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PUBLIC UTILITY COMMISSION

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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BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

DIRECT TESTIMONY OF

FRANCIS GILBERT BARKER

APRIL 27, 2016

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PANOLA COUNTIES, TEXAS	§	

**DIRECT TESTIMONY OF
FRANCIS GILBERT BARKER**

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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	§ § § § § § § §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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DIRECT TESTIMONY OF FRANCIS GILBERT BARKER

1 **I. QUALIFICATIONS AND EXPERIENCE**

2 **Q. PLEASE STATE YOUR NAME AND ADDRESS.**

3 A. My name is Frances Gilbert Barker.

4 My address is:

5 6029 FM 699

6 Tenaha, TX 75974

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 YOU LAND.**

15 A. Yes, my land is adversely affected by Segment 30.

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

3 A. I reviewed the map showing the segments for the proposed routes and I
4 reviewed the routing criteria for transmission lines provided for me by my
5 attorney. I also reviewed the route being considered by Interveners for
6 settlement purposes.

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

9 A. Yes

10 II. PURPOSE OF THE TESTIMONY

11 Q. What is the purpose of your testimony?

12 A. The purpose of my testimony is to show that the facts demonstrate why it
13 would be contrary to the routing criteria set out in the statute and
14 Commission rules for the proposed transmission line to be routed on my
15 property., I discuss a route that I believe most Intervenor's would support
16 and that would comply with Panola County community values. I also
17 discuss a condition that I believe should be made to the approval of the
18 application and why such a condition is appropriate.

1 **III. WHY THE LINE SHOULD NOT CROSS MY PROPERTY**

2 **Q. PLEASE DESCRIBE THE BACKGROUND OF THE ACQUISITION OF**
3 **YOUR PROPERTY AND HOW IT IS UTILIZED.**

4 A. My wife and I purchased this property in 2008 to allow me to raise cattle.
5 The majority of the land is pasture to allow the cattle to graze. Of course
6 our home is also here.

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

10 A. The proposed route would come very close to our home. This is my
11 primary concern. It would have a negative effect on the safety and
12 aesthetics of our home. It would also create less grazing land for my
13 cattle, especially during the construction of the line and during any time for
14 the maintenance of the line. I am also concerned about gates being left
15 open and cattle getting out of the pasture during these times.

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

19 A. No, it has been routed where they acknowledge it would be very close to
20 our home. They made no attempt to route the line on a property line
21 away from our home and at the edge of a pasture.

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

7 A. There are no existing transmission lines in the area where I live.

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

11 A. NO, the aesthetics and safety surrounding your home is a critical value in
12 our community. By routing the proposed line so close to our home
13 violates those values.

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

17 A. My primary source of income comes from my cattle business. Any
18 adverse consequences to that business I would suffer because of the
19 construction of the line on my property would have an adverse effect on
20 my income.

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

2 **Q. WHAT ROUTE, IN YOUR OPINION, BEST SUPPORT COMMUNITY**
3 **VALUES?**

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

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

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

15 A. Yes. City of Garland said at the technical conference held in Carthage,
16 Texas on April 20, 2016 that no progress had been made to construct the
17 transmission line to Mississippi and Alabama from the DC tie because of
18 financial reasons. I urge the Commission to condition the condemnation
19 and purchase of transmission easement for the City of Garland's proposed
20 Rusk to Panola 345 kV transmission project until Southern Cross provides
21 sufficient evidence to this Commission that sufficient financing and state
22 authority has been obtained to construct the transmission line to
23 Mississippi and Alabama. Panola landowners should not have their land

1 taken if in fact the transmission line proposed to be built to Mississippi and
2 Alabama is never built. Without the proposed transmission line in SERC
3 being built there will be no Southern Cross Project. It is reasonable and in
4 the public interest to ensure that landowner property is not condemned if
5 the project will never come to fruition.

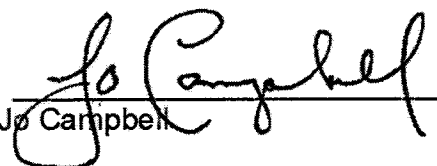
6 **VI. CONCLUSION**

7 **Q. DOES THIS COMPLETE YOUR TESTIMONY?**

8 **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

