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Addendum StartPage: 0

SOAH DOCKET NO. 473-13-5207
PUC DOCKET NO. 41606

2013 OCT -7 AM 9:12
JUDICIAL CLERK
FILING CLERK

JOINT APPLICATION OF ELECTRIC)
TRANSMISSION TEXAS, LLC AND)
SHARYLAND UTILITIES, L.P. TO)
AMEND THEIR CERTIFICATE OF)
CONVENIENCE AND NECESSITY FOR)
THE NORTH EDINBURG TO LOMA)
ALTA DOUBLE-CIRCUIT 345-KV)
TRANSMISSION LINE IN HIDALGO)
AND CAMERON COUNTIES, TEXAS)

BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

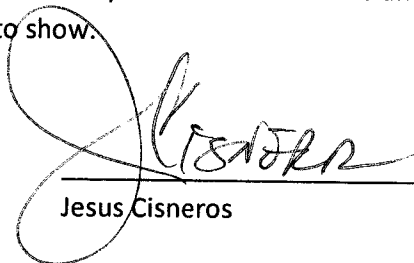
STATE OF CALIFORNIA)
)
COUNTY OF SACRAMENTO)

SS

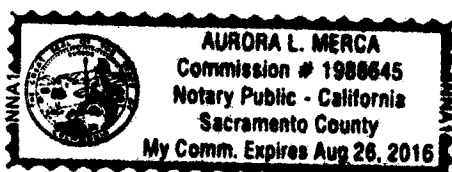
Affidavit of Jesus Cisneros

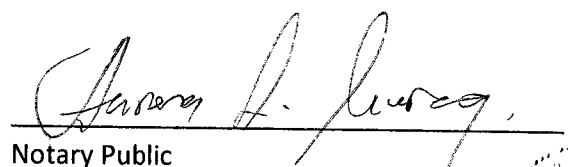
Jesus Cisneros, being first duly sworn, on his oath states:

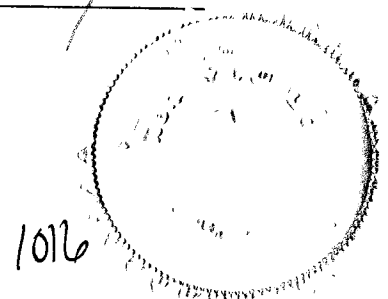
1. My name is Jesus Cisneros. I am construction analyst for the Small Business Administration and self-defined land developer having a principle interest and investment in a future development property within the City of Los Fresnos, in Cameron County, TX.
2. Attached hereto and made a part hereof for all purposes in direct testimony and exhibits which were prepared in written form for introduction into evidence in the SOAH Docket No. 473-13-5207 I PUC Docket No. 41606.
3. I hereby swear and affirm that the testimony and exhibits are true and correct and that they show the matters and things that it purposes to show.


Jesus Cisneros

Subscribed and sworn to before me this 2th day of October, 2013




Notary Public



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DIRECT TESTIMONY OF JESUS CISNEROS

I. Introduction

Q. PLEASE STATE YOUR NAME AND ADDRESS

A. Jesus Cisneros. My current residence address is 19995 Cerrito Road, Grass Valley, CA. 95949

Q. WHAT IS YOUR OCCUPATION?

A. I am a construction analyst for the U. S. Small Business Administration as well as a self-defined business investor in land development.

Q. PLEASE DESCRIBE YOUR EDUCATIONAL BACKGROUND AND EXPERIENCE.

A. As a construction analyst, my principle responsibilities conducting a damage surveys of physical and economic impact during catastrophic disaster events; I conduct damage site inspections to determine cause and extend of damage to real and non-real personal and business property; prepare repair and/or replacement cost estimates of disaster related damages based on practical knowledge of construction techniques; review repair and/or reconstruction proposals, building plans, drawings and specifications, and analyze financial business records; assist with developing, implementing and monitoring policies and procedures for disaster field operations, plan for and assess the immediate and long term needs and evaluate performance of field location construction staff, as well as resolve employee complaints and disputes. I provide assistance in the making of technical decisions and recommendations regarding the volume and variety of work or complex projects; research and development of costs which serve as the basic costs of construction operations; plus various other assigned tasks which would enhance the effectiveness of procedure and efficiency of processes.

As a sole proprietor business investor/ owner of rental property and residential development projects

since 1986 out of the Lower Rio Grande Valley in Los Fresnos, TX, I have persistently invested personal funds into the real estate land development & residential rental market. I've studied various business principles in the orientation/ research of sound business practices and have received full exposure to a wide variety of business concepts, holding discussions with expert business owners over operating systems and project development awareness. My personal business experiences in residential construction and the development of land projects has awarded me with a diverse knowledge over the development of residential projects within the State of Texas and the California. In the undergoing of all my projects I have diligently performed the role of general manager, overseeing the entire development from their design and engineering, on through the necessary development approval of city, county and state council members. I additionally supervised all aspects and levels of infrastructures and residential construction within these projects.

Q. HAVE YOU PREVIOUSLY FILE A TESTIMONY BEFORE THE PUBLIC UTILITY COMMISSION OF TEXAS ON TRANSMISSION-RELATED MATTERS IN GENERAL AND IN CERTIFICATE OF CONVENIENCE AND NECESSITY PROCEEDING, IN PARTICULAR?

A. No

II. Purpose of Testimony

Q. WHAT IS SUBJECT MATTER OF YOUR TESTIMONY?

A. My testimony addresses link 311 of the Preliminary Alternative Route links offered to the Commission by Electric Transmission Texas, LLC ("ETT") and Sharyland Utilities, L.P. (collectively "Joint Applicants") in their CCN application ("Application") for the proposed North Edinburg to Loma Alta single-circuit, double-circuit capable 345 KV transmission line project ("Proposed Project").

I am testifying on behalf of the direct business investments (existing infrastructure, placed for future expansion of the Espiritu Santo Subdivision) and the indirect economic impacts the proposed 345 KV Transmission line will have on the subject properties investments and intended business purposes.

-Direct impacts refer to the monetary losses of invested costs made toward futuristic development of the property;

-While indirect impact references the well-known real estate market impacts of increased return (capital gains) risks and burdens such transmission lines place on real estate property values. This economic impact will not only affect the subject property in question but also its current residents as well as all our area neighboring residents within the Los Cutes residential community. I have evaluated the proposed route line 311 which branches off route line 309 traveling in a southern direction onto the subject property and turns in an eastwardly direction onto route line 324 and onward to the Loma Alta Substation. Route line 311 encroaches onto the subject property along its northern property line. See exhibit "A"

My Testimony brings awareness to several direct physical and economic impacts: See exhibit "B"

- The subject property (Espiritu Santo Subdivision) off Henderson road has been annexed to the City of Los Fresnos, TX in its entirety;

- It has in place a sizeable monetary infrastructure investment on the property for the future expansion of the Espiritu Santo subdivision 123 residential lot project;
- It stands to lose 12 of its most desirable lots directly to Link 311's easement requirements;
- Link 311 route runs along the properties uppermost elevation area, directly impacting the development sites construction proposed drainage contours;
- The development project is subject to lose an additional 12 lots in correlation with any acceptable plat plan redesign necessary to accommodate the 345 KV Transmission line easement requirements.

In 2002, Jesus Cisneros executed the designed planning of Preliminary Plat of ESPIRITU SANTO SUBDIVISION, for the subject property located off Henderson road which is regarded as being 41.43 acres of land, comprised of 34.17 acres out of BLOCK 144 and 7.15 acres out of BLOCK 145 of the Los Fresnos Land and Irrigation company Subdivision in share 22 of the ESPIRITU SANTO GRANT, as recorded in Volume 3, Page 9 & 9A of the Cameron County Map Records Cameron County Texas. The land development project for the Preliminary Plat of ESPIRITU SANTO SUBDIVISION consists of 123 residential lots not including a sizable site portion purposely left out for commercial interests.

The subdivision was proposed to be unfolded in a three phase method. Given the risk complexity of marketing in small rural communities such as Los Fresnos, TX, preplanning and designing an effective model which would efficiently secured objectives and rapidly deplete investment risks (debts), plus stake out a desirable and equitable long-term market position for future development was critical.

The model broke out the residential subdivision development project into a three phase construction succession which capitalizes on securing the infrastructure and principle purchase investment. The completion of Phase 1 a technical risk management approach entailed developing the nine frontage lots along Henderson Road as well as front loading or building the utilities system (water/ sewer systems installations equivalent for the entire project) to full capacity which would preset the stage for rapid future expansions. Phase 1 was critical in recapturing initial investments and securing the futuristic development expectations for the long-term.

The ESPIRITU SANTO SUBDIVISIONs Phase 2 and Phase 3 were FY2008 proposed expansions which have been prolonged by the downfall of real estate markets national economy. The development process continues to monitors the real estate markets come back and the local housing economy needs within Cameron County in the purse of completing this project.

- The following proposed links 309, 310, 311, 320, 321, 322, 323, 324, and 327 are all located north of the City of Los Fresnos along some of the highest geographic site elevation contours (above sea level) that surround the City of Los Fresnos. The vacant farm lands in close proximity to the City of Los Fresnos have not been farmed for decades. The local land owners in Los Fresnos are made up of predominately life-long dedicated farmers, who have successfully developed their farm lands into the existing prominent residential neighborhoods which support the local community's visionary theme of "Small Town County Living". They have sustained and secured the real estate market within this areas for future residential development.

The subject property's neighboring vacant lands situated along the fore mentioned above transmission line links, which extend from the community of Indian Lake eastward (north and south of Henderson road) along the winding Cutes Resaca are locally considered prime secluded areas for residential development. All of these properties share a common residential development interest and are likely to experience futurist economic setbacks, as a result of the transmission lines monstrosity and fear of potential health issues. See exhibit "C"

- The nine single family residences off Henderson road situated on the subject property, which have substantial personal real estate investments (recent 8-yr old residences) will also be threatened by the direct and economic impacts Link 311 will have on the future residential development of the Espiritu Santo Subdivision. See exhibit "D"

Q. PLEASE SUMMARIZE YOUR CONCLUSIONS AND RECOMMENDATIONS?

- A. Conclusion:** The economic growth of the City of Los Fresnos can be attributed strongly to the local resident, farmer, business entrepreneurs, whom have staked out land for residential development. For it is their marketing vision of county living that the community has embraced and out siders have found as desirable for residency. Link 311, may only appear to directly impact the investments of the Espiritu Santo Subdivision project, however all fore mention associated links to link 311 bring forth the threat of delaying or dismissing the future perceptions of numerous localized stakeholders in the real estate residential development market for the City of Los Fresnos.

The direct monetary impact projections for the Espiritu Santo Subdivision project will:

- Exceed a million dollars.

The indirect monetary impacts associated with the eyesore of the transmission lines and fears of potential health issues amongst the wealthier/upper middle income families groups may be incomprehensible at the moment, but will rightly:

- Constraints or slow the residential growth within the prominent geographic properties due to the increased investment return risks;
- Reduces the growth rate of noteworthy middle-class neighborhoods with the City of Los Fresnos;
- Forces the immediate growth needs for residential development into less desirable areas flood prone areas.
- Economically plagues the local community's visionary theme of "Small Town County Living".

Recommendation: The Preliminary Alternate Route Links proposed maps, demonstrates the path use of various existing transmission lines of 138K or greater. Based on visual observations gathered off the internet, the use of existing transmission line routes appears to be

the best suited approach for the various small residential communities surrounding the City of Los Fresnos.

The existing transmission line routes all were all preplanned and placed along rural undeveloped farm lands outside of established cities limits or existing townships. See exhibit "E" (1 thru 7)

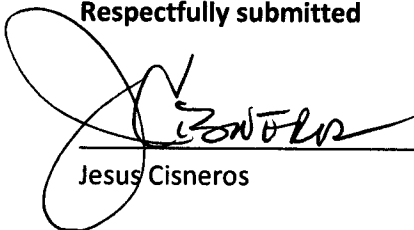
These existing routes also appear to have been planned and placed away from heavy traffic roadways as well.

This simple observation supports that it is truly impractical for transmission lines to coexist with heavy populated areas. Although the acceptance of transmission lines near residential areas in urban and rural areas exists, it exists only by the necessity of growing social demands. It is with this in mind that the following recommended is proposed.

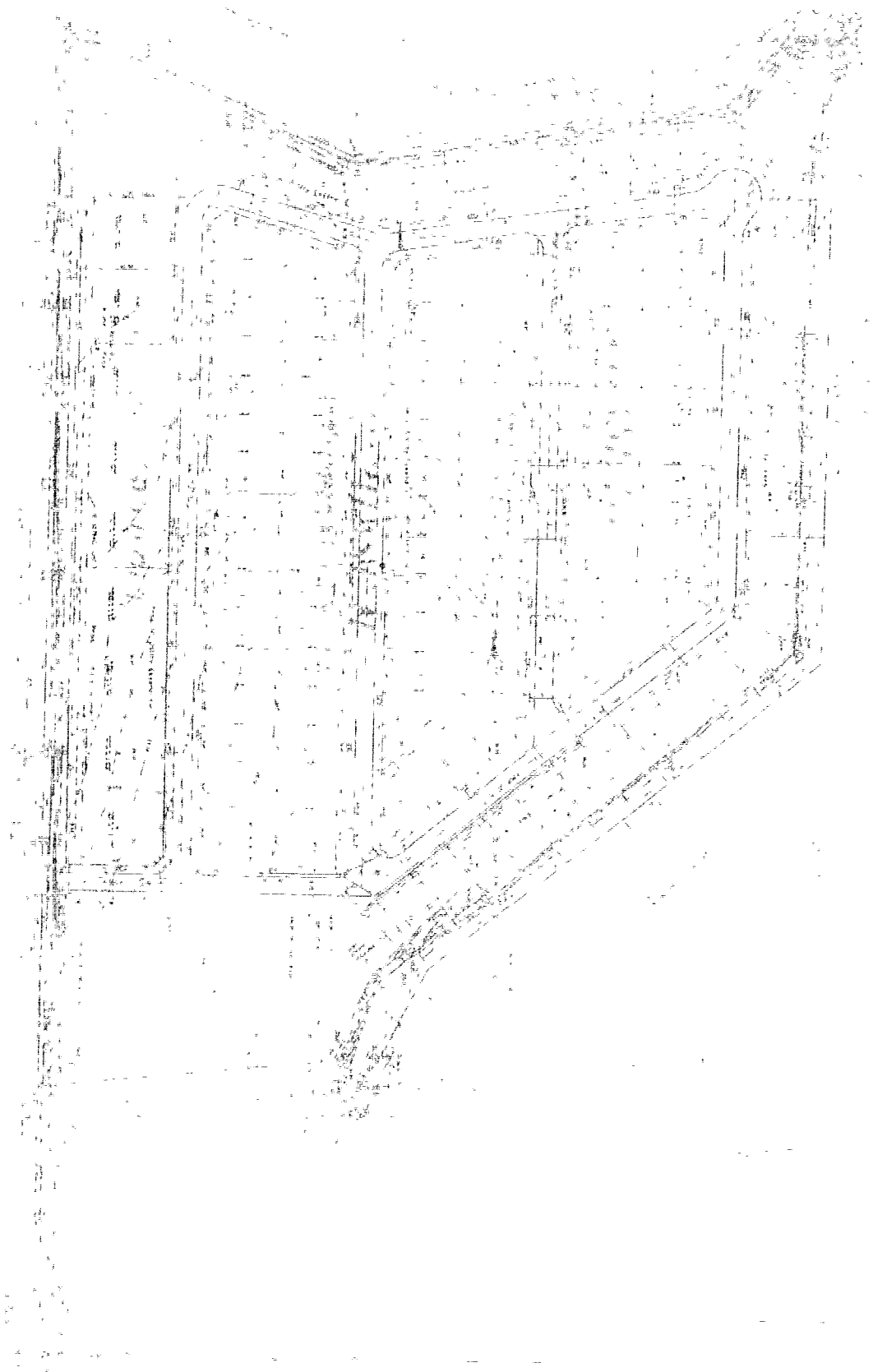
The Preliminary Alternative Route Links proposed map, proposes using existing transmission line routes already in place which run along various rural areas in Cameron County. Utilizing these existing routes is the most practical approach for these growth promising communal areas. Therefore we proposed that Link 308 be continued onward in an eastwardly direction from Farm Road 803 along Ebony road, on through pass the proposed southern connecting route and connect directly onto link 319, 326, 328 and then southward along link 335 and 340 to the Loma Alta Substation. This route is the most rural and cleanest route of all proposed routes. The use of existing easements or the expansion of existing easements along these remote farm or vacant lands has the least amount of impact on current residents and future residential development areas. It should be noted that over 50% of this existing route was originally placed along flood prone areas which have no public or economic use other than as seasonal farming or ranching. It is with good reasoning that transmission lines of such capacity were and should always be distant from populated or public shared areas for numerous reasons requiring no explanation.

In close, it is our believe that the Public Utility Commission of Texas and the Administrative Law Judge assigned to evaluate the direct and indirect economic impact implications, which considers the practicality of property owners noteworthy concerns will render a humane and accountable recommendation which will support both the necessity of the transmission line and protect the human health concerns and individual investment rights of property owners.

Respectfully submitted



Jesus Cisneros

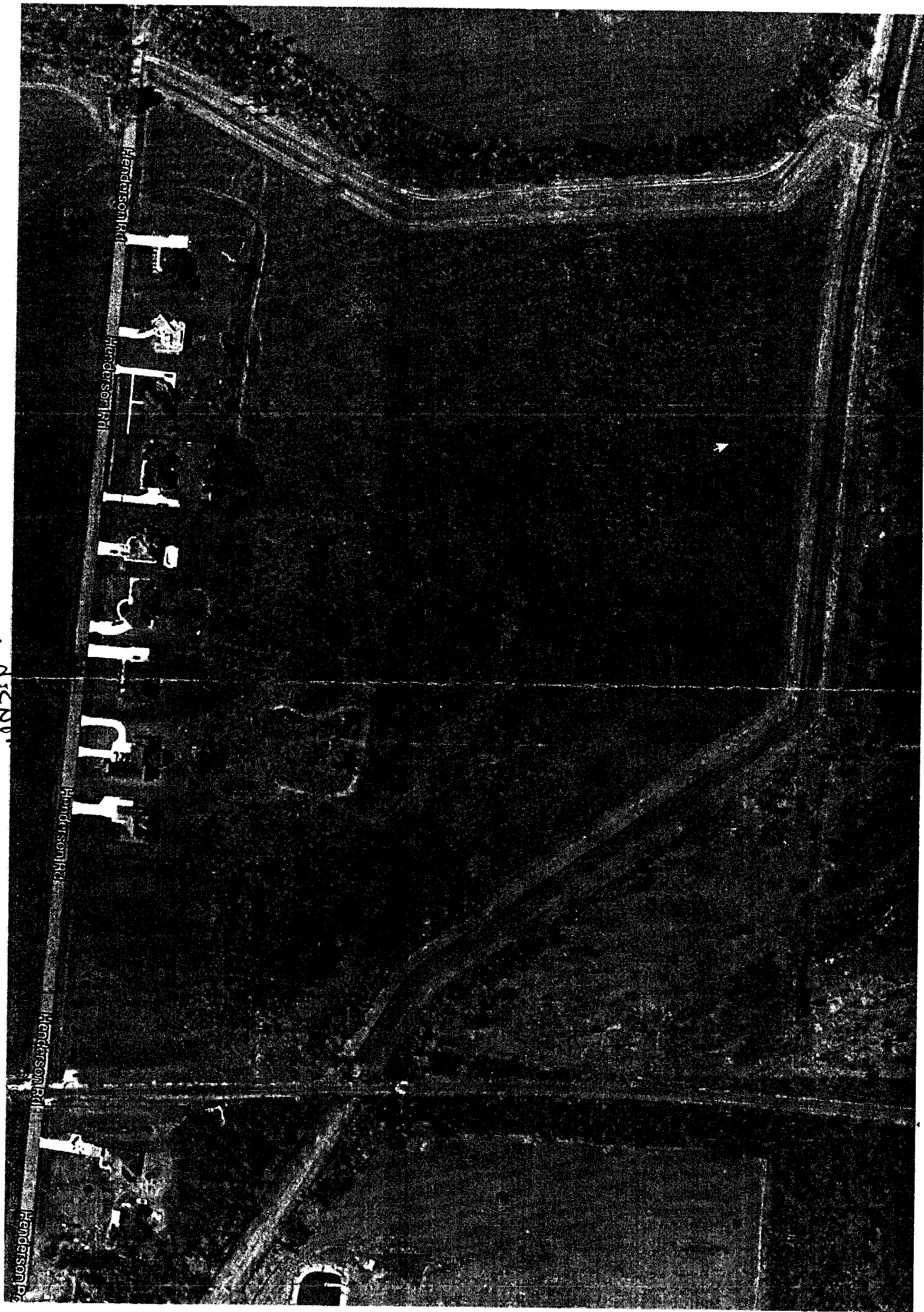


Josias C. SANCHEZ
PAC # 41606

Exh. b. 1 B

Jesus Gibson
one above

Exhibit 'D'





Jesus L. S. 1980
DNC 4400

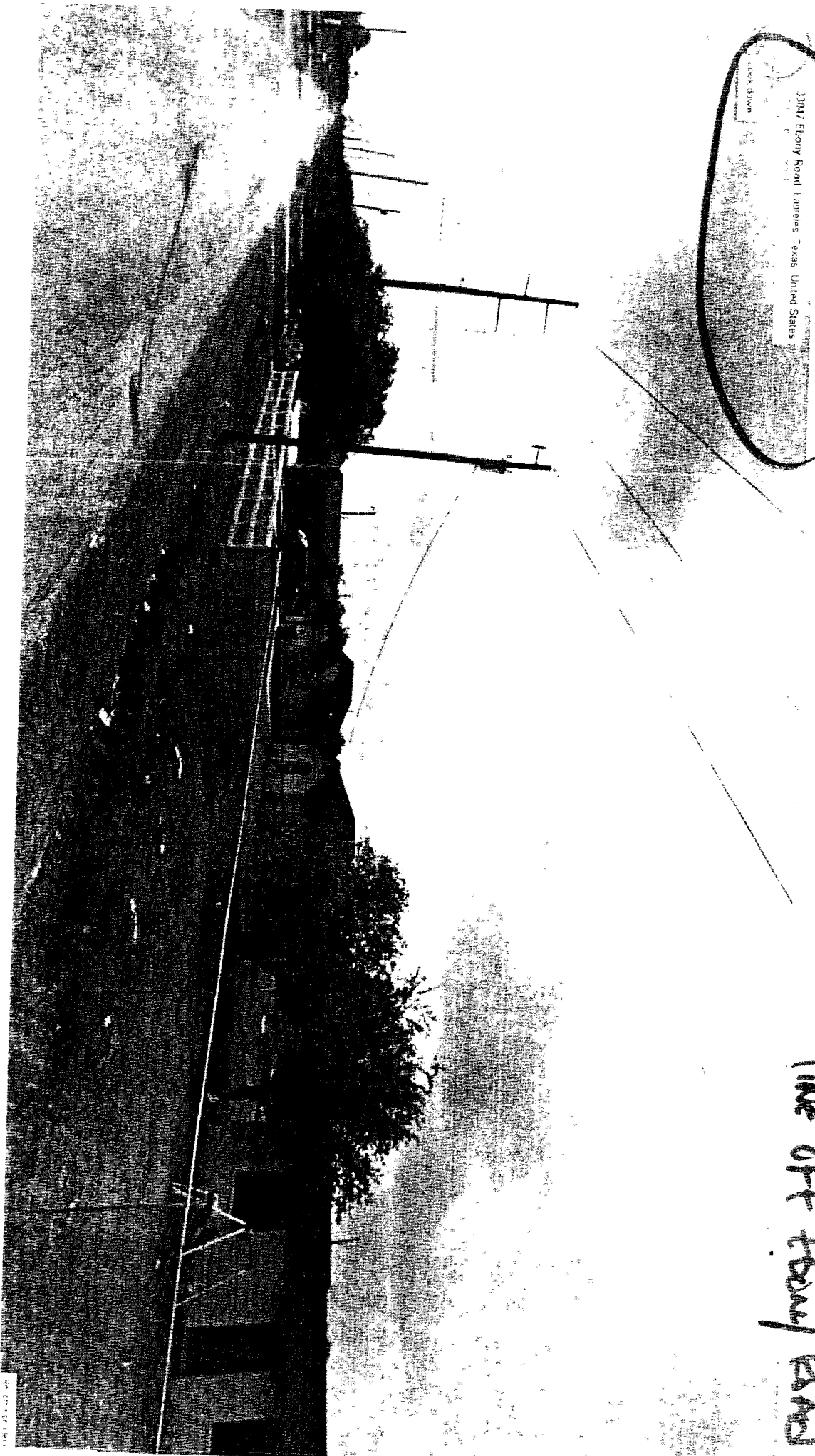
Subject Property

Exhibit E
(overleaf)

2007 Ebony Road | Laredo, Texas | United States

Look down

Existing Transmission
line off Ebony Road



Jesus
41606
41605

Exhibit "E" Page 2

(Army and Navy)
(West to San Antonio.)

Jesus Puc 41606

Exhibit "E" Page 3

San Benito, TX



Jessie
pac 41606

Exhibit E Page 4

Exhibit E pages
Proposed Route 328
Traveling East to
Drausville, TX

JOHN
DUC 41609

Exhibit "E" Page 2
Revised Routes
(335 - 340)
Travelling South to
Brownsville, TX

335-340
Duc 41606

(Lampa AHA)
Substation
Brownsville, TX
Sheet "C" Page 7

jean-
pac 4/6/66