



Control Number: 45624



Item Number: 335

Addendum StartPage: 0

CLIVE W. FIELDS

3299 FM 699
CARTHAGE, TEXAS 75633

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PUBLIC UTILITY COMMISSION
FILING CLERK

May 19, 2016

Central Records

Public Utility Commission of Texas
1701 N. Congress Ave.
PO Box 13326
Austin, TX 78711-3326

Via Overnight Delivery

RE: City of Garland Rusk-Panola Transmission Line
SOAH Docket No. 473-16-2751
PUC Docket No. 45624

Dear Sir/Madam:

Enclosed you will find the following documents:

1. Certificate of Service
2. Direct Testimony of Clive W. Fields

Very truly,

Clive W. Fields

Enclosure as Indicated

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Chris W. Tiele

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PUC Docket No. 45624

**SOAH DOCKET NO. 473-16-2751
PUC DOCKET NO. 45624**

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

DIRECT TESTIMONY OF

CLIVE W. FIELDS

MAY 17, 2016

SOAH DOCKET NO. 473-16-2751
PUC DOCKET NO. 45624

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

DIRECT TESTIMONY OF
CLIVE W. FIELDS

TABLE OF CONTENTS

I.	QUALIFICATIONS AND EXPERIENCE	3
II.	PURPOSE OF TESTIMONY	4
III.	WHY THE LINE SHOULD NOT CROSS MY PROPERTY	4
IV.	A ROUTE THAT PROTECTS COMMUNITY VALUES	8
V.	A REASONABLE CONDITION THAT SHOULD APPLY	9
VI.	CONCLUSION	10

SOAH DOCKET NO. 473-16-2751
PUC DOCKET NO. 45624

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
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§ OF
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§ ADMINISTRATIVE HEARINGS
§

DIRECT TESTIMONY OF

I. QUALIFICATIONS AND EXPERIENCE

1
2 Q. PLEASE STATE YOUR NAME AND ADDRESS.

3 A. My name is CLIVE W. FIELDS.

4 My address is:

5 3299 FM 699

6 CARTHAGE, TEXAS 75633

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. Yes, Segment 30.

16

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

3 A. The maps of the project.
4
5

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

8 A. Yes.
9

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. Although I sympathize with any landowners having the
16 transmission line routed on their property, I also discuss a route that I
17 believe most Intervenor would support and that would comply with
18 Panola County community values

19 III. WHY THE LINE SHOULD NOT CROSS MY PROPERTY

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

22 A. One tract of property has been in my wife's family since before she was
born. The timber on this tract is part of our retirement. The other tract we

1 were saving for our grandson and his family to build a house on the
2 property.

3

4 **Q. DO YOU OPPOSE THE ROUTING OF THE RUSK TO PANOLA 345 KV**
5 **TRANSMISSION LINE BEING ON YOUR PROPERTY?**

6 A. Yes, I do oppose the transmission line crossing my property on Segment
7 30. It will take 300 feet out of my retirement timber.

8 **Q. IS THERE A ROUTE YOU SUPPORT AS BEING IN ACCORDANCE**
9 **WITH COMMUNITY VALUES?**

10 A. Yes, there was discussion of a route at a meeting held in Carthage that
11 that I support. It includes Segments 1, 7, 9, 13, 23, 24, 28, 31, 34, 41, and
12 43. There were very few Intervenorors that would be affected. It was also a
13 route where one of the Intervenorors preferred that the line to be routed.

14 **Q. DO YOU BELIEVE THE ROUTE YOU DESCRIBE WOULD BE IN**
15 **KEEPING WITH COMMUNITY VALUES?**

16 A. Yes.

17

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

21 A. It would destroy the aesthetic value.

22

23

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

4 A. No.

5

6

7 Q. HAS THE PROPOSED TRANSMISSION LINE BEEN ROUTED ON
8 YOUR PROPERTY SO AS TO MODERATE ANY IMPACT TO YOU AND
9 YOUR FAMILY?

10 A. No.

11

12

13 Q. DOES THE SEGMENT ON YOUR PROPERTY PARALLEL AN
14 EXISTING TRANSMISSION LINE? IF IT DOES, HOW MANY
15 TRANSMISSION LINES ALREADY CROSS YOUR PROPERTY?
16 WOULD THE NEW LINES BE CLOSER TO A HABITABLE
17 STRUCTURE THAN ANY EXISTING TRANSMISSION LINES ON YOUR
18 PROPERTY?

19 A. No. Not a large transmission line. A Deep East Texas Electric Coop single
20 line is on the property but not running adjacent to this proposed line.

21

22

23

1 Q. DOES THE ROUTING OF THE TRANSMISSION LINE PARALLEL
2 YOUR PROPERTY BOUNDARIES?

3 A. No.

4

5

6

7 Q. DOES THE ROUTING OF THE LINE ON YOUR PROPERTY PARALLEL
8 EXISTING ROADS, HIGHWAYS, OR OTHER COMPARABLE RIGHT-
9 OF-WAY? IF NOT, WHERE DOES IT CROSS YOUR PROPERTY?

10 A. No, it appears to cross the middle of it.

11

12

13

14 Q. IS THE ROUTING OF THE TRANSMISSION LINE ON YOUR
15 PROPERTY WITHIN 500 FEET OF A HABITABLE STRUCTURE?

16 A. No.

17

18

19

20

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

1 A. No.

2

3

4

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

8 A. No, it cuts through the middle of the property, not along the property line.

9

10

11

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

15 A. Yes. It would take out timber that is part of my retirement funds.

16

17

18 IV. A ROUTE THAT PROTECTS COMMUNITY VALUES

19 Q. WHAT ROUTE, IN YOUR OPINION, BEST SUPPORT COMMUNITY
20 VALUES?

21 A. A route comprised of segments 1, 7, 9, 13, 23, 24, 28, 31, 34, 41, and 43.
22 It appears from City of Garland's map that there are only six Intervenor
23 that are on those segments. It seems they have only three habitable

1 structures that are within 500 feet of the transmission line. I also strongly
2 recommend that the utility be required to route the transmission line on the
3 Intervenor's property so that it would have minimal impact on their property
4 in accordance with the Intervenor's wishes.

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

6 **Q. ARE THERE REASONABLE CONDITIONS THAT SHOULD BE**
7 **INCLUDED IN THE ORDER IN THIS PROCEEDING THAT WOULD BE**
8 **IN THE PUBLIC INTEREST?**

9 A. Yes. City of Garland said at the technical conference held in Carthage,
10 Texas on April 20, 2016 that no progress had been made to construct the
11 transmission line to Mississippi and Alabama from the DC tie because of
12 financial reasons. I urge the Commission to condition the condemnation
13 and purchase of transmission easement for the City of Garland's proposed
14 Rusk to Panola 345 kV transmission project until Southern Cross provides
15 sufficient evidence to this Commission that sufficient financing and state
16 authority has been obtained to construct the transmission line to
17 Mississippi and Alabama. Panola landowners should not have their land
18 taken if in fact the transmission line proposed to be built to Mississippi and
19 Alabama is never built. Without the proposed transmission line in SERC
20 being built there will be no Southern Cross Project. It is reasonable and in
21 the public interest to ensure that landowner property is not condemned if
22 the project does not happen.

1

VI. CONCLUSION

2 Q. DOES THIS COMPLETE YOUR TESTIMONY?

3 A. Yes.