

Control Number: 43599



Item Number: 377

Addendum StartPage: 0

RECEIVED

# SOAH DOCKET NO. 473-15-1589 P.U.C. DOCKET NO. 43599

2015 APR -6 PM 3: 03

APPLICATION OF LCRA TRANSMISSION SERVICES CORPORATION TO AMEND ITS	& & &	BEFORETHE STATE COMMISSION FILING CLERK
CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE PROPOSED BLUMENTHAL SUBSTATION AND 138-	8 8 2	OF
KV TRANSMISSION LINE PROJECT IN BLANCO, GILLESPIE, AND KENDALL COUNTIES	9	ADMINISTRATIVE HEARINGS

# **DIRECT TESTIMONY**

OF

# KRISTEN EDWARDS

#### ON BEHALF OF

THE JENSCHKE LANE PRESERVATION ALLIANCE

**April 6, 2015** 

## TABLE OF CONTENTS

I.	Introduction and Background
II.	Description of Property5
III.	Position Regarding Proposed Routes6
IV.	Conclusion8

## **EXHIBITS**

Exhibit KE-1 Map of Parcel Nos. S-001, R2-010, and R2-011

# 1 I. INTRODUCTION AND BACKGROUND

- 2 Q. PLEASE STATE YOUR NAME AND ADDRESS.
- 3 A. Kristen Edwards, 21 Edwards Lane, Fredericksburg, TX 78624.
- 4 Q. HAVE YOU PREVIOUSLY TESTIFIED IN A COMMISSION PROCEEDING?
- 5 A. No, I have not.
- 6 Q. ON WHOSE BEHALF ARE YOU TESTIFYING?
- 7 A. I am testifying on behalf of myself, my husband Judge Edwards, my mother-in-law
- 8 Sheila Edwards, and family members KDawne Edwards Poston and Brandon Henslee. I
- 9 am also a member of the Jenschke Lane Preservation Alliance.
- 10 Q. WHY DID YOU JOIN THE JENSCHKE LANE PRESERVATION ALLIANCE?
- 11 A. We have joined the Alliance to protect our property, our neighborhood and our Hill
- 12 Country community.
- 13 Q. ARE YOU INVOLVED IN THE COMMUNITY IN OTHER WAYS?
- 14 A. My husband, children, and I are members of St. Mary's Church. My husband and I are
- also members of the Fredericksburg Chamber of Commerce and the Stonewall Chamber
- of Commerce.
- 17 Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?
- 18 A. I am addressing LCRA Transmission Services Corporation's (LCRA) application to
- amend its Certificate of Convenience and Necessity (CCN) to construct a 138-kV
- transmission line in Blanco, Gillespie, and Kendall Counties, with a proposed substation
- 21 in Gillespie County. Specifically, I address the impact that constructing the proposed line
- and substation would have on my property and the community.

#### Q. ARE YOU AN AFFECTED LANDOWNER?

- 2 A. Yes. My homestead and business is on 21 Edwards Lane, which is impacted by
- 3 Segments R2, S, and Q. Members of my family own property that is adjacent to the
- location of Substation 9. Both my house and my mother-in-law's house are habitable
- 5 structures located near the proposed transmission line. My house is within 300 feet of
- 6 Segment R2.

1

- 7 Q. WHEN DID YOU FIRST LEARN OF THE PROPOSED LINKS THAT WOULD
- 8 IMPACT YOUR PROPERTY?
- 9 A. I received notice from LCRA regarding the segments, but was never notified about
- Substation 9. We were shocked that LCRA would add another substation location
- 11 without an additional open house or opportunity for public input. LCRA stated that due
- to public input, they decided not to place the substation or transmission lines along
- Highway 290 because of the tourists that frequent the area. However, LCRA never asked
- for public input, at a hearing or otherwise, to determine what the public, businesses, or
- homeowners thought about Substation 9, which is proposed to be placed right along side
- Jenschke Lane. Jenschke Lane is the only entrance to one of the most popular vineyards
- in the Hill Country, Becker Vineyard, so many tourists will see the substation and line if
- the route chosen goes down Jenschke Lane.
- 19 Q. DID YOU PARTICIPATE IN ANY OPEN HOUSES OR TALK WITH LCRA
- 20 PRIOR TO RECEIVING NOTICE IN THE MAIL?
- 21 A. No.

#### II. DESCRIPTION OF PROPERTY

#### 2 Q. PLEASE DESCRIBE YOUR PROPERTY.

1

3

4

5

6

7

8

9

10

11

12

13

18

A. The property is shown on the map in Exhibit JE-1. Our 40-acre property has two houses, my mother-in-law Sheila's house and ours. This property is our homestead and part of our business. We use the pasture to graze our cattle on the oats we plant each year. We also have a commercial peach orchard. We appreciate and enjoy the numerous post oaks that are on our property, giving us just the right amount of privacy. There are all sorts of wildlife present on our property, including a large herd of whitetail deer and one large herd of axis deer.

The commercial peach orchard was replanted a few years ago and will start bearing fruit this year or next. It is a pick-your-own orchard associated with our specialty foods store and fruit stand. Our customers come to buy pick-your-own peaches, and they are paying for the experience and the surrounding, in addition to the delicious peaches.

#### 14 Q. HOW LONG HAVE YOUR OWNED YOUR PROPERTY?

My husband's parents bought the entire 40 acres in a couple of transactions in the late
16 1980s and 1990s. My husband and I purchased our portion of the 40 acres about a year
17 ago.

#### Q. DO YOU HAVE ANY HABITABLE STRUCTURES ON YOUR PROPERTY?

My husband and I recently fully renovated our 2,500 sq. ft. house along Jenschke Lane, which is within 300 feet of the proposed Segment R2. In addition, we have fully renovated my mother-in-law's house in the back (northern part) of the property.

#### O. HOW IS YOUR PROPERTY USED?

- 2 A. First and foremost, our 40 acre property is used as a homestead for my family and my
- mother-in-law. Our property is also used in association with our specialty food store and
- fruit stand. We also graze cattle in the pasture.
- 5 Q. WHAT IMPROVEMENTS HAVE YOU MADE ON THE PROPERTY?
- 6 A. Within the last two years, we have fully renovated the two homes on the property. We
- also added yard fences. We have done extensive work and maintenance on the peach
- 8 orchard.

1

- 9 Q. WHAT ADDITIONAL IMPROVEMENTS ARE YOU GOING TO MAKE?
- 10 A. We will build a barn to store hay and farm equipment. We will also improve the existing
- roads between our house and my mother's house, to make it an all-weather road.
- 12 III. Position Regarding Proposed Routes
- 13 Q. WHICH OF LCRA'S PROPOSED SEGMENTS AFFECT YOUR PROPERTY?
- 14 A. S, Q1, and R2. My house is within 300 feet of Segment R2. My mother-in-law's home
- is directly across from Substation 9, which is located on Dr. and Mrs. Fosbury's property.
- 16 Q. WHICH OF LCRA'S PROPOSED ROUTES AFFECT YOUR PROPERTY?
- 17 **A.** Routes 2, 8, 10, 12, 13, 14, 15, 16, 17, 18, and 20.
- 18 Q. WHAT WOULD BE THE IMPACT ON YOUR PROPERTY IF THE LINE IS
- 19 CONSTRUCTED ON SEGMENT S, Q, OR R2?
- 20 A. Our business and home life will both be affected. First, our property has a peach orchard,
- 21 which is a source of our income. It would be impacted by the transmission line because
- the peach orchard is pick-your-own, and the transmission line or Substation 9 will ruin
- our scenery and make fewer people want to pick peaches at our orchard. We also have

concerns that pesticides used by LCRA could harm our peaches. Second, we are concerned that the constant humming noise from the transmission lines and/or substation would be disruptive to the peaceful atmosphere of our property.

# Q. HOW WILL THE PROPOSED ROUTES THAT IMPACT ON JENSCHKE LANE

#### **AFFECT THE COMMUNITY?**

A.

Jenschke Lane is not a county-maintained public road. Currently, we have an incredible amount of traffic going to one of the most popular vineyards in Fredericksburg area, Becker Vineyards. Jenschke Lane is the only entrance that tourists can use to enter Becker Vineyards. There are numerous tour buses and shuttles, as well as bicyclists and private vehicles using this road on a daily basis. The construction and maintenance vehicles used by LCRA will add to the traffic significantly.

I am also concerned that fewer people will want to drive along Jenschke Lane once there is a substation on it, which will harm businesses. LCRA stated that it did not want to build the transmission lines or substation on Highway 290 because it wants to avoid having the tourists to the vineyards and other local businesses see the substation. However, tourists to Becker Vineyards and other businesses on Jenschke Lane will definitely see the line and substation if it is built along Jenschke Lane. Some of the businesses on Jenschke Lane are Jenschke Trophy Rams, Francesca's Bed and Breakfast, Becker's Vineyard, Frasure International Arabians, Vinea cum Villa Vineyard, the Homestead Farm and Market, our peach orchard, and the bed & breakfasts currently being developed by the Parkers and Witchers. I believe Substation 9 or routes that use the segments on Jenschke Lane would harm the businesses of our neighbors as well as our own business.

- 1 Q. WHAT IS YOUR POSITION REGARDING THE LOCATION OF THE LCRA
- 2 138-KV TRANSMISSION LINE?
- 3 A. We oppose routes that use Segments R2, Q, and S, or Substations 6, 7, or 9. Thus we
- 4 oppose Routes 2, 8, 10, 12, 13, 14, 15, 16, 17, 18, and 20.
- 5 Q. IF THE COMMISSION APPROVES A ROUTE THAT CROSSES YOUR
- 6 PROPERTY, ARE THERE ANY NECESSARY MODIFICATIONS THAT
- 7 SHOULD BE MADE TO THE SEGMENT?
- 8 A. We ask that LCRA uses the border of our property and avoid the peach orchard.
- 9 IV. Conclusion
- 10 Q. PLEASE SUMMARIZE YOUR POSITION REGARDING THE ROUTING OF
- 11 THE PROPOSED LCRA TRANSMISSION LINE.
- 12 A. We oppose Segments S, Q and R2 as well as Substation 9, 7, and 6. We are especially
- opposed to Segment R2, because our recently renovated home is within 300 feet of the
- segment. We oppose Routes 2, 8, 10, 12, 13, 14, 15, 16, 17, 18, and 20. We particularly
- oppose Substation 9, because LCRA never informed us about it or gave us an opportunity
- to provide public input, even though it is adjacent to our property. We have invested a
- significant amount of effort and money in improvements to our land and are concerned
- about the effects of the transmission line on our homes, our cattle, and our peaches.
- 19 Q. DOES THIS CONCLUDE YOUR DIRECT TESTIMONY?
- 20 A. Yes, it does.

#### **SOAH DOCKET NO. 473-15-1589 P.U.C. DOCKET NO. 43599**

APPLICATION OF LCRA TRANSMISSION SERVICES	§ 8	BEFORE THE STATE OFFICE		
CORPORATION TO AMEND ITS	8 8			
CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE PROPOSED	§ §	OF		
BLUMENTHAL SUBSTATION AND 138- KV TRANSMISSION LINE PROJECT IN	§ §			
BLANCO, GILLESPIE, AND KENDALL COUNTIES	§ §	ADMINISTRATIVE HEARINGS		
AFFIDAVIT OF JUDGE EDWARDS				
STATE OF TEXAS )				
COUNTY OF MILESPIE )				

BEFORE ME, the undersigned authority, on this day personally appeared Kristen Edwards who states, under penalty of perjury, that to the best of her knowledge and belief, the following statements and information are true and correct:

- My name is Kristen Edwards. 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 the Affidavit, and every statement contained herein is true and correct and based on my own personal knowledge.
- I make this Affidavit in support of my testimony on behalf of myself, Judge Edwards, Sheila Edwards, KDawne Edwards Poston, Brandon Hensley, and the Jenschke Lane Preservation Alliance. Attached hereto and made a part hereof for all purposes is my Direct Testimony and Exhibits, which have been prepared in written form for introduction into evidence in PUC Docket No. 43599.
- I hereby swear and affirm that my answers contained in the testimony are true and correct to the best of my knowledge, information and belief.

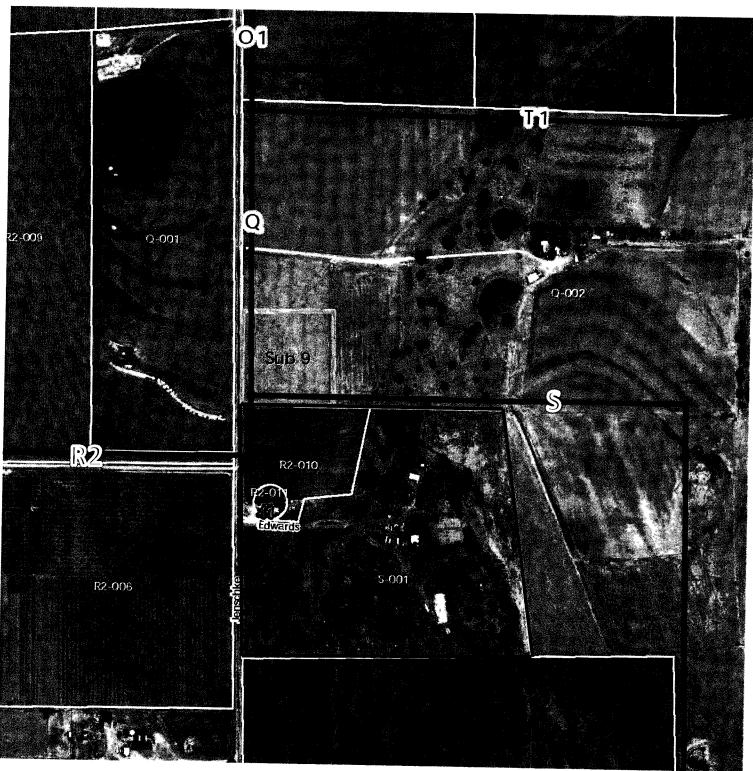
WIBED AND SWORN TO before me by Kristen Edwards, this <u>le</u> day of April, 2015.

JAYE TREIBS NOTARY PUBLIC STATE OF TEXAS

My commission expires: 04/25/30/16

Notary Public Lucks

# Location of Parcel Nos. S-001, R2-010, and R2-011



Detail from Map 1 of LCRA's Application