



Control Number: 38825



Item Number: 315

Addendum StartPage: 0

RECEIVED  
11 JAN 25 AM 11:36  
COMMISSION  
FILED CLERK

APPLICATION OF WIND ENERGY §  
TRANSMISSION TEXAS, LLC TO AMEND ITS §  
CERTIFICATE OF CONVENIENCE AND §  
AND NECESSITY FOR THE LONG DRAW TO §  
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 §

BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

**DIRECT TESTIMONY OF JEFF COPELAND AND SHARI COPELAND ON BEHALF  
OF OURSELVES AND C. J. AND PATRICIA COPELAND REVOCABLE TRUST**

**January 20, 2011**

*Direct Testimony*

*Page 1 of 12*

*SOAH Docket No. 473-11-1266; PUC Docket No. 38825; Jeff Copeland and Shari Copeland on behalf of  
Ourselves and C. J. and Patricia Copeland Revocable Trust*

**TABLE OF CONTENTS**

<b><u>SUBJECT</u></b>	<b><u>PAGE</u></b>
I. INTRODUCTION AND QUALIFICATIONS.....	3
II. PURPOSE OF TESTIMONY.....	5
III. DESCRIPTION OF THE PROPERTY.....	6
IV. LAND USE.....	7
V. CONCLUSION.....	12

1 I. INTRODUCTION AND QUALIFICATIONS

2 Q. PLEASE STATE YOUR NAME AND ADDRESS.

3 A. Our names are JEFF COPELAND and wife, SHARI COPELAND. We reside at 2301  
4 State Highway 158E, Sterling County, Texas. Our mailing address is P. O. Box 865,  
5 Sterling City, Texas, 76951.

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

8 A. We are testifying on behalf of ourselves and C. J. and Patricia Copeland Revocable Trust  
9 who could be directly and adversely affected landowners depending on where the PUC  
10 orders the transmission line to be routed in PUC Docket No. 38825, which is the  
11 Application of Wind Energy Transmission Texas, LLC (WETT) to amend its Certificate  
12 of Convenience and Necessity for the Long Draw to Sand Bluff, the Sand Bluff to  
13 Divide, and the Sand Bluff to Bearkat 345-KV CREZ Transmission Line in Borden,  
14 Coke, Glasscock, Howard, Mitchell and Sterling Counties (the “Sand Bluff Transmission  
15 Line” or the “transmission line”).

*Direct Testimony*

*Page 3 of 12*

*SOAH Docket No. 473-11-1266; PUC Docket No. 38825; Jeff Copeland and Shari Copeland on behalf of  
Ourselves and C. J. and Patricia Copeland Revocable Trust*

1 Q. PLEASE DESCRIBE YOUR INTEREST IN THIS PROCEEDING.

2 A. We own property in Sterling County, Texas described as follows: Our home section,  
3 known as Section 218, Block 2, H&TCRyCo. Survey in Sterling County and being  
4 situated on the south side of State Highway 158 east of Sterling City, will be affected by  
5 the preferred route designated by WETT, being Segment CJ6. In addition, preferred  
6 route segments CJ6 and CK6 will affect our property interests in Section 251, Block 2,  
7 H&TCRyCo. Survey. Line segment CK6 will affect our property located in Section 249,  
8 Block 2, H&TCRyCo. Survey. The preferred route Segment CJ6 will also affect the  
9 interests of C. J. and Patricia Copeland Revocable Trust.

10

11 Q. WILL THE PROPERTY BE DIRECTLY AFFECTED BY THE SAND BLUFF TO  
12 DIVIDE SEGMENT OF THE TRANSMISSION LINE?

13 A. Depending on where the Public Utility Commission orders the line to be routed, the  
14 Property could be affected.

15

16 Q. DESCRIBE BRIEFLY YOUR EDUCATIONAL BACKGROUND AND  
17 PROFESSIONAL EXPERIENCE.

18 A. Jeff has a B.S. degree from the College of Agricultural Sciences and Natural Resources  
19 of Texas Tech University. He is a rancher, board director, secretary-treasurer for Sterling  
20 Title Company, an abstract company and title insurance agency for lands in Sterling  
21 County, Texas. Shari has a B.A. degree from the College of Mass Communications of  
22 Texas Tech University. She is a board director, president of Sterling Title Company and

1 manages the title business. They are currently involved in the management and  
2 administration of their ranches and family ranches. Jeff is a partner in Copeland  
3 Brothers, a ranching partnership, with his father, C. J. Copeland.  
4

5 Q. HAVE YOU EVER TESTIFIED IN A PUBLIC UTILITY COMMISSION OF TEXAS  
6 PROCEEDING?

7 A. No.  
8

9 Q. ARE YOU INTERVENORS IN THIS PROCEEDING?

10 A. Yes.  
11

12 II. PURPOSE OF TESTIMONY

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

14 A. The purpose of our testimony is to describe our property and to explain the negative  
15 effects which would result if the preferred route and proposed alternative routes or a  
16 combination of these links were chosen.  
17

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

20 A. No.  
21

22 Q. ARE ANY OTHER WITNESSES FILING DIRECT TESTIMONY IN THIS CASE ON

Direct Testimony

Page 5 of 12

*SOAH Docket No. 473-11-1266; PUC Docket No. 38825; Jeff Copeland and Shari Copeland on behalf of  
Ourselves and C. J. and Patricia Copeland Revocable Trust*

1 YOUR BEHALF?

2 A. No.

3

4 Q. ARE YOU IN FAVOR OF THE PREFERRED ROUTE FOR THE SAND BLUFF TO  
5 DIVIDE TRANSMISSION LINE?

6 A. No.

7

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

10 A. Yes. We may lend our support to a proposed route that is not on the WETT map. This  
11 route would be situated over a mile south of the preferred segment CJG and along the  
12 south boundary line of properties affected by the preferred segment CK6 and eventually  
13 connecting with alternative segment CN6.

14

15 Q. DO YOU OPPOSE ANY ROUTES?

16 A. Yes, we oppose any alternate routes which contain line segments AD6, AE6, BS6, BV6,  
17 BY6 and CM6.

18

19 III. DESCRIPTION OF THE PROPERTY

20 Q. PLEASE DESCRIBE YOUR PROPERTY.

21 A. Our Property consists of 1554 acres in Sterling and Coke Counties, Texas, located  
22 northeast of Sterling City about 8-12 miles on State Highway 158, south of highway. The

1 Property is used for farming, ranching, hunting and recreation. There are 2 residences, 4  
2 barns, 3 sets of working pens, 8 water wells and many miles of internal and external  
3 fencing on the property. C. J. and Patricia Copeland Revocable Trust Properties consist  
4 of 3,674 acres of land in Sterling and Coke Counties and located in the same general  
5 vicinity of State Highway 158, south of highway. The Property is used for farming,  
6 ranching, hunting and recreation. There are 2 residences, 3 barns, 3 sets of pen, and 12  
7 water wells and many miles of internal and external fencing on the property.  
8

9 Q. WHAT SEGMENTS ADVERSELY AFFECT YOUR PROPERTY?

10 A. Our property will be adversely affected by segments AD6, BS6, BV6, BY6, CK6 and  
11 CM6. AD6, BS6, BV6 and BY6 are too close to our home and business. CK6 will go  
12 across farmland and near our other habitable structure and does not follow the boundary  
13 lines. CM6 cuts across ranchland unnecessarily and does not follow a natural corridor or  
14 boundary line. Segments CJ6, AE6, CK6, and CM6 will adversely affect the C. J. and  
15 Patricia Copeland Revocable Trust properties as well for the same reasons. AE6 is close  
16 to a habitable structure and CK6 is very close to the family homestead habitable  
17 structure.  
18

19 IV. LAND USE

20 Q. PLEASE DESCRIBE THE CURRENT USES OF YOUR PROPERTY.

21 A. Our land is currently used for farming, ranching, hunting and recreation. We have  
22 invested in fencing and watering systems. We also have 370 acres of cultivated land for



1 wheat and over 220 acres where improved grasses are grown. C. J. and Patricia Copeland  
2 Revocable Trust properties have 430 acres in wheat cultivation and at least 300 acres of  
3 improved grasses. Cattle are primarily raised, but sometimes sheep and goats are raised  
4 on all properties. The homestead ranch (Section 222) and the section that originally  
5 belonged to my father's Uncle Jeff (Section 220) were honored by the Texas Department  
6 of Agriculture's Family Land Heritage program for land owned and in continuous  
7 agricultural operation by the Copeland family since 1883. Also, the properties have been  
8 included in the Texas Parks and Wildlife Management Plan, MLDP (Managed Lands  
9 Deer Permit), a formal management program which is incentive based and habitat  
10 focused. The wildlife biologist is John McEachern in San Angelo, Texas, and he has  
11 worked with our valued and stable group of dedicated hunters to help improve the deer  
12 population and their habitat. The ranches have also been honored in past years for  
13 Conservationist of the Year by the NRCS for conservation practices in brush control, soil  
14 erosion and protecting wildlife habitat. These properties, besides being our home and  
15 workplace, are working ranches with cultivated and improved lands. The ranches are  
16 utilized to their maximum ability with emphasis on soil conservation practices, welfare  
17 and protection of the livestock and wildlife in their natural environment.

18  
19 Q. BRIEFLY DESCRIBE HOW YOUR FARMING OPERATIONS WILL BE AFFECTED  
20 BY A TRANSMISSION LINE OF THIS MAGNITUDE?

21 A. Segment CK6 of the preferred route appears to bisect our cultivated field in Section 249.

22 The connecting point for Segments CK6, CM6 and CJ6 is very close to the cultivated

1 fields in Section 220 and 221. A transmission line of this magnitude creates danger and  
2 an obstacle to the use of farm machinery and could hinder entering fields with such  
3 machinery. The right of way will inevitably take more land out of production. The  
4 construction phase, depending on the time of year that construction will commence, could  
5 adversely affect planting or harvesting.

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

9 A. Our hunting operation is a sizeable income for our ranches. Our hunters hunt deer,  
10 turkey, quail and dove. We've had the same hunters for several years and they come  
11 from the large cities to enjoy the scenery and solitude of the ranch in addition to hunting  
12 game. They value the privilege of hunting as much as the ability to get away from the  
13 traffic and noisy city life to spend some quiet time relaxing and watching the wildlife in  
14 their blinds. The construction phase will be a huge negative impact on our hunting  
15 operations with the increased traffic and machinery. A permanent transmission line of  
16 this magnitude will interfere and create more noise for all that enjoy the peacefulness of  
17 the country. We are concerned about long term effects on wildlife, in addition to the  
18 short term negative effects the construction phase will impose upon the biological cycle  
19 and general welfare of wildlife in the area. Our hunters will suffer from the construction  
20 phase. They provide feed supplements year round at a great expense as part of the  
21 management plan and the negative effects of the construction will be a financial loss to  
22 their investment as well.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

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

A. This will cause a disruption to the cattle management program and grain farming by taking even more land out of production and disturbing the natural habitat and native grasses. Dry land grain cultivation provides feed to the cattle to supplement their range land diet. Disruptions in the livestock environment often result in detrimental breeding, calving and nursing experiences. Fences will be degraded when their structural integrity is compromised by adding new gates to accommodate the passageway of the utility easement or to enable the landowner to access his own property. If the line followed along boundary lines, it would greatly decrease many potential problems in the ranching operation. This transmission line will add another permanent scar to the land and the native vegetation seldom recovers to its original state after an easement of this size is constructed upon the property. Lastly, we enjoy living on a ranch and want to enjoy its solitude and natural beauty as much as possible. This transmission line will emit noise and disrupt the view at the very least.

Q. WHAT OTHER CONCERNS DO YOU HAVE ABOUT THE TRANSMISSION LINE?

A. These properties consist mainly of rolling plains. We are concerned about erosion from the clear cutting and the imminent danger from stray voltage, especially in times of drought when shrubs and grass become kindling for a wildfire, which would be devastating on our windy plain. We are concerned about the health and welfare of every

1 living being under the effects of the transmission line, including but not limited to the  
2 possible effects that we are not permitted to mention in this testimony. We are  
3 concerned about the degradation of the aesthetic panorama of this area of Texas by the  
4 use of lattice type structures, since we will be able to see these lines for long distances.  
5 We are concerned about the areas that serve as wild turkey roosts and other animal and  
6 bird habitats and the impact of the line upon these areas. Lastly, we are concerned about  
7 the devaluation of our property values and the future ability of our heirs to occupy this  
8 property and continue to enjoy its benefits.

9  
10 Q. DO YOU HAVE A PREFERENCE AS TO WHAT KIND OF UTILITY POLES ARE  
11 USED ON THIS PROJECT, THAT BEING SINGLE POLES OR LATTICE  
12 STRUCTURES?

13 A. We prefer monopoles since it would produce a smaller footprint and not interfere with the  
14 farming operation as much. Monopoles would be consistent with the wind farm turbines  
15 and distribution lines for a more pleasing view. WETT has an opportunity to enhance the  
16 transmission line image by providing structures that do not damage the unique beauty of  
17 Texas.

18  
19 Q. IF ANY LINK CROSSES OR IS OTHERWISE LOCATED ON OR NEAR YOUR  
20 PROPERTY, ARE YOU SPECIFICALLY REQUESTING THAT MONOPOLES BE  
21 USED INSTEAD OF LATTICE TOWERS?

1 A. Absolutely.

2 V. CONCLUSIONS

3 Q. WILL YOU PLEASE SUMMARIZE YOUR TESTIMONY?

4 A. The Copeland ranches have been in continuous agricultural operations since 1883. We  
5 feel that the presence of this transmission line will adversely affect the nature of our  
6 ranching, farming, hunting and our daily life in general. We are opposed to the preferred  
7 route and the use of lattice towers and the resulting devaluation of our properties.  
8 Despite our general objections to any transmission line crossing our property, we may  
9 lend support to a proposed route that is less intrusive than the preferred route. We are  
10 concerned about the short and long term effects upon our health and welfare and the  
11 detrimental effects upon the livestock, wildlife and conservation programs. As to our  
12 ranches, the preferred route and many of the alternate routes for this line appear to  
13 directly affect our operations and we are concerned about our future ability to enjoy the  
14 benefits of our land.

15  
16 Q. DOES THIS CONCLUDE YOUR TESTIMONY?

17 A. Yes. However, we reserve the right to supplement our testimony should additional issues  
18 need to be addressed in this proceeding.

19