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APPLICATION OF THE CITY OF
GARLAND TO AMEND A
CERTIFICATE OF CONVENIENCE
AND NECESSITY FOR THE
PROPOSED RUSK TO PANOLA
DOUBLE CIRCUIT 345-KV
TRANSMISSION LINE IN RUSK AND
PANOLA COUNTIES, TEXAS

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PUBLIC UTILITY COMMISSION
BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

DIRECT TESTIMONY OF

TIFFANY HULL

ON BEHALF OF STEPHEN AND TIFFANY HULL

APRIL 27, 2016

SOAH DOCKET NO. 473-16-2751
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DIRECT TESTIMONY OF

TIFFANY HULL

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DIRECT TESTIMONY OF

TIFFANY HULL

1 I. QUALIFICATIONS AND EXPERIENCE

2 Q. PLEASE STATE YOUR NAME AND ADDRESS.

3 A. My name is Tiffany Hull.

4 My address is:

5 4525 Moonlake Ridge Drive

6 Corpus Christi, Texas 78413

**7 Q. HAVE YOU EVER PROVIDED TESTIMONY BEFORE THE PUBLIC
8 UTILITY COMMISSION OF TEXAS BEFORE?**

9 A. No.

**10 Q. WOULD YOUR PROPERTY BE AFFECTED BY ONE OR MORE OF
11 THE SEGMENTS USED TO MAKE ONE OR MORE OF THE
12 PROPOSED ROUTES FOR THE CITY OF GARLAND'S APPLICATION?
13 IF SO, PLEASE IDENTIFY THE SEGMENTS THAT WOULD AFFECT
14 YOUR LAND.**

15 A. Segment 6 affects our land in Panola County.

1 Q. WHAT MATERIALS HAVE YOU REVIEWED FOR YOUR
2 PREPARATION OF THIS TESTIMONY?

3 A. The map of the proposed routes as well as some of the documentation
4 provided by the engineering firm, which was accessible via the internet
5 and hard copy mailed to us.

6 Q. IS THE INFORMATION CONTAINED IN YOUR TESTIMONY TRUE AND
7 CORRECT TO THE BEST OF YOUR INFORMATION?

8 A. Yes.

9 II. PURPOSE OF THE TESTIMONY

10 Q. What is the purpose of your testimony?

11 A. The purpose of my testimony is to show that the facts demonstrate why it
12 would be contrary to the routing criteria set out in the statute and
13 Commission rules for the proposed transmission line to be routed on my
14 property. Although I sympathize with any landowners having the
15 transmission line routed on their property, I also discuss a route that I
16 believe most Intervenors would support and that would comply with
17 Panola County community values.

18 III. WHY THE LINE SHOULD NOT CROSS MY PROPERTY

19 Q. PLEASE DESCRIBE THE BACKGROUND OF THE ACQUISITION OF
20 YOUR PROPERTY AND HOW IT IS UTILIZED.

21 A. We bought our land approximately three years ago for the purpose of
22 beginning an organic farm to grow vegetables, fruit, and nuts for sale to
23 health conscious consumers. We have researched extensively the

1 various methods available to produce the most nutritious food possible
2 with the highest yield using only natural inputs. We have cleared the
3 timber, planted the fruit trees, established several honey-bee colonies,
4 completed living quarters, bought a tractor and implements, installed a
5 water-well, put up fencing around the orchard, run the water lines to the
6 living quarters, and prepared a solar energy plan. Some of the fruit trees
7 have already produced fruit at various times of the year, and the honey-
8 bees have produced many pounds of honey. We are beginning the
9 process of preparing the soil in order to plant the first of the vegetables.
10 We have not been living on the farm up to this point, and the growing of
11 the vegetables will require that we live onsite.

12 **Q. WHAT, IF ANY, ADVERSE IMPACT WOULD THE USE OF THE**
13 **SEGMENT AFFECTING YOUR LAND HAVE ON HISTORICAL AND**
14 **AESTHETIC VALUES AND ENVIRONMENTAL INTEGRITY?**

15 **A.** I believe that the environmental integrity would be adversely impacted by
16 the transmission line's effect on the bald eagle nesting sites in the vicinity.
17 There are four or five active nests in close proximity to the proposed
18 segment 6, and the bald eagles could be negatively impacted in any
19 number of ways, both currently known and presently unsuspected. For
20 instance, their reproductive capacity could suffer from the local habitat
21 being disturbed during the construction phase, they could be injured by
22 either the structures or the transmission lines during the operational

1 phase, or they could experience a negative outcome due to the electro-
2 magnetic frequency emitted from the lines on an on-going basis.

3 **Q. ARE THERE ANY NEARBY RECREATIONAL OR PARK AREAS THAT**
4 **WOULD BE AFFECTED IF THE ROUTE USING THE SEGMENT**
5 **IMPACTING YOUR PROPERTY IS USED?**

6 A. Our property is near Lake Murvaul, and I know there is a lot of hunting in
7 the general area. We hear the shots, and we talk to our neighbors who
8 say they were hunting deer, hogs, ducks, etc. We also see the fishermen
9 in their boats on the lake. I'm not sure that the line would affect the
10 fishing, or the hunting of deer or hogs, but I'm pretty sure it could affect the
11 ducks, and any other birds, such as dove or quail, which sportsmen would
12 want to shoot in the area. It seems to me that having to contend with the
13 transmission lines and the supporting structures would be a definite
14 obstacle for the birds trying to fly.

15 **Q. HAS THE PROPOSED TRANSMISSION LINE BEEN ROUTED ON**
16 **YOUR PROPERTY SO AS TO MODERATE ANY IMPACT TO YOU AND**
17 **YOUR FAMILY?**

18 A. No, the proposed route bisects our property rather than running along the
19 property line. In addition, the center line sits on top of a habitable
20 structure which has been built in the past two years. The proposed
21 transmission line also crosses the water line we put in to transport water
22 from the water well to the habitable structures on the property, as well as
23 to the gardens and orchard which need the water for irrigation purposes.

1 This effectively separates both the people and the vegetation from their
2 only water source.

3 **Q. DOES THE SEGMENT ON YOUR PROPERTY PARALLEL AN**
4 **EXISTING TRANSMISSION LINE? IF IT DOES, HOW MANY**
5 **TRANSMISSION LINES ALREADY CROSS YOUR PROPERTY?**
6 **WOULD THE NEW LINES BE CLOSER TO A HABITABLE**
7 **STRUCTURE THAN ANY EXISTING TRANSMISSION LINES ON YOUR**
8 **PROPERTY?**

9 A. We are not aware of any existing transmission lines nearby.

10 **Q. DOES THE ROUTING OF THE TRANSMISSION LINE PARALLEL**
11 **YOUR PROPERTY BOUNDARIES?**

12 A. Yes, but it is equidistant from the boundaries, as the proposed line bisects
13 our property.

14 **Q. DOES THE ROUTING OF THE LINE ON YOUR PROPERTY PARALLEL**
15 **EXISTING ROADS, HIGHWAYS, OR OTHER COMPARABLE RIGHT-**
16 **OF-WAY? IF NOT, WHERE DOES IT CROSS YOUR PROPERTY?**

17 A. The proposed transmission line cuts our property in half, right up the
18 middle, effectively chopping it into two twin rectangles sitting side by side.
19 The proposed line runs perpendicular to the county road. I am not aware
20 of any comparable rights of way.

21 **Q. IS THE ROUTING OF THE TRANSMISSION LINE ON YOUR**
22 **PROPERTY WITHIN 500 FEET OF A HABITABLE STRUCTURE?**

23 A. Yes, the centerline crosses a recently constructed habitable structure.

1 Q. ARE THERE ANY HEALTH ISSUES THAT COULD BE ADVERSELY
2 AFFECTED IF THE TRANSMISSION LINE IS ROUTED ACROSS YOUR
3 PROPERTY? IF SO, PLEASE EXPLAIN.

4 A. Yes, I have recently recovered from an auto-immune disease, which could
5 very easily be triggered to become active again due to any extra-ordinary
6 stress on the body. I will have to eat an organic diet, free of pesticides,
7 herbicides, chemical fertilizers, GMOs, etc. for the rest of my life if I do not
8 want to reactivate my auto-immune condition. That is why my husband
9 decided to start this farm, because the only way to assure that we are
10 getting truly organic food is to grow it ourselves. Not only have I put my
11 own condition into remission, which I have suffered from since I was a
12 very little girl, but I am now using the same nutritional principles to recover
13 my son from ADD. I make all our food – we have not eaten food prepared
14 by someone other than me for more than fifteen months. I also make all
15 of our personal care products and home cleaning products, because the
16 chemicals, fragrances, preservatives, etc. are all harmful to the body and
17 contribute to our adverse health conditions by overburdening the immune
18 system.

19 Our health issues will be adversely affected in two ways if the
20 transmission line were to be routed across our property. The first is that
21 we would not be able to certify that no pesticides, herbicides, or chemicals
22 were used on the land where the right-of-way is granted for the
23 transmission line, and therefore the food could not be considered organic.

1 If I ate the food grown there, I would be risking activating my auto-immune
2 disease again. Eating organic food is one of the most important factors in
3 healing and remaining disease-free - because we eat at least three times
4 per day, we are either using every forkful of food to detoxify our bodies or
5 we are allowing it to contaminate our bodies with toxins. For this reason,
6 we would not be able to sell it as "organic" either, because we have to be
7 able to certify that no pesticides, herbicides, or chemicals of any kind have
8 been used on the land, and we would not be able to provide that
9 certification for the land which is outside of our control. If the company
10 which handles the maintenance on the transmission line were to use
11 pesticides, herbicides, or chemicals in order to reduce the foliage under
12 the line, the wind could blow those particles onto the surrounding land
13 which is within our control and contaminate it, so that we could neither eat
14 nor sell the produce from those surrounding areas either.

15 The second way our health issues will be adversely affected if the
16 transmission line were to be routed across our property is that the EMFs
17 emitted from the transmission line are very disruptive to the body's healing
18 mechanism, causing inflammation and resulting in the immune system
19 being overburdened. This is the exact scenario which leads to the
20 reactivation of auto-immune disease in the body. I already know that I am
21 highly sensitive to EMF radiation because talking on the cell phone gives
22 me a headache, and now just having the cell phone near me gives me a
23 headache, too. Even when I am not using the phone, I have to keep it far

1 away (usually in another room of the house) so that I do not get a
2 headache.

3 **Q. IN YOUR OPINION, DOES THE ROUTING OF THE TRANSMISSION**
4 **LINE ON YOUR PROPERTY CONFORM WITH COMMUNITY VALUES?**
5 **IF NOT, PLEASE EXPLAIN WHY IT DOES NOT.**

6 A. No, I do not believe it does. A habitable structure would be in the right of
7 way of the easement. It simply bisects our property rather than paralleling
8 existing transmission lines, property boundaries or other cultural features.
9 It would not be environmental friendly. It would pose risks for both our
10 child and me. It would destroy the business we are trying to establish.
11 There is a proposed route that is being discussed which has a lot of
12 support. It has only six Intervenors on it and if the utility works with those
13 landowners, they should be able to minimize any problems they might
14 have.

15 **Q. WOULD THE ROUTING OF THE TRANSMISSION LINE ON YOUR**
16 **PROPERTY ADVERSELY AFFECT YOUR BUSINESS OR OTHER**
17 **INCOME PRODUCING ACTIVITIES? IF SO, PLEASE EXPLAIN.**

18 A. We would not be able to grow organic produce on that portion of the land,
19 and possibly the surrounding areas would be contaminated, too. There is
20 a significant difference in the price between organic produce and
21 conventional produce, so we would definitely take a hit financially. It is not
22 worth the time and effort to do all the required things in order to grow the

1 most nutrient-dense and mineral-rich food possible, and then not be able
2 to sell it for a premium as “organic” fruit, vegetables, and nuts.

3 **IV. A ROUTE THAT PROTECTS COMMUNITY VALUES**

4 **Q. WHAT ROUTE, IN YOUR OPINION, BEST SUPPORT COMMUNITY**
5 **VALUES?**

6 **A.** A route comprised of segments 1, 7, 9, 13, 23, 24, 28, 31, 34, 41, and 43.
7 It appears from City of Garland's map that there are only six Intervenor
8 that are on those segments. It seems they have only three habitable
9 structures that are within 500 feet of the transmission line. I also strongly
10 recommend that the utility be required to route the transmission line on the
11 Intervenor's property so that it would have minimal impact on their
12 property in accordance with the Intervenor's wishes.

13 **V. A REASONABLE CONDITION THAT SHOULD APPLY**

14 **Q. ARE THERE REASONABLE CONDITIONS THAT SHOULD BE**
15 **INCLUDED IN THE ORDER IN THIS PROCEEDING THAT WOULD BE**
16 **IN THE PUBLIC INTEREST?**

17 **A.** Yes. City of Garland said at the technical conference held in Carthage,
18 Texas, on April 20, 2016, that no progress had been made to construct the
19 transmission line to Mississippi and Alabama from the DC tie because of
20 financial reasons. I urge the Commission to condition the condemnation
21 and purchase of transmission easement for the City of Garland's proposed
22 Rusk to Panola 345 kV transmission project until Southern Cross provides
23 sufficient evidence to this Commission that sufficient financing and state

8 authority has been obtained to construct the transmission line to
9 Mississippi and Alabama. Panola landowners should not have their land
10 taken if in fact the transmission line proposed to be built to Mississippi and
11 Alabama is never built. Without the proposed transmission line in SERC
12 being built there will be no Southern Cross Project. It is reasonable and in
13 the public interest to ensure that landowner property is not condemned if
14 the project will never come to fruition.

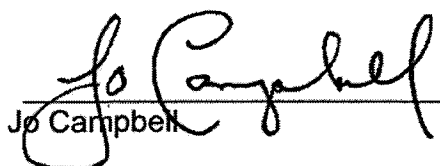
9 VI. CONCLUSION

10 Q. DOES THIS COMPLETE YOUR TESTIMONY?

11 A. Yes, it does.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on all parties in compliance with the Judge's Order No. 3 on the 27th day of April, 2016.


Jo Campbell