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Addendum StartPage: 0

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

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PUBLIC UTILITY
FILING CLERK

JOINT APPLICATION OF	§	BEFORE THE STATE OFFICE
ELECTRIC TRANSMISSION TEXAS,	§	
LLC AND SHARYLAND UTILITIES,	§	
L.P. TO AMEND THEIR	§	OF
CERTIFICATES OF CONVENIENCE	§	
AND NECESSITY FOR THE PROPOSED	§	
NORTH EDINBURG TO LOMA ALTA	§	
DOUBLE-CIRCUIT 345 KV	§	
TRANSMISSION LINE IN HIDALGO AND	§	
CAMERON COUNTIES, TEXAS	§	ADMINISTRATIVE HEARINGS

DIRECT TESTIMONY
of
LEONEL GALAVIZ

on behalf of

VALLEY VIEW INDEPENDENT SCHOOL DISTRICT

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1194

1 **I. INTRODUCTION**

2 **Q. Please state your name, title and address.**

3 A. My name is Leonel Galaviz. I am the Superintendent of Schools for the Valley View
4 Independent School District in the Hidalgo/Pharr, Texas area in Hidalgo County, Texas ("District").
5 My business address is 9701 S. Jackson Rd., Pharr, TX 78577.

6 **Q. Have you ever participated or testified in another proceeding before the Public**
7 **Utility Commission of Texas ("PUC")?**

8 A. No.

9 **Q. On whose behalf are you testifying?**

10 A. I am testifying on behalf of District and on behalf of the students who attend schools
11 located on property owned by the District.

12 **Q. Please describe the District's interest in SOAH Docket No. 41606**

13 A. The District is an intervener in this proceeding. The District owns property in
14 Hidalgo County, Texas, most of which (the "Affected Property") might be impacted by the
15 transmission line that Electric Transmission Texas ("ETT") and Sharyland Utilities propose to build.

16 **Q. Are you familiar with the Affected Property?**

17 A. Yes.
18

19 **II. PURPOSE OF TESTIMONY**

20 **Q. What is the purpose of your testimony?**

21 A. The purpose of my testimony is to: (i) describe the Affected Property; (ii) describe
22 the expected impact of the proposed transmission line; (iii) and voice the District's opposition against
23 certain links and routes.

24 **Q. Is the information contained in your testimony true and correct to the best of**
25 **your knowledge and belief?**

26 A. Yes, it is.
27

28 **III. DESCRIPTION OF THE AFFECTED PROPERTY AND IMPACT OF THE**
29 **TRANSMISSION LINE ON THE AFFECTED PROPERTY**

30 **Q. Please describe the District and its purpose.**

1 A. The District is a Division 4A school located in Hidalgo/Pharr Texas area and is
2 dedicated to the education and well being of its students. A growing community of approximately ten
3 square miles support the District by actively participating in the education of the students. The
4 District includes four elementary schools, one fifth grade campus, one early college school, one
5 junior high, and one high school. The District is committed to the education of the students and offers
6 advance placement programs, counseling for higher education, after school activities, and other
7 school related programs.

8 **Q. Please describe the Affected Property.**

9 A. Most of the District's campuses are affected by links proposed by ETT and Sharyland
10 Utilities, specifically the following campuses that are located on the Affected Property: Wilbur E.
11 Lucas Elementary School, located at 1300 S. McColl Rd, Hidalgo, Texas 78557; Valley View
12 Elementary School, located at 3408 E. Olmos St., Hidalgo, Texas 78577; Valley View North
13 Elementary School, located at 1000 W. Anaya Road, Pharr, Texas 78577; Valley View High School,
14 located at 600 N. Jackson Rd., Pharr, Texas 78557; and Valley View Junior High School and Fifth
15 Grade Campus, located at 9601 and 9701 S. Jackson Rd., Pharr, Texas 78557.

16 **Q. What link or links would affect the District's property?**

17 A. The Affected Property will be impacted by the transmission line ETT and Sharyland
18 Utilities propose to build if any route is approved by the PUC that contains Links 115, 120, 121
19 and/or 122.

20 **Q. Do Links 115, 120, 121 and/or 122 cross the District's property?**

21 A. Yes. Link 115 crosses an approximately 20-acre tract owned by the District just north
22 of Lucas Elementary School that is being held by the District for future development. Link 122
23 crosses District property that is located just to west of Jackson Road that the District intends to use
24 for future development, including construction of new central administration offices.

25 In addition, Link 115 appears to run within 1000 feet of Wilbur E. Lucas Elementary School
26 and Valley View Elementary School, and Link 122 appears to run within 1000 feet of multiple
27 campuses, including Valley View Elementary School, Valley View High School, and Valley View
28 Junior High School and Fifth Grade Campus. Link 121 appears to run within 1000 feet of Valley
29 View North Elementary School and the District's Central Kitchen, Maintenance Complex and
30 Transportation Complex.

1 **Q. Please describe the Property's current and planned uses and operations and**
2 **how those uses and operations would be affected by the construction of a transmission line.**

3 A. As stated above, the District operates multiple primary and secondary school
4 campuses on the Affected Property. Link 115 passes within 1000 feet of Wilbur E. Lucas
5 Elementary School and Valley View Elementary School, which presently have a combined
6 enrollment of 1,050 students. Links 120 and 122 also appear to be within 1000 feet of Valley View
7 Elementary School, which has an enrollment of 550 students. Link 122 appears to be within 1000
8 feet of three primary schools (Valley View Elementary School, Valley View Fifth Grade Campus
9 and Valley View Junior High School) and Valley View High School. The combined enrollment of
10 these primary school campuses is 1,650 students, and Valley View High School, 1,200 students.
11 Link 121 appears to run within 1000 feet of Valley View North Elementary, which has an enrollment
12 of 500 students. Also, near Valley View North Elementary, and within 1000 feet of Link 121, the
13 District operates its Central Kitchen, where meals are prepared for the District's various campuses,
14 and the District's Maintenance and Transportation Complexes.

15 In addition, the District owns an approximately 20-acre tract just north of Wilbur E. Lucas
16 Elementary School that District intends to use for future development, including future schools or
17 facilities. If approved, any route containing Link 115, which crosses through this tract, will adversely
18 impact the District's ability to utilize this tract for such purposes. In addition, Link 122 crosses
19 existing undeveloped District property to the west of S. Jackson Road that the District intends to use
20 for future central administration offices. If any route containing Link 122 is approved, the District's
21 ability to use this property for its intended purposes will be adversely affected.

22 **Q. Approximately how many students attend schools located on the Affected**
23 **Property?**

24 A. Approximately a total of 3,850 students attend campuses located on the Affected
25 Property.

26 **Q. Please describe any habitable structures and other improvements on the**
27 **Affected Property and how they would be affected by the construction of a transmission line.**

28 A. Each of the campuses operated by the District on the Affected Property comprise
29 school buildings used as classrooms, gymnasiums, and auditoriums. In addition, each campus has
30 outdoors a baseball field and physical education areas. In addition to these, the Valley View High

1 School has two football practice fields. Near Valley View North Elementary School, the District
2 maintains its Central Kitchen, Maintenance Complex and Transportation Complex. The District is
3 deeply concerned that transmission lines built using Links 115, 120, 121 or 122 will be “attractive
4 nuisances” that will be prove to be inviting to District students, who are naturally curious and may try
5 to get near or climb on transmission towers. Given the extreme voltages that are proposed to be run
6 through these lines, the consequences of such action by students could lead to extreme bodily harm
7 or death.

8 **Q. Do any existing transmission or distribution lines encumber the Affected**
9 **Property?**

10 A. Yes, the Affected Property is already encumbered by one set of transmission lines
11 that cross District property comprising the Valley View High School. There are also electric
12 distribution lines that provide electricity to the buildings on the Property.

13 **Q. How would the Affected Property’s current and planned uses and operations be**
14 **affected by the construction of a transmission line using Links 115, 120, 121 and/or 122?**

15 A. As stated above, the District is concerned that such a transmission line, so close to
16 multiple primary and secondary school campuses, will adversely affect the health and safety of its
17 students who attend those campuses and the staff who work there. Additionally, the lines will impact
18 the District’s intended future and current use of the Affected Property, including the District’s ability
19 to utilize the approximately 20-acre tract just north of Wilbur E. Lucas Elementary School, where
20 Link 115 runs, for future development, including future schools or facilities; and the District’s ability
21 to use existing undeveloped District property to the west of S. Jackson Road use for future central
22 administration offices.

23 **Q. What other concerns does the District have concerning the construction of a**
24 **transmission line?**

25 A. In addition to its concern for its students, teachers and other staff who attend school
26 and work on campuses and facilities located on the Affected Property, the District is concerned for
27 the safety and welfare of residents of communities that the District serves. Many of these residents
28 live near District campuses and thus also will be affected by Links 115, 120, 121 and 122. The
29 District also questions why it would ever be necessary to route the proposed transmission lines
30 through Links 115, 120, 121 and 122 given the clear, unpopulated access afforded by the levees to

1 the north of the District. To the District, it makes no sense to locate any of the proposed transmission
2 line route south of those levees.

3 **IV. CONCLUSIONS AND RECOMMENDATIONS**

4 **Q. Please summarize your position in this proceeding regarding ETT's and**
5 **Sharyland Utilities' proposed alternative routes for the North Edinburg to Loma Alta**
6 **Transmission Line Project.**

7 A. The District is very strongly opposed to Links 115, 120, 121 and 122 and the
8 alternative routes that utilize such links, including Routes 2 (Link 121), 4 (Links 115, 122), 6 (Links
9 120, 122), 7 (Link 121), 9 (Link 121), 10 (Link 121), 12 (Link 121), 13 (Links 115, 120), 14 (Links
10 120, 122), 23 (Links 115, 122), 24 (Links 115, 122), 26 (Links 115, 122), and 30 (Links 115, 122).
11 The District is opposed to Links 115, 120, 121 and 122 as they pose a potential health and safety
12 concern for hundreds of the District's students and staff and would interfere with the District's future
13 use and development of its property, thereby unduly interfering with the District's mission to produce
14 responsible and productive citizens from the surrounding communities.

15 **Q. Does this conclude your testimony?**

16 A. Yes, that concludes my testimony, subject to subsequent correction or rebuttal.
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AFFIDAVIT OF LEONEL GALVIZ

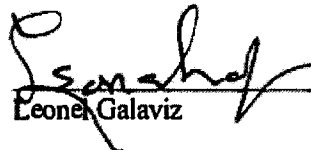
STATE OF TEXAS §
 §
COUNTY OF HIDALGO §

BEFORE ME, the undersigned authority, on this day personally appeared the person know by me to be Leonel Galaviz who, after being duly sworn by me, stated as follows:

1. My name is Leonel Galaviz I am over eighteen years of age, am of sound mind and competent to make this affidavit. I have personal knowledge of every statement contained in this affidavit, and every statement contained herein is true and correct and based on my own personal knowledge.

2. I make this affidavit in support of my testimony, set forth above, on behalf of the Valley View Independent School District. The foregoing 6 pages to which this affidavit is attached, are made a part hereof for all purposes, constitute my direct testimony, which has been prepared in written form for SOAH Docket No. 473-13-5207, Docket No. 41606.

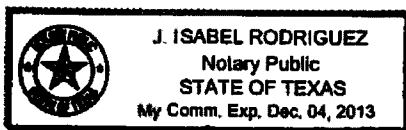
3. I hereby swear or affirm that my answers contained in such direct testimony are true and correct.


Leonel Galaviz

SUBSCRIBED AND SWORN to before me this 8th day of November 2013, to certify which witness my hand and seal of office.


Notary Public

[Seal]

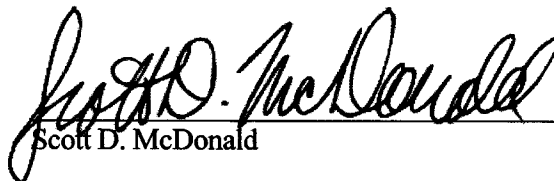


CERTIFICATE OF SERVICE

I certify that a copy of this document has been filed with the Public Utility Commission of Texas. Pursuant to SOAH Order No. 5, on November 8, 2013, a copy of the foregoing document has been served by first class United States mail on the following person:

Jose C. Rodriguez
25337 Pennsylvania Ave.
San Benito, Texas, 78586

Pursuant to SOAH Order No. 4, this document will not be served on any other party.


Scott D. McDonald