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

DIRECT TESTIMONY OF G. XAVIER MONTEMAYOR ON BEHALF OF GOLF & RESORTS INVESTMENTS, LLC AND RANCHO VIEJO RESORT & COUNTRY CLUB

TABLE OF CONTENTS

Item	Page Number
Direct Testimony	2
Exhibit A	8
Exhibit B	9
Exhibit C	10
Exhibit D	11
Exhibit E	12
Exhibit F	13

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DIRECT TESTIMONY OF G. XAVIER MONTEMAYOR ON BEHALF OF GOLF & RESORTS INVESTMENTS, LLC AND RANCHO VIEJO RESORT & COUNTRY CLUB

November 8, 2013

Respectfully submitted,

ATLAS, HALL & RODRIGUEZ, L.L.P.

By:



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**ATTORNEYS FOR GOLF & RESORTS
INVESTMENTS, LLC & RANCHO
VIEJO RESORT & COUNTRY CLUB**

1 Q: Please state your name:
2 A: **G. Xavier Montemayor**
3 Q: On whose behalf are you presenting testimony?
4 A: **Golf & Resorts Investments, LLC and Rancho Viejo Resort & Country Club, which**
5 **is wholly owned by Golf & Resorts Investments, LLC. These entities are located in**
6 **Rancho Viejo, Texas.**
7 Q: What is your affiliation with this entity:
8 A: **I am the President of Rancho Viejo Resort & Country Club**
9 Q: Is your testimony based on personal knowledge?
10 A: **Yes.**
11 Q: What is your interest in this proceeding?
12 A: **Some of the proposed lines, specifically Lines 295 and 298 will negatively impact**
13 **Golf & Resorts Investments, LLC and Rancho Viejo Resort & Country Club.**
14 Q: State purpose of testimony.
15 **My testimony is offered to advise the ALJ of the negative impact the proposed lines**
16 **would have on our Resort & Country Club operations and property and to request**
17 **that the proposed lines 295 and 298 be rerouted so as not to negatively impact Golf**
18 **& Resorts Investments, LLC and Rancho Viejo Resort & Country Club.**
19 Q: Describe the property owned by Golf & Resorts Investments, LLC and Rancho Viejo
20 Resort & Country Club and for what purposes the property is used.
21 A: **Rancho Viejo Resort & Country Club is a private family-oriented golf resort that**
22 **stretches across 1,400 verdant acres in the tropical Lower Rio Grande Valley in**
23 **South Texas.**
24 **Built along resacas, the ancient waterways of the Rio Grande delta, Rancho**
25 **Viejo offers a golfing paradise. Our championship golf has a long history of**
26 **prestige; playing host to the PGA Tour Qualifying School for Curtis Strange,**
27 **Craig Stadler, and Peter Jacobson.**
28 **Our award-winning swimming pool, with its large waterfall and beach**
29 **landing, will remind you of the South Sea. It is frequented by members and guests**
30 **of the Club year round.**
31

1 Also located on the property are two excellent dining facilities and a
2 conference center that has a number of meeting and special-occasion event rooms.
3 Indeed, the picturesque landscape has provided a perfect backdrop for many
4 weddings.

5 Rancho Viejo dates back to the Espiritu Land Grant by the King of Spain
6 1771. Ever present is the influence of the Spanish and Mexican heritage. You see it
7 in the red tile roofs, fountains, and tropical gardens that grace the public areas of
8 the resort.

9 Rancho Viejo Resort & Country Club is located in the City of Rancho Viejo,
10 and many of the residents of the town are members of the Club. The golf courses,
11 dining areas, and swimming pools provide relaxing gathering places for members of
12 the community.

13 Hotel accommodations are quiet and peaceful 1-3 bedroom villas located
14 along the El Diablo golf course or the Resaca del Rancho Viejo. All villas have
15 beautiful views.

16 Q: How many members does Rancho Viejo Resort & Country Club currently have?

17 A: There are approximately 700 club members

18 Q: Which of the proposed lines will negatively affect your property?

19 A: Proposed lines 295 and 298

20 Q: From what areas of your property will these lines and large towers associated with them
21 be visible?

22 A: Based on the map of the proposed routes and lines, it appears that the lines and
23 towers will be within 100 feet of our property in many areas. The towers and lines
24 will be close enough not only to be seen but also to cast shadows on the golf courses.
25 The lines and towers will also be very close to the pool, destroying the tranquility
26 that the waterfall and palm trees create. Moreover, the towers will be visible from
27 the convention center and dining area. Indeed, if the lines are constructed as
28 proposed, the scenic backdrop that draws brides to our facilities for their weddings
29 will be traversed with towers and power lines.

30 Q: Describe the adverse effects that would be created by transmission lines being located on
31 your property?

1 A: Our resort and country club is special because of its natural beauty and lush
2 landscaping. The entire property is surrounded by miles of Resaca waterways
3 countless trees and palms, which provide a very beautiful and tranquil setting. The
4 view for our members and resort guests while on the property is a huge attraction
5 for our operation.

6 I have been told by resort guests that the views we offer are a primary reason
7 to choose this resort over other hotels. Our resort is located approximately 2 miles
8 from the Resaca de la Palma State Park, which attracts many birdwatchers each
9 year who stay at our resort. To the extent any of the proposed lines will impact
10 Resaca de la Palma State Park, I believe our Resort will see a decrease in guests.

11 These proposed lines will detract from the natural beauty of the area,
12 destroying the views that this Club depends on to attract both club members and
13 resort guests. I fear that Rancho Viejo Resort & Country Club will incur financial
14 losses directly from these lines, based on its current uses of the property and sources
15 of revenue therefrom.

16 Q: Who took the photos attached hereto?

17 A: I did.

18 Q: What do they depict?

19 A: Each of these photos were taken from various locations on the property facing areas
20 where the proposed lines 295 or 298 will be visible.

21 Exhibits A and B are photos taken from Casa Grande in an area often used as a
22 wedding venue. As you can see, the Resaca, the dock, and the palm trees provide a
23 wonderful view and a perfect backdrop for wedding photos. Proposed line 298
24 would be prominent in each of these photos.

25 Exhibit C and D are photos that were taken from the Angel golf course looking
26 toward the area where proposed line 295 will run. Based on the maps of the
27 proposed lines, it appears that that the lines and towers will be on the other side of
28 these resacas at the tree line.

29 Exhibit E is a photo taken around the Angel golf courses looking towards the
30 location where line 298 would make a right turn (which will presumably require a
31 tower there).

1 **Exhibit F is a photo of the award-winning swimming pool, from which you would be**
2 **able to see line 298.**

3 **Q:** Is it your opinion that the applicants have chosen the best route for lines 295 and 298?

4 **A:** **No. I believe that the lines should be routed such that they would not have such a**
5 **negative impact on Golf & Resorts Investments, LLC and Rancho Viejo Resort &**
6 **Country Club, businesses that have depended on the natural beauty of the area in**
7 **order to provide high-quality golfing and resort facilities for its members and**
8 **guests. The proposed lines cut as close as possible to the Resort & Country Club's**
9 **facilities, causing unnecessary adverse effects to both those who enjoy the facilities**
10 **and the profitability of the club and resort.**

11 **Q:** What are you asking for?

12 **A:** **I am asking that the Public Utility Commission and/or the applicant consider the**
13 **economic, aesthetic, and environmental impacts that proposed line 295 and 298 will**
14 **have on Golf & Resorts Investments, LLC and Rancho Viejo Resort & Country**
15 **Club. After considering same, I ask that either applicants work with us to move the**
16 **proposed lines further away from the property, or that the PUC and/or applicants**
17 **choose an alternative route that will not have such negative impacts on our business**
18 **or on the natural beauty of our property.**

19 **Q:** Does this conclude your testimony?

20 **A:** **Yes**

1
2 **AFFIDAVIT**
3

4 **STATE OF TEXAS**

§

5
6 **COUNTY OF CAMERON**

§

§
7

8 **BEFORE ME, the undersigned as authority, on this day personally appeared G. Xavier**
9 **Montemayor, having been placed under oath by me, did depose as follows:**
10

11 **"My name is G. Xavier Montemayor, I am of legal age and a resident of the State of**
12 **Texas. The foregoing testimony offered by me and on behalf of Golf & Resorts**
13 **Investments, LLC & Rancho Viejo Resort & Country Club, is true and correct and**
14 **the opinions stated therein are, to the best of my knowledge and belief, accurate,**
15 **true and correct."**
16

17
18 
19 _____
20 **G. Xavier Montemayor**

21 **This instrument was SUBSCRIBED AND SWORN TO BEFORE ME on the 7**
22 **day of November, 2013, by G. Xavier Montemayor.**
23



26 _____
27 **Notary Public in and for the State of Texas**
28
29
30
31



EXHIBIT A

This photo is an accurate depiction of the view of a resaca and dock taken from a building on the property, Casa Grande, in an area often used as a wedding venue. As you can see, the Resaca, the dock, and the palm trees provide a wonderful view and a perfect backdrop for wedding photos. The towers and lines would be prominent in this photo if proposed line 298 were adopted.



EXHIBIT B

This photo is an accurate depiction of the view from a building on the property, Casa Grande, in an area often used as a wedding venue. As you can see, the Resaca, the dock, and the palm trees provide a wonderful view and a perfect backdrop for wedding photos. The towers and lines would be prominent in this photo if proposed line 298 were adopted.



EXHIBIT C

This photo is an accurate depiction of the view of a Resaca on the property from a portion of the Angel golf course looking toward the area where proposed line 295 would traverse.

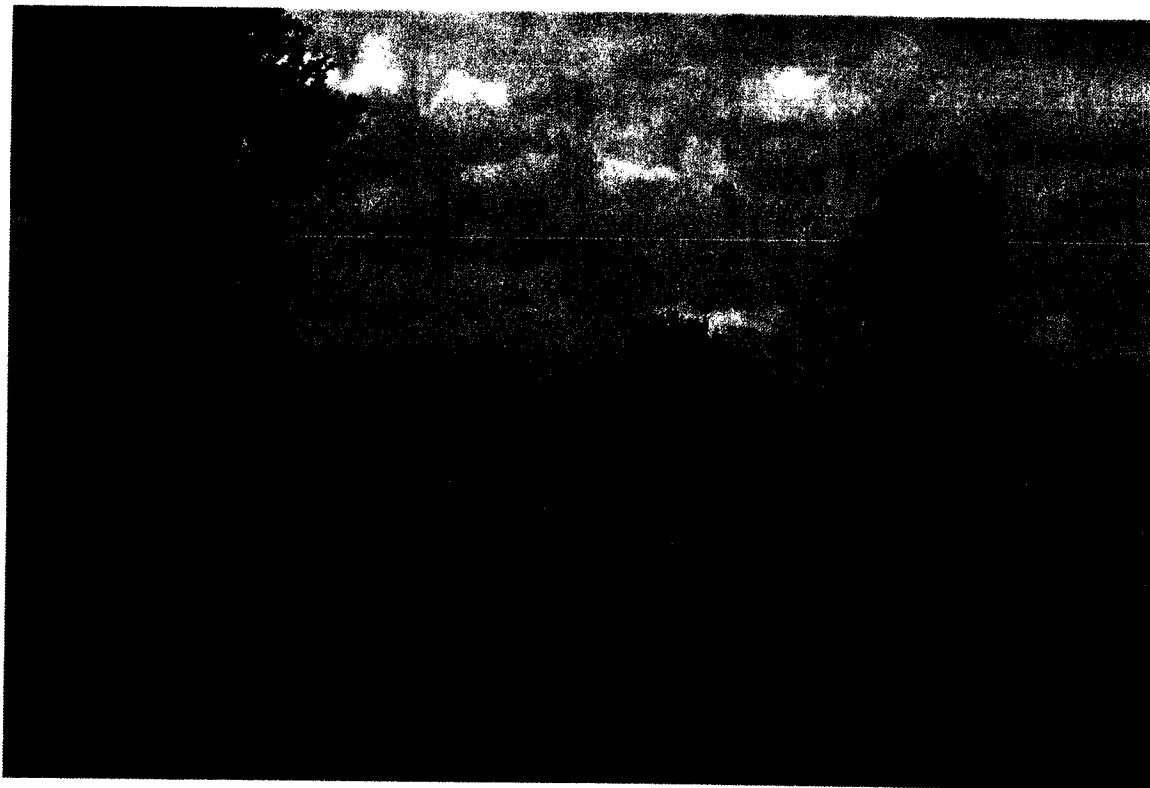


EXHIBIT D

This photo is an accurate depiction of the view of a Resaca on the property from a portion of the Angel golf course looking toward the area where proposed line 295 would traverse.



EXHIBIT E

This photo is an accurate depiction of the view from a portion of the Angel golf course looking towards the location where line 298 would make a right turn (which will presumably require a tower to be constructed).



EXHIBIT F

This photo is an accurate depiction of the swimming people on the property from which line 298 and the towers required to support it would likely be visible.