasture, which is approximately 5000 acres, exist with native

1 grasses and vegetation and only contain occasional pasture fences and a total of three oil
2 wells. Thus, the majority of the northern and eastern sections of the Ranch is unfenced
3 and untouched by man. There is oil and gas development in the western portion of the
4 Ranch where segments VV, YZ, UZ, QZ, XZ, and LZ are proposed.

5 **Q. WHAT SEGMENTS ADVERSELY AFFECT YOUR PROPERTY?**

6 A. The Ranch is adversely affected by Segments VV, YZ, UZ, QZ, XZ, and LZ. Segment
7 QZ follows the property line of the Ranch. The other segments do not follow any
8 features through the property and cut directly across Mrs. French's property.

9 **Q. WHAT ARE THE NEGATIVE EFFECTS OF THE CONSTRUCTION OF THE
10 PROPOSED LINE?**

11 A. The transmission line would do considerable and irreparable damage to the scenic
12 beauty and ecology of the Ranch. The northern portions of the Ranch, near Segments
13 QZ and UZ are in the Brazos Canyonlands; these lands' beauty would be greatly
14 debased by the proposed alternate route for this huge transmission line. Further, oil and
15 gas operations are ongoing on the lands near Segments UZ, YZ, VV, LZ, and XZ and
16 would be adversely affected by the construction, maintenance and continued presence
17 of transmission lines. Because Segments VV, YZ, UZ, XZ, and LZ would cross
18 directly through the property, ranching operations would be adversely affected by the
19 installation, maintenance, and continued presence of the transmission line on the
20 property. Essential elements of cattle operations on the Ranch, including pasturelands,
21 wheat fields, creeks and tanks, and fencing of cattle, will be difficult to maintain if
22 transmission lines are installed across the entirety of the Ranch.

23 The installation and maintenance of the proposed transmission line and the
24 presence of construction and maintenance crews on the property would adversely affect
25 the privacy and safety of the four people who permanently reside on the Ranch. I am

1 also concerned about health risks to humans, livestock and wildlife that the proposed
2 high voltage transmission line could create. Furthermore, I am concerned about the
3 harm that the installation of gigantic transmission lines across the Ranch would do to
4 the native vegetation on the Ranch, which Mrs. French has consistently taken measures
5 to protect. Finally, Mrs. French has elected not to permit the construction of windmills
6 for electric generation on the Ranch, in contrast with many of the landowners south of
7 the Ranch. Where possible, this transmission line should follow public roads, existing
8 transmission line rights of way, and private property whose owners have elected to
9 profit from leases for wind energy.

10 **Q. IF THE ROUTE AFFECTING YOUR PROPERTY IS CHOSEN, DO YOU**
11 **HAVE ANY PREFERENCES REGARDING THE TRANSMISSION LINE?**

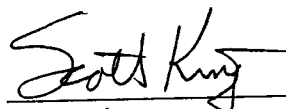
12 A. Although I oppose the installation of transmission lines anywhere on the property, if any
13 of the alternative routes affecting Mrs. French's property is chosen, we strongly prefer
14 that the route follow the property boundaries of the Ranch rather than crossing onto the
15 property. Furthermore, I strongly request that if any of the routes containing Segments
16 VV, YZ, UZ, QZ, XZ, or LZ is chosen, Wind Energy Transmission Texas utilize the
17 monopole structures, rather than the lattice tower structures.

18
19 **III. CONCLUSION**

20 **Q. DOES THIS CONCLUDE YOUR TESTIMONY?**

21 A. Yes.

22 Respectfully Submitted,

23 

24 Scott King

VERIFICATION

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STATE OF TEXAS §
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COUNTY OF Midland §

BEFORE ME, the undersigned authority, on this day personally appeared Scott King known to me to be the person whose name is subscribed hereto, and having first been duly sworn by me upon his oath, deposes and testifies as follows:

"My name is Scott King. I am testifying as a witness for Marcia Fuller French in PUC Docket No. 38295 concerning the *Application of Wind Energy Transmission Texas, LLC For a Certificate of Convenience and Necessity for the Panhandle AD to Central B (Cottonwood to Dermott) 345-kV CREZ Transmission Line in Dickens, Kent and Scurry Counties.* All of my testimony presented above is within my personal knowledge and is true and correct to the best of my knowledge.

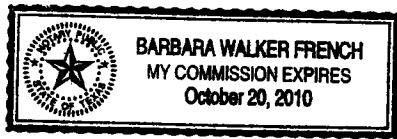
Scott King

Scott King

SUBSCRIBED AND SWORN TO BEFORE ME on this 18th day of August, 2010.

Barbara Walker French

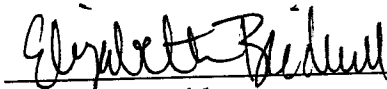
Notary Public in and for the State of Texas



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Respectfully submitted,

KELLY HART & HALLMAN LLP
201 Main Street, Suite 2500
Fort Worth, Texas 76102
Phone: (817) 332-2500
Fax: (817) 878-9280

By: 
Robert C. Grable
State Bar No. 08241000
Elizabeth A. Bridwell
State Bar No. 24064949
Glenn E. Johnson
State Bar No. 10722800
Stephen C. Dickman
State Bar No. 05836500

**ATTORNEYS FOR MARCIA
FULLER FRENCH**