



Control Number: 46429



Item Number: 571

Addendum StartPage: 0

RECEIVED

2017 APR 28 PM 4:42

PUBLIC UTILITY COMMISSION
FILING CLERK

BEFORE THE

STATE OFFICE OF ADMINISTRATIVE HAMAII

**PUC DOCKET NO. 46429
SOAH DOCKET NO. 473-17-1552**

**APPLICATION OF BRAZOS ELECTRIC POWER COOPERATIVE, INC. TO AMEND
A CERTIFICATE OF CONVENIENCE AND NECESSITY FOR A 138-KV
TRANSMISSION LINE IN COLLIN COUNTY**

KITTVHAWK TRANSMISSION LINE AND SUBSTATION PROJECT

DIRECT TESTIMONY OF

BABER YOUNAS, MD

PROPERTY OWNER

ON BEHALF OF

**TEXAS PARTNERS IN CAPITAL INVESTMENTS, LLC
AMHERST CAPITAL INVESTMENTS, LLC**

FRIDAY, APRIL 28, 2017

571

TABLE OF CONTENTS

<i>Section</i>	<i>Page</i>
Introduction and Qualifications 1
Purpose of Testimony 1
Affidavit 6

1 **Introduction and Qualifications**

2 **Q. Please state your name and the name of your business(es).**

3 A. Texas Partners in Capital Investments, LLC and Amherst Capital Investments, LLC

4 **Q. Please provide your address.**

5 A. 1780 W. McDermott Drive #200, Allen, Texas 75013.

6 **Q. What is your occupation?**

7 A. Medical Doctor.

8 **Q. Please describe your educational and professional qualifications, and your business**
9 **experience.**

10 A. I graduated *Cum Laude* from Amherst College and St. George's University Medical
11 School. I attended New York University for special training in Anesthesia.

12 **Q. How versed are you in the process of land condemnation?**

13 A. Not too familiar at all. Shortly after purchasing the land we were notified of land
14 condemnation. I have asked experts to help us understand the process.

15 **Purpose of Testimony**

16 **Q. What is the purpose of your testimony?**

17 A. To share my vision of creating a greater community for the City of McKinney. I believe
18 our land development will add to the overall enhancement of everyday citizens and the
19 quality of our community.

20 **Q. Was your testimony and the information you've identified as the owner prepared by**
21 **you or by knowledgeable persons upon whose expertise, judgment and opinions you**
22 **rely in performing your duties?**

23 A. No. I am simply replying as a private citizen and expressing my vision.

1 **Q. Is the information contained in your testimony and the information you are providing**
2 **true and correct, and within your personal knowledge?**

3 A. Yes. We expressed to the seller at the time of sale our purpose of building a comprehensive
4 community in which citizens can have immediate access to healthcare, shopping, dining,
5 and living.

6 **Q. Why should your land be eliminated for consideration?**

7 A. We are creating a state of the art surgical center in McKinney on this property. I am special
8 trained in Joimax Endoscopic Discectomy. This minimally invasive procedure can reduce
9 disc herniation with a 2 mm incision and at a fraction of the cost of open surgery.

10 **Q. When did you purchase the property?**

11 A. The property was purchased in two parts and in two company names. Five acres was
12 purchased June 2015 under Texas Partners in Capital Investments; and June 2016, 12.8
13 acres was purchased under Amherst Capital Investments.

14 **Q. Why did you purchase the property?**

15 A. To create a class A community for healthcare, shopping, dining and living quarters.

16 **Q. How much did you pay for it?**

17 A. Five acres was purchased for more than \$2.5 million. The 12.8 acres about \$6.5 million.

18 **Q. Why did you place the parcels in separate companies?**

19 A. It was advised by my attorney for the sake of asset protection and financial planning to
20 keep the two lands under separate parcels.

21 **Q. When the property was purchased?**

22 A. Five acres June 2015; 12.8 acres June 2016.

23 **Q. What are your detailed plans regarding property?**

1 A. We have been working on a class A design for a living experience for all to enjoy. Our plan
2 incorporates public park/water features, fine dining and excellent healthcare. To be
3 specific, we have been in contact with major restaurants, such as Texas de Brazil, and a
4 sporting retailer to be a staple on our property. Our community borders The Ballfields at
5 Craig Ranch. I believe this will be an amazing location for kids to enjoy after ballgames
6 and add to the quality of our community.

7 **Q. How much time and resources have you placed towards this plan?**

8 A. Months of planning and coordination have gone into this plan. We have employed an
9 architect, Ron Hobbs, to design the master plan. Our doctors have been planning on
10 relocating to the campus and making this the base of their operations. We are planning on
11 having primary care, podiatry, chiropractic, and pain management on site. We have even
12 discussed with other specialist such as Rheumatology, GI and ENT to be on site. This truly
13 can be an all-inclusive medical community. Also, we have spent time and money designing
14 a beautiful surgical center with three operating rooms. Our design allows for billing
15 management and we were planning on making it a model for future centers. In fact to create
16 this vision I had hired Ron Duperroir to spearhead the development. His vision and
17 previous experience is first class.

18 **Q. How much have you spent on development thus far?**

19 A. Hours and hours of planning. As mentioned above, our CEO Arar Abohaija
20 recommendation on hiring Ron Duperroir to be the driver on this project. Ron Duperroir
21 had recommended Ron Hobbs. Besides my time and the enormous time of our CEO and
22 Ron Duperroir we have spent thousands of dollars in planning and architecture fees. We
23 have had multiple calls and meetings with the City of McKinney planning.

1 **Q. Description of prior interactions with Brazos regarding original planned location for**
2 **substation.**

3 A. Any class A community, especially a medical community with a surgical center juxtaposed
4 to a substation, does not work. We had our plans made and expressed to Brazos our concern
5 and how the substation devastates our vision. Besides the physical displeasing appearance
6 of a substation, we are concerned about the perceived and possible safety of our patients.
7 Simply put, we cannot create a community to the standard we envision with this substation.

8 **Q. Do you have any client interest's to date, if so what?**

9 A. As mentioned above, to date we get calls almost on a weekly basis. With the looming issue
10 of a substation, it is hard to proceed. The area is high in demand and many have called it
11 the "Gateway to McKinney". I believe this land defines McKinney as a high quality
12 community in the developing greater Dallas market.

13 **Q. Have you executed any letters of intent, letters of interest for leases?**

14 A. After months of frustration and not knowing what is happening, we have finally decided to
15 go forward with our land development. This uncertainty has cost us opportunity and I
16 finally decided to go forward although slowly.

17 **Q. Please describe prior interactions with the City of McKinney and how your planned**
18 **development fits into their master plan for their city.**

19 A. We were welcomed by the City of McKinney with our plan. Ron Hobbs our architect has
20 worked closely with some of the city developers and were told our plans met and, perhaps
21 I can be bold enough to say, exceeded their expectations.

22 **Q. Please describe the progress made toward the development and expenses incurred.**

1 A. The land has water detention and utilities. So, yes, it is shovel ready. We were told that roll
2 back taxes would trigger once we change zoning. We are proceeding slowly so that in the
3 event roll back taxes are triggered and the property is condemned, my losses will not be
4 more than what they are currently. I am a single individual and have saved all my life for
5 this opportunity. Of course, I am anxious to build on my site and need to know my
6 cost/benefit ratio.

7 **Q. In your opinion, what is the detrimental effect on the entire 17.8 acres of locating the**
8 **5-acre substation anywhere on your land?**

9 A. The substation on the “Gateway to McKinney” destroys the appeal of the city. The entire
10 vision changes 100% if the substation is placed on this property, as shown in the direct
11 testimony of Erin Brooke Bishop and her attached exhibits. All of our planning, time, and
12 monies would have been wasted.

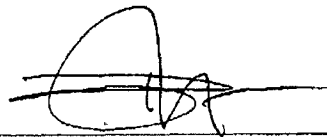
13 **Q. Does this conclude your testimony?**

14 A. Yes.

1 STATE OF TEXAS §
2 §
3 DALLAS COUNTY §


4 BEFORE ME, the undersigned authority, on this day personally appeared Baber Younas,
5 M.D. who, having been placed under oath by me, did depose as follows:

6 My name is Baber Younas, M.D.. I am of legal age and a resident of the State of Texas.
7 The foregoing direct testimony, opinions, and exhibits offered by me are true and correct, and
8 within my personal knowledge.

9 
10

BABER YOUNAS, M.D.

11 SUBSCRIBED AND SWORN TO BEFORE ME by Baber Younas, M.D. on April
12 28 2017.

13 
14 Notary Public in and for the State of Texas

