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SOAH DOCKET NO. 473-11-1266
PUC DOCKET NO. 38825

APPLICATION OF WIND ENERGY § BEFORE THE STATE OFFICE
TRANSMISSION TEXAS, LLC TO AMEND ITS §
CERTIFICATE OF CONVENIENCE AND §
AND NECESSITY FOR THE LONG DRAW TO § OF
SAND BLUFF, SAND BLUFF TO DIVIDE, AND §
SAND BLUFF TO BEARKAT 345-KV CREZ §
TRANSMISSION LINE IN BORDEN, COKE, §
GLASSCOCK, HOWARD, MITCHELL AND §
STERLING COUNTIES § ADMINISTRATIVE HEARINGS

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DIRECT TESTIMONY OF COURTNEY KING

January 21, 2011

Direct Testimony – Courtney King

Page 1 of 14

TABLE OF CONTENTS

<u>SUBJECT</u>	<u>PAGE</u>
I. INTRODUCTION AND QUALIFICATIONS.....	3
II. PURPOSE OF TESTIMONY.....	5
III. DESCRIPTION OF THE PROPERTY.....	7
IV. LAND USE.....	8
V. CONCLUSION.....	13

ATTACHMENTS

Attachment 1 To the Direct Testimony – Plat of ranch

Attachment 2 To the Direct Testimony – Plat with possible proposed route shown

1 I. INTRODUCTION AND QUALIFICATIONS

2 Q. PLEASE STATE YOUR NAME AND ADDRESS.

3 A. ~~My name is Courtney King. I reside in Sterling County, Texas on our family ranch. My~~
4 mailing address is PO Box 156, Sterling City, Texas 76951.

5
6 Q. ON WHOSE BEHALF ARE YOU TESTIFYING IN THIS PROCEEDING?

7 A. I am testifying on behalf of (1) myself, COURTNEY KING, and my wife ELAINE
8 KING, (2) the EMILY KING CHILDREN'S TRUST, JOELLEN KING CHILDREN'S TRUST,
9 AND LILA KING CHILDREN'S TRUST, Allen Price, Trustee, and (3) my children EMILY
10 KING BEAVER, JOELLEN KING QUALLS, AND LILA BETH KING. Each of us could be
11 directly and adversely affected landowners depending on where the PUC orders the transmission
12 line to be routed in PUC Docket No. 38825, which is the Application of Wind Energy
13 Transmission Texas, LLC To Amend Its Certificate Of Convenience And Necessity For the
14 Long Draw to Sand Bluff, Sand Bluff to Divide, and Sand Bluff to Bearkat 345kV CREZ
15 Transmission Lines In Borden, Coke, Glasscock, Howard, Mitchell and Sterling Counties, Texas
16 (the "WETT Transmission Line" or the "transmission line").

1 Q. PLEASE DESCRIBE YOUR INTEREST IN THIS PROCEEDING.

2 A. The property which is potentially affected by the transmission line is owned in different
3 undivided ownership by the individuals and trusts named in my answer to the previous
4 question, with different tracts having different undivided ownerships.

5
6 Q. WILL THE PROPERTY BE DIRECTLY AFFECTED BY THE TRANSMISSION
7 LINE OF THE TRANSMISSION LINE?

8 A. Yes, depending upon where the Public Utility Commission orders the line to be routed,
9 the property could be affected.

10
11 Q. DESCRIBE BRIEFLY YOUR EDUCATIONAL BACKGROUND AND
12 PROFESSIONAL EXPERIENCE.

13 A. I have a Bachelor of Science degree from Abilene Christian University and a Masters in
14 Education from Sam Houston State University. I taught school for two and one-half
15 years after I completed my education and I have been a rancher ever since then.
16 Ranching is my sole occupation. My wife and I currently operate the ranch which may
17 be affected by the transmission line

18
19 Q. HAVE YOU EVER TESTIFIED IN A PUBLIC UTILITY COMMISSION OF TEXAS
20 PROCEEDING?

21 A. No.

22

23

1 Q. ARE YOU AN INTERVENOR IN THIS PROCEEDING?

2 A. Yes, I am an Intervenor in this proceeding.

3

4 II. PURPOSE OF TESTIMONY

5 Q. ~~WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THIS PROCEEDING?~~

6 A. The purpose of my testimony is to describe my family's property and to explain the
7 negative effects which would result if any proposed alternative route containing any of the
8 following line segments were chosen: Segment CP6, CF6, CD6 or CN6.

9

10 Q. DO YOU SPONSOR ANY EXHIBITS TO YOUR TESTIMONY? IF SO, PLEASE
11 DESCRIBE THOSE EXHIBITS.

12 A. Attachment No. 1 is a plat of our property. On Attachment No. 1 the boundary lines of a
13 portion of our property are approximately shown along with the line segments as
14 identified by WETT. Attachment No 2 shows a proposed route which we may support.
15 We are in the process of working with our neighbors in order to attempt to arrive on a
16 route which we and our neighbors can all agree upon.

17

18 Q. ARE ANY OTHER WITNESSES FILING DIRECT TESTIMONY IN THIS CASE ON
19 YOUR BEHALF?

20 A. Yes. C. Jerry Wong of DHW Engineering of West Palm Beach, Florida will be filing
21 direct testimony in this case on my behalf with respect to the use of monopoles on my
22 family's property.

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Q. ARE YOU IN FAVOR OF THE PREFERED ROUTE FOR THE WETT TRANSMISSION LINE?

A. We are opposed at this time to the preferred route.

Q. ARE YOU IN FAVOR OF ANY ROUTES OTHER THAN THE PREFERRED ROUTE?

A. Yes. We may lend our support to the following proposed route:

The line would follow Link Segment BU6 and would bend slightly to the east as it enters the Horwood family's Section 217, Abstract 163. It would continue into Section 254, Abstract 883 owned by the Horwood family and would then bend so that it runs approximately due south at approximately the point it reaches two existing wind turbines on its east side. The exact location of this portion of the proposed route would need to be analyzed on the ground to stay on the east side of a valley with sensitive environmental and conservation issues. It would then turn east along the south boundary of Section 254, Abstract 883 and the north boundary of Section 265, Abstract 173 owned by the Horwood family, and continue east along the south boundary of Section 253, Abstract 167 owned by the Copeland family or the north boundary of Section 266, Abstract 954 owned by my family. A bend to the southeast and then another bend to the northeast may be necessary in the northeast corner of Section 266 in order to create a clear pathway between wind turbines. The line would continue to the east along the north boundary of

1 Section 267, Abstract 174 owned by the Copeland family, continuing east along the north
2 boundary of Section 268, Abstract 955 owned by my family. A bend to the northeast
3 across to the south boundary of Section 251, Abstract 166 may be necessary in order to
4 provide an angle as necessary to go between wind turbines. The line would then continue
5 east either along the south line of Section 250, Abstract 907 or the north line of Section
6 269, Abstract 175. There is a windmill along the north line of Section 269 which would
7 have to be avoided. The line would then join proposed segment CN6 and proceed
8 generally east as per proposed segment CN6 to the Divide Switching Station.

9
10 Q. DO YOU OPPOSE ANY ROUTES?

11 A. Yes, we oppose any routes which contain line segments CP6, CF6, CD6 or the portion of
12 proposed segment CN6 which angles across the property of the Copeland family.

13
14
15 III. DESCRIPTION OF THE PROPERTY

16 Q. PLEASE DESCRIBE YOUR PROPERTY.

17 A. Our property which is potentially affected by the WETT Transmission Line consists of
18 approximately 9,764 acres located in Sterling County, Texas. It is located approximately
19 five miles east of Sterling City, Texas. Our property is used for cattle ranching, hunting
20 and recreation. There are two houses, two barns, three sets of working pens, and twenty
21 water wells on this property. My primary residence is located on the property and there
22 is another residence on the property in which my employee lives.

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Q. WHAT SEGMENTS ADVERSELY AFFECT YOUR PROPERTY?

Proposed Segments CP6, CF6, CD6 and CN6 all adversely affect our property.

IV. LAND USE

Q. PLEASE DESCRIBE THE CURRENT USES OF YOUR PROPERTY.

A. Our land is currently used for cattle ranching, hunting and recreation. We have also at times raised sheep and goats on the property. My primary residence is on the property and my employee lives in another house on the property.

Q. BRIEFLY DESCRIBE HOW YOUR HUNTING OPERATIONS WILL BE AFFECTED BY A TRANSMISSION LINE OF THIS MAGNITUDE?

A. In order for us to make the ranch productive and economical for us to own, our hunting operations on this property provides a large portion of our income. We have many years of experience in generating income from cattle, sheep and goat ranching and intensively managed hunting operations. We lease the property to hunters who hunt deer, turkey, quail, dove, coyotes and feral hogs. Today most hunters are from the urban areas. One of their primary motivations in coming to hunt on our property is their desire to escape the urban environment. A large part of hunting is about recreation, relaxation, enjoying the scenic, peaceful atmosphere of rural central west Texas. Hunters come to our property

1 to be away from the stress of the city and daily jobs. Adding a 345 kV transmission line
2 with the clear cutting of a right of way across our property will simply bring more of the
3 urban environment to the rural countryside. These 345 kV lines also emit a noise and
4 interfere with an important part of the hunting experience, that being the peace and quiet
5 of the countryside. We doubt that hunters will be hunting near the power lines. The
6 power lines will negatively affect the hunting experience and will reduce the financial
7 benefits to us from hunting operations. We are also concerned as to how a transmission
8 line will affect the wildlife populations. Helicopter game counts could also be affected
9 since three proposed line segments go through the middle of the ranch.

10
11 Q. IS THERE A RESIDENCE ON THE PROPERTY WHICH WILL BE AFFECTED?

12 A. Yes, there are two residences on the property which could be affected depending
13 upon which segments are utilized. I built my home in 2007. My wife and I chose the
14 location of this residence on top of a hill because of its beautiful, panoramic view for
15 miles in every direction. If the transmission line is constructed on proposed segments
16 CF6, CD6 or CP6 it would create an eyesore looking off of my porch.

17
18 A transmission line of this magnitude negatively affects a residence and ranch
19 headquarters in many ways. Most people do not want to live close to a transmission line
20 because of EMF fears. Future long term studies might ultimately prove the reality of
21 their fears. The proximity of a line to a residence devalues the property. A transmission
22 line such as this ruins the view and that fact is multiplied in my situation because of the

1 location we chose for our home. We know of no person who wants to make their home
2 near a 345 kV power line. I live in the country because I enjoy the peace, the quite and
3 the view. People who live the rural life do not want industrialized structures in their
4 backyards. My employee has lived in the country most of his life. It is quite possible he
5 will leave my employment if the transmission line goes near the home in which he lives.

6
7
8 Q. BRIEFLY DESCRIBE HOW YOUR RANCHING OPERATIONS WILL BE
9 AFFECTED BY A TRANSMISSION LINE OF THIS MAGNITUDE?

10 A. I know of no benefit which a transmission line of this magnitude adds to the
11 ranching operations on a property. We raise cattle and at times we have raised goats and
12 sheep. We have a great concern about the devaluing of property with lines that dissect
13 the property and do not follow existing major roads, transmission lines, property lines, or
14 other existing features already dividing the property.

15
16 Another major concern includes construction of the transmission line, due to contractors
17 not understanding the value of natural resources and the economic impact and damage to
18 ranch improvements. Our business is ranching. We put a large portion of our income
19 into improving the ranch to enhance livestock grazing distribution and to enhance the
20 conditions for wildlife. We have intense management programs in place for both our
21 cow/calf operation and wildlife operation.

1 I have found from experience that many contractors who build transmission lines are not
2 aware of and do not appreciate the value of native rangeland, fences, gates, cattleguards,
3 corrals, pipelines, water troughs, livestock and wildlife feeders, hunting blinds, and roads.

4
5 ~~We raise cattle and at times raise sheep and goats. Utilization of lattice towers will~~
6 provide nesting areas for raptors which prey upon sheep, goats and wildlife.

7
8 There is significant brush, primarily mesquite, on our property. Blading that brush off,
9 shredding it, or mowing it without first grubbing up the roots of that brush will result in
10 the future regrowth and spreading of that brush, thus causing significant interference with
11 not only our livestock and hunting operation, but also with WETT's ability to keep the
12 right of way clear.

13
14 Q. WHAT FEATURES DO THE PROPOSED LINKS FOLLOW OR PARALLEL ON
15 YOUR RANCH?

16
17 A. 1. Link Segment CP6. This proposed line follows no features that we have been able to
18 identify. Instead, it cuts through the middle of our ranch.

19
20 2. Link Segment CF6. The southern portion of this proposed line follows the boundary
21 between our property and third parties. The north-south portion of this proposed line follows no
22 features that we have been able to identify. Instead, for no apparent reason, it goes through the

1 middle of our ranch and passes immediately adjacent to a residence which we believe is owned
2 by Pedro Trevino.

3
4 3. Link Segment CD6. This proposed line follows no features that we have been able to
5 identify. Instead, it cuts through the middle of our ranch.

6
7 4. Link Segment CN6. The first portion of this proposed line cuts across a corner of the
8 property of the Copeland family following no feature that I have been able to identify. The east-
9 west portion of this proposed line which affects my family's property follows the boundary
10 between my family's property and the Copeland family.

11
12
13 Q. DO YOU HAVE A PREFERENCE AS TO WHAT KIND OF UTILITY POLES ARE
14 USED ON THIS PROJECT, THAT BEING SINGLE POLES OR LATTICE
15 STRUCTRES?

16 A. Yes. Single poles (monopoles) would be much more aesthetically pleasing. Power lines
17 of this magnitude are ugly and very visible for miles. Single poles would be better for
18 not only the viewscape, but also the narrower right of way will reduce the acreage to be
19 clear cut. Single poles would also avoid increasing the nesting area for raptors which are
20 dangerous to both wildlife and livestock.

21
22 Q. IF ANY LINK CROSSES OR IS OTHERWISE LOCATED ON OR NEAR YOUR

1 PROPERTY, ARE YOU SPECIFICALLY REQUESTING THAT MONOPOLES BE
2 USED INSTEAD OF LATTICE TOWERS?

3 A. Yes.
4

5 V. CONCLUSIONS

6 Q. WILL YOU PLEASE SUMMARIZE YOUR TESTIMONY?

7 A. A portion of this ranch was purchased by my grandfather in 1906. It has been owned and
8 ranched by my grandfather, my uncle and now by me. We consider ourselves blessed to
9 have the opportunity to have wind turbines on this property. This has increased our cash
10 flow and much of that cash flow has been put back into the land. Since we have the
11 privilege of having wind turbines on our property we also recognize a responsibility to
12 share in the public burden which wind development has brought to this area. That is why
13 we are willing to consider a route across our property. However, putting the lines along
14 most of the proposed routes would severely affect our ranching and hunting operations
15 and the view from the home my wife and I built after many years of dreaming of building
16 a home on that particular location. We also know from experience that the construction
17 phase of the transmission line will cause damages and material interference with our
18 hunting and ranching operation. However, there are certain routes which could be taken
19 which minimize those damages and we believe those routes are just as cost effective as
20 proposed routes which would cause huge, permanent, irreparable damage to our ranch.
21 The loss of privacy, the interference with our agricultural and recreational activities and
22 the aesthetic impact of the transmission line all concern us greatly. We therefore are

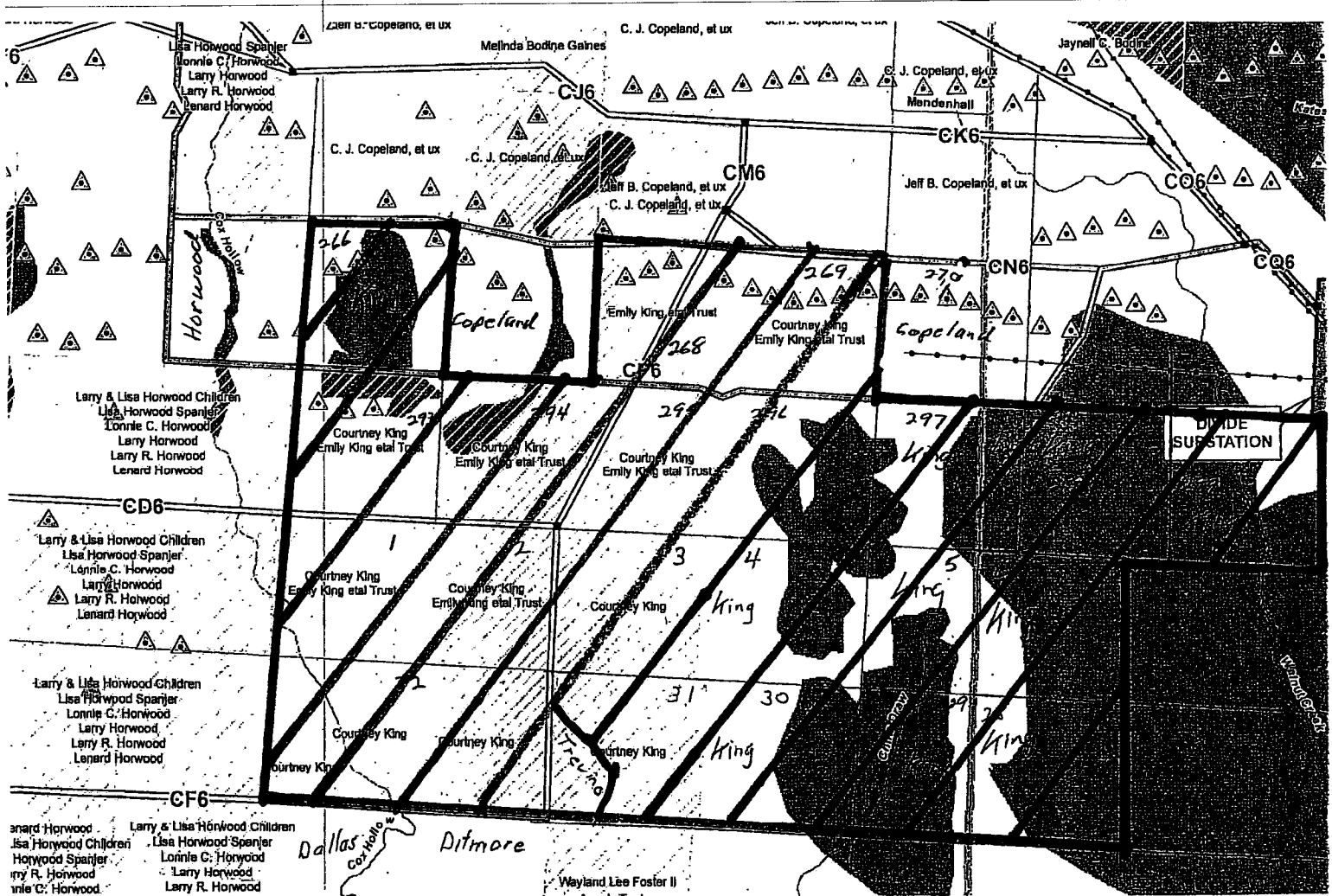
1 willing to consider endorsing a particular route as set forth above because that route
2 appears to cause the least damage and interference with our property and the property of
3 our neighbors while meeting more of the PUC routing priorities as compared to the other
4 proposed routes.

5
6 Q. DOES THIS CONCLUDE YOUR TESTIMONY?

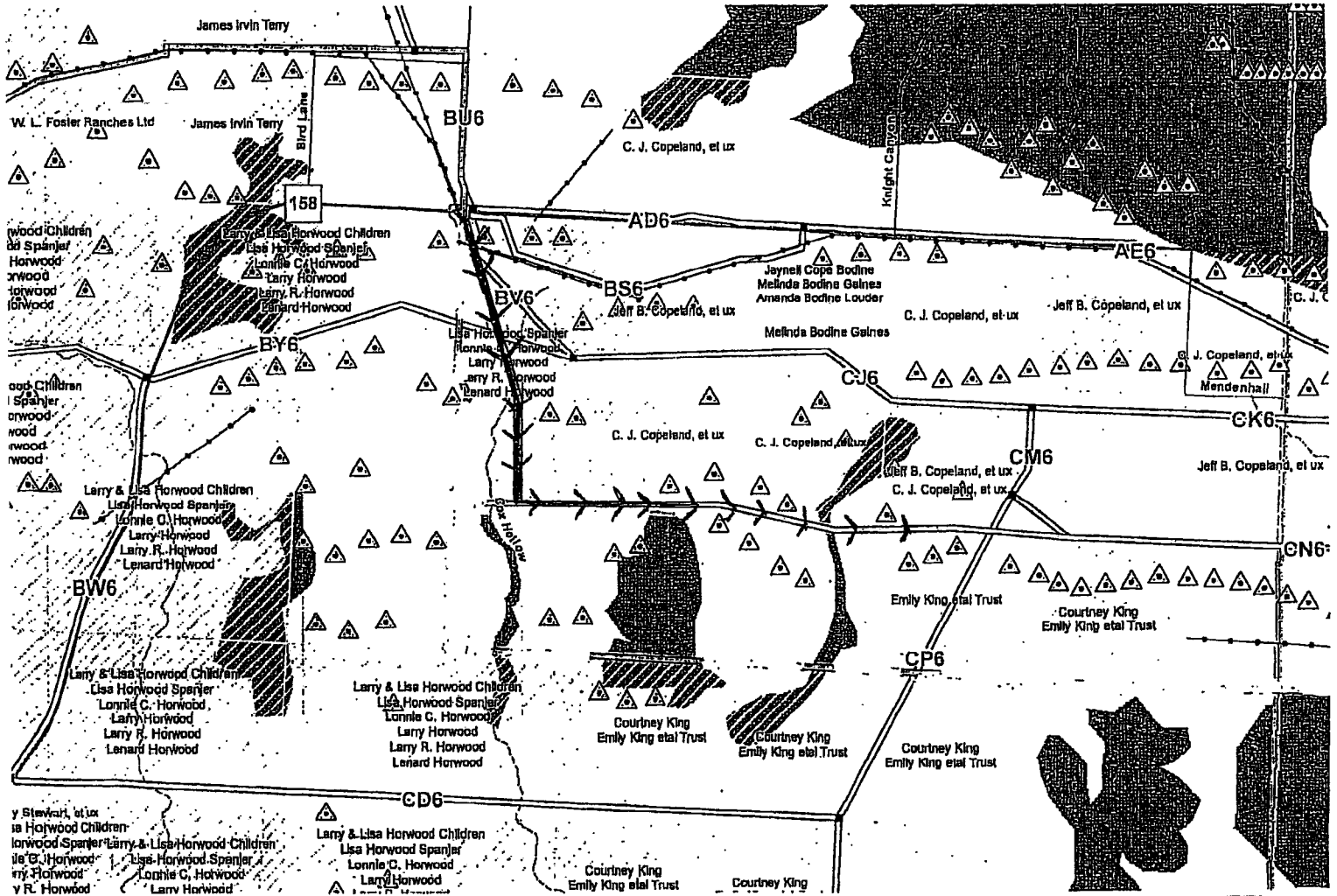
7 A. Yes. However, we reserve the right to supplement my testimony should additional issues
8 need to be addressed in this proceeding.

9

10



Attachment 1 Courtney King Direct Testimony



Attachment 2 Courtney King Direct Testimony