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BEFORE THE STATE OFFICE  
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APPLICATION OF LCRA TRANSMISSION §  
SERVICES CORPORATION TO AMEND §  
ITS CERTIFICATE OF CONVENIENCE §  
AND NECESSITY FOR THE PROPOSED §  
BLUMENTHAL SUBSTATION AND §  
138-KV TRANSMISSION LINE PROJECT §  
IN BLANCO, GILLESPIE, AND §  
KENDAL COUNTIES §

OF

ADMINISTRATIVE HEARINGS

DIRECT TESTIMONY OF

BERT FRANZ

April 6, 2015

William B. Steele, III  
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**ATTORNEYS FOR  
BERT FRANZ**

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**I. INTRODUCTION AND BACKGROUND**

Q: PLEASE STATE YOUR NAME AND ADDRESS.

A: My name is Bert Franz. I currently reside at 7177 RR 1376, Fredericksburg, Texas 78624.

Q: ARE YOU AN INTERVENOR IN THE CCN PROCEEDING REFERENCED IN THE STYLE OF THIS CASE?

A: Yes, I am.

Q: ON WHOSE BEHALF ARE YOU TESTIFYING?

A: On behalf of myself.

Q: IS THE INFORMATION CONTAINED IN YOUR TESTIMONY TRUE AND CORRECT TO THE BEST OF YOUR KNOWLEDGE AND BELIEF?

A: Yes, it is.

**II. PURPOSE OF TESTIMONY**

Q: WHAT IS THE PURPOSE OF YOUR TESTIMONY?

A: The purpose of my testimony is to describe my property that may be affected by the proposed transmission line, to provide information to the Administrative Law Judges and the Public Utility Commission to help them in evaluating alternative routes for the line, and to request that the routing of this transmission line avoid any routes using Segments I, I2, and I3 and, instead, request approval of Route 17 as the route that best meets the PUC's criteria for the routing of transmission lines.

**III. DESCRIPTION AND HISTORY OF MY PROPERTY**

Q: PLEASE LOCATE YOUR PROPERTY THAT MAY BE AFFECTED BY THE SUBJECT TRANSMISSION LINE.

A: I own approximately 219 acres, with frontage on RR 1376, roughly five miles south of the Blumenthal area. My property is on Segments I, I2, and I3. It appears as Parcels I-002, I-003, I-004, and I2-011 on Sheet 4 of 12 of the maps identified as Attachment 7 to LCRA's CCN Application entitled "Location of Directly Affected Properties." It appears that the boundaries of my property as depicted by the black and yellow lines on that map are accurate.

Q: PLEASE TELL US ABOUT YOUR PROPERTY.

1 A: This property has been in my family for over 100 years. My grandfather first bought  
2 this land, and I inherited it from my father. My wife Wanda and I live on this land.  
3

4 The West Fork of Hunters Creek runs right through the middle of our property,  
5 creating a beautiful valley through much of the property, with hills on both sides of  
6 the creek. It enters our property about 100 yards from our entrance gate on RR 1376,  
7 then meanders its way northward, where it exits our property near the midpoint of our  
8 north boundary of the tract identified as Parcel I-003. We have a large pasture in the  
9 northeastern part of the property and a smaller pasture in the northwestern section,  
10 along RR 1376. The rest of the property is wooded, with a variety of live oaks, broad  
11 leaf oaks, cedar elms, ash juniper, and other native trees, especially along Hunter's  
12 Creek. Hunters Creek runs year-round with normal rainfall. There is a big beautiful  
13 grove of mature cedar elms along the banks of Hunter's Creek as you enter our  
14 property. In the fall, these cedar elms turn a brilliant yellow and look as if they are  
15 "lighting" the entrance to our property.  
16

17 We have high points on both sides of Hunters Creek, with beautiful views of the Hill  
18 Country around us. We also have a historic rock barn on the property, near Hunters  
19 Creek, on the southeast side of the creek. My wife and I are building a new home this  
20 summer near the barn and the creek. Until my wife Wanda and I moved here in 2010,  
21 at Thanksgiving, no one had lived on this land since 1947. We moved a double-wide  
22 trailer onto the place; it is under live oak trees, just to the northwest of the barn.  
23 Wanda and I have long planned to build our permanent home here. In fact, our  
24 contractor will start work on it in four to five weeks from now. We will use the  
25 original stone blocks from an old pioneer Sunday house for part of our new house.  
26 Our new house will be situated in the pasture, south of the barn, on a rise looking  
27 west at Hunter's Creek.  
28

29 Q. WHAT IS THE PRIMARY USE OF YOUR PROPERTY?  
30

31 A. As I said, my wife Wanda and I live here. We raise cattle and goats. We have 13  
32 grown cows and four calves. We have around 100 nannies and around 150 kids.  
33

34 Q. ARE THERE ANY TRANSMISSION LINES CURRENTLY ON YOUR  
35 PROPERTY?  
36

37 A. No.  
38

39 Q. ARE ANY TRANSMISSION LINES VISIBLE FROM YOUR PROPERTY?  
40

41 A. No.  
42  
43

#### IV. THE TRANSMISSION LINE'S IMPACT

Q: ARE YOU FAMILIAR THE WITH VARIOUS ALTERNATIVE TRANSMISSION LINE ROUTES PROPOSED BY LCRA IN THIS PROCEEDING?

A: Yes, I am. I reviewed a route map that was provided by LCRA and viewed the maps on its website.

Q: PLEASE IDENTIFY THOSE SEGMENTS THAT IMPACT YOUR PROPERTY AND THEIR ORIENTATION TO YOUR PROPERTY.

A: Segments I, I2, and I3 impact our property. Segments I2 and I3 run along all of my frontage on RR 1376. The entrance to our property is off of 1376 and is on the very northern part of Segment I3.

Segment I runs right through my property, cutting it in two. It enters from the north, about 400 feet west of my northeastern corner and runs due south, until it joins Segment I3, near our entrance road. It does not run next to any of my property's boundaries. Segment I makes three crossings over Hunters Creek as the creek winds its way through our property. Segment I cuts our ranch in two, running through the heart of our property and its most scenic parts: the large stands of trees in the northern half and Hunters Creek in the southern half.

Segment I is part of Routes 3, 7, 11, and 20; Segment I2 is part of Routes 1 and 5; Segment I3 is part of Routes 1, 3, 5, 7, 11, and 20.

Q: WOULD THESE SEGMENTS IMPACT YOUR PROPERTY AND, IF SO, HOW?

A: Segment I would devastate our property. If this transmission line were built on Segment I, it would cut right through the trees bordering our upper pasture and continue on across the wooded part of the western half of our property, crossing Hunters Creek three times before it joins Segment I3 and exits at the southwestern corner of our land. Hundreds of mature trees—live oaks, cedar elms, and ash junipers—would be cut down, leaving a 100-foot-wide scar right through the middle of this beautiful piece of land that my family settled over a century ago. With that clearing comes erosion, and with that erosion comes the sedimentation of Hunters Creek. I used to catch five-pound bass out of this creek when I was a boy. Segment I would permanently alter the creek; it would never be the same. A transmission line on Segment I would also dominate the view from our existing home and our new home site, as well as just about every other part of our land, completely spoiling the beauty of our property. Segment I does not parallel any of the boundaries of our property. If the transmission line were built on Segment I, bisecting our property, its value would plummet. I have attached as Exhibit 1 a screen shot taken from LCRA's website showing where Segment I, I2, and I3 are on my property. You can see how Segment I would plow right through the heart of our land.

1 A transmission line on Segments I2 and I3 would traverse the entire frontage of our  
2 property. A line located there would also require that a significant number of trees  
3 would need to be cut down and kept clear from any regrowth. The transmission line  
4 would go right over the only entrance to our property. If we ever decided to sell, the  
5 entrance to our property and its entire frontage would be marred by an ugly  
6 transmission line. Because of the elevation along 1376, a line built on Segments I2  
7 and I3 would also be visible from our new home site and many other parts of our  
8 property. A transmission line built there would dissuade many buyers because they  
9 could find other Hill Country property not burdened by a transmission line. It would  
10 be harder to sell our property unless we dropped our asking price. There is no  
11 question that the value of our land would drop.  
12

13 Q: DO YOU BELIEVE OTHER ROUTES PROPOSED BY LCRA ARE  
14 PREFERABLE AND, IF SO, WHY?  
15

16 A: I believe that Route 17 is preferable, for the reasons stated by LCRA and its  
17 consultants in the Application on file in this matter.  
18

19 Q: DOES THIS CONCLUDE YOUR TESTIMONY?  
20

21 A: Yes, it does. Thank you to the Public Utility Commission, the Commission Staff, and  
22 the Administrative Law Judges in this case for all of your consideration.



Direct Testimony of Bert Franz

Franz Exhibit 1