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SOAH DOCKET NO. 473-16-2983  
PUC DOCKET NO. 45601

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PUBLIC UTILITY COMMISSION

APPLICATION OF LCRA § BEFORE THE STATE OFFICE  
TRANSMISSION SERVICES §  
CORPORATION TO AMEND ITS §  
CERTIFICATE OF CONVENIENCE § OF  
AND NECESSITY FOR THE ZORN- §  
MARION 345-KV TRANSMISSION §  
LINE IN GUADALUPE COUNTY, §  
TEXAS § ADMINISTRATIVE HEARINGS

**DIRECT TESTIMONY OF INTERVENOR BARDEN TODD PATTERSON ON  
BEHALF OF THE SOUTHERN GUADALUPE RIVER ALLIANCE**

Intervenor(s) Barden Todd Patterson on Behalf of the SOUTHERN  
GUADALUPE RIVER ALLIANCE ("SGRA") files this Direct Testimony, which is  
attached. The SGRA stipulates that this Direct Testimony can be treated by all parties as  
if the answers were filed under oath.

Respectfully submitted,

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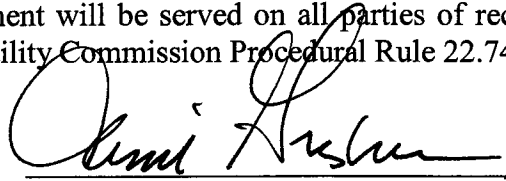
By: 

Patrick L. Reznik  
State Bar No. 16806780  
Cassie Gresham  
State Bar No. 24045980

**ATTORNEYS FOR THE SOUTHERN  
GUADALUPE RIVER ALLIANCE**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on May 3, 2016, in accordance with Public Utility Commission Procedural Rule 22.74.

  
\_\_\_\_\_  
Cassie Gresham

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1 **I. INTRODUCTION**

2  
3  
4 QUESTION: PLEASE STATE YOUR NAME AND CURRENT ADDRESS FOR THE  
5 RECORD.

6  
7 ANSWER: Barden Todd Patterson. 11232 Mason Road, Richmond, TX 77406.  
8  
9

10 QUESTION: ARE YOU AN INTERVENOR IN SOAH DOCKET NO. 473-16-2983  
11 AND PUC DOCKET NO. 45601 AND ON WHOSE BEHALF ARE YOU  
12 TESTIFYING?

13  
14 ANSWER: Yes, on behalf of myself, my wife Amy Patterson and the Southern  
15 Guadalupe River Alliance or SGRA.  
16  
17

18 QUESTION: HAVE YOU EVER TESTIFIED IN A PUBLIC UTILITY  
19 COMMISSION OF TEXAS ("PUC" OR "COMMISSION") PROCEEDING? IF SO,  
20 WHEN?

21  
22 ANSWER: No.  
23  
24

25 QUESTION: BRIEFLY DESCRIBE YOUR OCCUPATION, EDUCATIONAL AND  
26 WORK HISTORIES.

27  
28 ANSWER: Attorney. B.S. Baylor University, J.D. South Texas College Law. Gunn &  
29 Kuffner; Tobor & Goldstein; Patterson + Sheridan, LLP (current).  
30  
31

32 QUESTION: WHERE IS YOUR PROPERTY LOCATED? IF POSSIBLE, PLEASE  
33 INDICATE ANY MAJOR CROSS STREETS OR HIGHWAYS.

34  
35 ANSWER: Please see Exhibit A for a map of the subject property. The property is  
36 located at 214 River Haven, McQueeney, Texas, and is waterfront property on Lake  
37 McQueeney. My property is identified by LCRA TSC as K1-006.  
38  
39

1 QUESTION: HOW LONG HAVE YOU OWNED THE PROPERTY? DO YOU LIVE  
2 ON THE PROPERTY?

3  
4 ANSWER: We have owned the property for seven years. We do not currently live on  
5 the property.

6  
7  
8 QUESTION: ARE YOU FAMILIAR WITH THIS AREA OF GUADALUPE  
9 COUNTY, TEXAS?

10  
11 ANSWER: Yes. I have been going to McQueeney for 40+ years. I am familiar with  
12 the community and Lake McQueeney.

13  
14  
15  
16 **II. PURPOSE AND SCOPE OF TESTIMONY**

17  
18 QUESTION: WHAT IS THE PURPOSE AND SCOPE OF YOUR TESTIMONY?

19  
20 ANSWER: The purpose of our testimony is to (a) describe our property, (b) describe  
21 the expected impact of the proposed transmission line on our property and (c) voice our  
22 opposition against any route using Segments P, S, A1, B1, H1, I1, J1 and K1 which are  
23 used in LCRA Transmission Services Corporation's ("LCRA TSC's") Alternative Routes  
24 7, 8, 9, 13 and 15.

25  
26  
27 QUESTION: WHAT ARE THE SOUTHERN GUADALUPE RIVER ALLIANCE'S  
28 CONCERNS ABOUT THE PROPOSED TRANSMISSION LINE USING LCRA TSC'S  
29 ROUTES 7, 8, 9, 13, 15?

30  
31 ANSWER: In general, the SOUTHERN GUADALUPE RIVER ALLIANCE is  
32 opposed to the construction of LCRA TSC transmission line through their community  
33 because of the following: (1) a 345 kV transmission line will severely depreciate the  
34 value of the SOUTHERN GUADALUPE RIVER ALLIANCE properties; (2) a 345 kV  
35 transmission line will severely detract from the scenic beauty and aesthetic values of the  
36 SOUTHERN GUADALUPE RIVER ALLIANCE properties and area; (3) a 345 kV

1 transmission line would negatively impact community, economic and historical values  
2 and character of the SOUTHERN GUADALUPE RIVER ALLIANCE properties and  
3 area; (4) the SOUTHERN GUADALUPE RIVER ALLIANCE and visitors will have to  
4 drive under or near a 345 kV transmission line on a regular basis; (5) for transmission  
5 lines crossing a SOUTHERN GUADALUPE RIVER ALLIANCE property, they would  
6 be required to give third parties access to their properties, which limits the privacy and  
7 control over our properties; and (6) the SOUTHERN GUADALUPE RIVER ALLIANCE  
8 has general concerns about any buzzing of the 345 kV transmission line and general  
9 health and safety concerns and concerns living and being close to a 345 kV transmission  
10 line.

11  
12  
13 **III. DESCRIPTION OF PROPERTY AND THE LINE'S IMPACT**  
14

15  
16 QUESTION: ARE THERE ANY HABITABLE STRUCTURES ON THE  
17 PROPERTY?

18  
19 ANSWER: Yes. There is a three bedroom residence on the property. I along with  
20 family members and friends use the residence frequently.

21  
22  
23 QUESTION: PLEASE DESCRIBE YOUR PROPERTY'S TERRAIN AND ITS  
24 ECOLOGICAL OR BIOLOGICAL FEATURES.

25  
26 ANSWER: The property is a cliff side property overlooking Lake McQueeney to the  
27 north. The property is a rural part of Lake McQueeney which includes natural terrain and  
28 habitat for wildlife.

29  
30  
31 QUESTION: PLEASE DESCRIBE ALL OF YOUR PROPERTY'S CURRENT USES.

32  
33 ANSWER: The property is currently used as a second home for use by family and  
34 friends.

1  
2  
3 QUESTION: HAVE YOU OR YOUR FAMILY UNDERTAKEN ANY EFFORTS TO  
4 RESTORE THE LAND OR THE ENVIRONMENTAL QUALITY OF THE  
5 PROPERTY?

6  
7 ANSWER: Yes. We have built a retaining system lakeside to preserve the property  
8 and some stately cypress trees that were compromised by erosion. We also maintain the  
9 landscaping on the property including the cliff side.

10  
11  
12 QUESTION: ARE THERE ANY WATER WELL SITES ON THE PROPERTY?

13  
14 ANSWER: I am not aware of any wells on the property.

15  
16  
17 QUESTION: ARE THERE ANY GAS WELLS ON THE PROPERTY?

18  
19 ANSWER: I am not aware of any gas wells on the property.

20  
21  
22 QUESTION: ARE THERE ANY PIPELINE EASEMENTS ON THE PROPERTY?

23  
24 ANSWER: I am not aware of any pipeline easements on the property.

25  
26  
27 QUESTION: PLEASE DESCRIBE ANY PLANNED FUTURE USES OF YOUR  
28 PROPERTY IF THOSE USES ARE DIFFERENT FROM THE CURRENT USES  
29 PREVIOUSLY DESCRIBED.

30  
31 ANSWER: No planned uses different from that described herein.

32  
33  
34 QUESTION: DO ANY EXISTING TRANSMISSION OR DISTRIBUTION LINES  
35 CROSS YOUR PROPERTY?

36  
37 ANSWER: No.

38  
39  
40 QUESTION: ARE THERE CURRENT PLANS FOR OTHER UTILITY FEATURES  
41 ON YOUR PROPERTY?



1  
2 ANSWER: No.  
3  
4

5 QUESTION: WOULD THE LINKS THAT MIGHT IMPACT YOUR PROPERTY  
6 RUN ALONG ANY BOUNDARY LINES OF YOUR PROPERTY?  
7

8 ANSWER: No, but Segment K1 crosses the river diagonally and would destroy the  
9 view from our property to the west. See Exhibit A.  
10

11  
12 QUESTION: DO THE PROPERTY LINES USED BY LCRA TSC FOLLOW THE  
13 OVERALL BOUNDARY LINES FOR YOUR PROPERTY?  
14

15 ANSWER: Yes.  
16  
17

18 QUESTION: HOW WOULD A 345 KV ELECTRIC TRANSMISSION LINE IMPACT  
19 YOUR PROPERTY AND ITS OPERATIONS?  
20

21 ANSWER: Segment K1 would destroy our view west and north from the property and  
22 we would have to drive and swim under the power lines. This part of the river is popular  
23 spot for people to stop and swim. It is also a very active spot for water sports and  
24 recreation, including personal watercraft (e.g. Jet Ski) use, kayaking, paddle boarding,  
25 water skiing, wakeboarding and surfing.  
26

27  
28 QUESTION: WOULD YOU HAVE TO REGULARLY DRIVE UNDER THE  
29 TRANSMISSION LINE IF INSTALLED ON YOUR PROPERTY?  
30

31 ANSWER: Yes. We would be driving under the power lines by boat, personal water  
32 craft, kayak, and paddle board while trying to enjoy the recreational purposes the lake has  
33 to offer.  
34

35  
36 QUESTION: DESCRIBE THE AESTHETIC IMPACT TO YOUR PROPERTY IF  
37 LCRA TSC BUILDS A 345 KV TRANSMISSION LINE ON YOUR PROPERTY.  
38

1 ANSWER: It would be detrimental to the natural landscape and habitat on the  
2 property and the surrounding lake. It would destroy our westward and northward view  
3 from any location on the property and the serenity of our lake front lot.

4  
5  
6 QUESTION: IF THE TRANSMISSION LINE IS BUILT ON YOUR PROPERTY, DO  
7 YOU HAVE ANY CONCERNS ABOUT LCRA TSC HAVING ACCESS TO YOUR  
8 PROPERTY?

9  
10 ANSWER: Yes, we have the general concerns of landowners who are required to give  
11 third parties access to their property. Also, this would materially affect the use of our  
12 property. I hope that LCRA TSC will respect my property.

13  
14  
15 QUESTION: IF THE TRANSMISSION LINE IS BUILT ON YOUR PROPERTY, DO  
16 YOU HAVE ANY OTHER CONCERNS?

17  
18 ANSWER: We have general safety and health concerns for living around transmission  
19 lines and EMF issues. Because potential buyers may be aware of medical studies  
20 available on the Internet arguing, correctly or not, a connection between high-powered  
21 transmission lines causing health problems and possible cancer, we are concerned about a  
22 negative stigma being attached to our property and the possible devaluation of our  
23 property value. In addition, the buzzing sounds emanating from high-voltage  
24 transmission lines would be bothersome for people living near them.

25  
26  
27 QUESTION: IS THERE ANYTHING ELSE YOU WOULD LIKE THE  
28 ADMINISTRATIVE LAW JUDGE AND THE PUBLIC UTILITY COMMISSION TO  
29 CONSIDER IN THIS PROCEEDING?

30  
31 ANSWER: No.  
32  
33  
34  
35  
36  
37

1                                    **IV. CONCLUSION AND RECOMMENDATIONS**

2  
3        QUESTION: HOW WOULD YOU SUMMARIZE YOUR POSITION IN THIS  
4        PROCEEDING REGARDING LCRA TSC's Segments I1, J1 and K1 and ROUTES 7, 8,  
5        9, 13 and 15?  
6

7        ANSWER:    We oppose LCRA's Routes 7, 8, 9, 13 and 15 and any route using  
8        Segments P, S, A1, B1, H1, I1, J1 and K1. We support LCRA TSC's Recommended  
9        Route 10 as the route that best meets the overall community values and PURA  
10       § 37.056(c)(4) and P.U.C. SUBST. R. 25.101(b)(3)(B).  
11

12  
13       QUESTION: DOES THIS CONCLUDE YOUR TESTIMONY?  
14

15       ANSWER:    Yes.

K1-020

K1-011

K1-010

K1-009

K1-008

K1-007

K1-006

K1-005

K1-004

K1-003

K1-002

K1-001

River Haven

H-038

H-040

H-039

H-041

H-005

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EXHIBIT

A

K1-016

K1-015

K1-017