

Control Number: 49715



Item Number: 68

Addendum StartPage: 0

SOAH DOCKET NO. 473-20-0418
PUC DOCKET NO. 49715

APPLICATION OF ENTERGY TEXAS
INC. TO AMEND ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY FOR A
PROPOSED 230-KV TRANSMISSION
LINE IN LIBERTY AND HARRIS
COUNTIES, TEXAS

§
§
§
§
§
§

BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS

RECEIVED
2019 DEC 20 PM 3:50
UTILITY COMMISSION
FILING CLERK

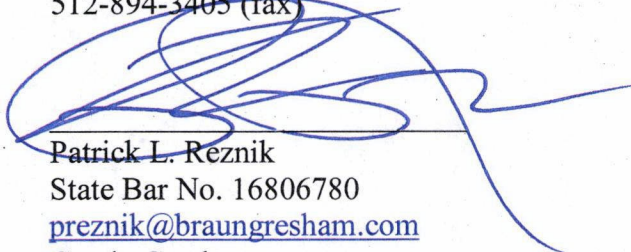
**DIRECT TESTIMONY OF INTERVENORS CHARLES AND JEANETTE SOUTHARD
ON BEHALF OF THE EASTGATE ALLIANCE**

Intervenors, Charles and Jeanette Southard, on Behalf of the Eastgate Alliance ("Eastgate Alliance") file this Direct Testimony, which is attached. The Eastgate Alliance stipulates that this Direct Testimony can be treated by all parties as if the answers were filed under oath.

Respectfully submitted,

BRAUN & GRESHAM, PLLC

P.O. Box 1148 (Mailing)
Dripping Springs, Texas 78620
14101 Hwy. 290 W., Suite 1100B (Physical)
Austin, Texas 78737
512-894-5426 (telephone)
512-894-3405 (fax)



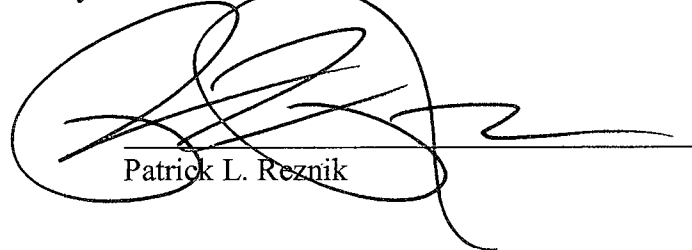
Patrick L. Reznik
State Bar No. 16806780
preznik@braungresham.com
Cassie Gresham
State Bar No. 24045980
cgresham@braungresham.com
Carly Barton
State Bar No. 24086063
cbarton@braungresham.com

**ATTORNEYS FOR THE EASTGATE
ALLIANCE**

108

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on December 20, 2019 in accordance with Public Utility Commission Procedural Rule 22.74.



Patrick L. Reznik

TABLE OF CONTENTS

I.	INTRODUCTION	4
II.	PURPOSE AND SCOPE OF TESTIMONY	5
III.	DESCRIPTION OF PROPERTY AND THE LINE'S IMPACT	6
IV.	CONCLUSION AND RECOMMENDATIONS	10
EXHIBITS		
	A – AERIAL MAP OF PROPERTY	4, 8, 11
	B-1 – PICTURE OF PROPERTY	6, 12
	B-2 – PICTURE OF PROPERTY	6, 13

1 I. INTRODUCTION

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

6
7 ANSWER: Charles & Jeanette Southard
8 5911 Mid Pine Street
9 Houston, Texas 77049
10

11
12 QUESTION: ARE YOU AN INTERVENOR IN SOAH DOCKET NO. 473-20-0418 AND PUC
13 DOCKET NO. 49715 AND ON WHOSE BEHALF ARE YOU TESTIFYING?
14

15 ANSWER: Yes. We are testifying on behalf of ourselves and the Eastgate Alliance, which we
16 fully support.
17

18
19 QUESTION: HAVE YOU EVER TESTIFIED IN A PUBLIC UTILITY COMMISSION OF
20 TEXAS ("PUC" OR "COMMISSION") PROCEEDING? IF SO, WHEN?
21

22 ANSWER: No, we have not.
23
24

25 QUESTION: BRIEFLY DESCRIBE YOUR OCCUPATION, EDUCATIONAL AND WORK
26 HISTORIES.
27

28 ANSWER: We are retirees currently. Jeanette was a teacher's aide for 27 years and Charles
29 was a Machinist for 43 years. We are high school graduates with continuing education in our
30 chosen fields of work.
31

32
33 QUESTION: WHERE IS YOUR PROPERTY LOCATED?
34

35 ANSWER: Our property is located at 420 County Road 6243 and identified by Entergy Texas
36 Inc. ("ETI") as R31330. **See Exhibit A.**
37

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

3
4 ANSWER: We have owned the property for two and a half years ourselves, as it was willed to
5 us by my late Mother, Judy Trojanowski, who was willed the land by her father Morise Beran.

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

9
10 ANSWER: Yes, Jeanette has been going to the land since she was born in 1951 with her family
11 as it was owned by her grandfather, Morise Beran.

12
13
14 **II. PURPOSE AND SCOPE OF TESTIMONY**

15
16
17 QUESTION: WHAT IS THE PURPOSE AND SCOPE OF YOUR TESTIMONY?

18
19 ANSWER: The purpose of our testimony is to (a) describe our property, (b) describe the
20 expected impact of the proposed transmission line on our property, (c) voice our opposition against
21 ETI's Segments C, H, M, O, P, Q, and R, Cut-in Option Three, and Routes 3, 4, 5 and 8 which
22 utilize these Segments and d) voice our support for ETI's preferred Route 2.

23
24
25 QUESTION: WHAT IS THE EASTGATE ALLIANCE'S CONCERNS ABOUT THE
26 PROPOSED TRANSMISSION LINE USING SEGMENTS C, H, M, O, P, Q, AND R?

27
28 ANSWER: In general, the Eastgate Alliance is opposed to the construction of ETI's
29 transmission line through their community because of the following: (1) a 230-kV transmission
30 line will severely depreciate the value of the Eastgate Alliance properties; (2) a 230-kV
31 transmission line will severely detract from the scenic beauty and aesthetic values of the Eastgate
32 Alliance properties and area; (3) a 230-kV transmission line would negatively impact community,
33 economic and historical values and character of the Eastgate Alliance properties and area; (4) the
34 Eastgate Alliance and visitors will have to drive under or near a 230-kV transmission line on a

1 regular basis; (5) for transmission lines crossing a Eastgate Alliance property, they would be
2 required to give third parties access to their properties, which limits the privacy and control over
3 our properties; and (6) the Eastgate Alliance has general concerns about any buzzing of the 230-
4 kV transmission line and general health and safety concerns and concerns living and being close
5 to a 230-kV transmission line.

6
7
8 **III. DESCRIPTION OF PROPERTY AND THE LINE'S IMPACT**
9

10
11 QUESTION: ARE THERE ANY HABITABLE STRUCTURES ON THE PROPERTY?

12
13 ANSWER: Not at the current time, we are planning on building a residence in the near future.
14 However, those plans are on hold until it is determined where the transmission line is built.

15
16
17 QUESTION: PLEASE DESCRIBE YOUR PROPERTY'S TERRAIN AND ITS
18 ECOLOGICAL OR BIOLOGICAL FEATURES.

19
20 ANSWER: The land is pasture land for grazing cattle, thick green grass surrounded by a variety
21 of trees. There is a small pond that our grandchildren play in and fish. **See Exhibits B-1 and B-2.**

22
23
24 QUESTION: PLEASE DESCRIBE YOUR PROPERTY'S CURRENT USES.

25
26 ANSWER: The property is leased to Jeanette's brother, Alan whose land is connected. He uses
27 the land to graze his cattle. It is used on the weekends for camping, playing and fishing.

28
29
30 QUESTION: HAVE YOU OR YOUR FAMILY UNDERTAKEN ANY EFFORTS TO
31 RESTORE THE LAND OR THE ENVIRONMENTAL QUALITY OF THE PROPERTY?
32

1 ANSWER: We keep the property in its natural state, trees shrubs and grasses are on the land
2 available to wildlife and the cattle to graze. The land is accessed frequently for recreational
3 purposes and upkeep.

4
5
6 QUESTION: ARE THERE ANY WATER WELL SITES ON THE PROPERTY?
7

8 ANSWER: No.
9

10
11 QUESTION: ARE THERE ANY GAS WELLS ON THE PROPERTY?
12

13 ANSWER: No.
14

15
16 QUESTION: ARE THERE ANY PIPELINE EASEMENTS ON THE PROPERTY?
17

18 ANSWER: No.
19

20
21 QUESTION: PLEASE DESCRIBE ANY PLANNED FUTURE USES OF YOUR PROPERTY
22 IF THOSE USES ARE DIFFERENT FROM THE CURRENT USES PREVIOUSLY
23 DESCRIBED.
24

25 ANSWER: We plan to build a house and a shop with well, septic, and electricity to move into
26 from our home in the city. We would like for our grandchildren to get to experience the serene
27 nature as our families have enjoyed for many previous generations.

28
29
30 QUESTION: DO ANY EXISTING TRANSMISSION OR DISTRIBUTION LINES CROSS
31 YOUR PROPERTY?
32

33 ANSWER: No.
34

35
36 QUESTION: ARE THERE CURRENT PLANS FOR OTHER UTILITY FEATURES ON
37 YOUR PROPERTY?

1
2 ANSWER: Not currently, as stated before, our plans to build our home on this property are on
3 hold at the present moment.

4
5
6 QUESTION: WOULD THE SEGMENTS THAT MIGHT IMPACT YOUR PROPERTY RUN
7 ALONG ANY BOUNDARY LINES OF YOUR PROPERTY?

8
9 ANSWER: No Segments would run along the boundary lines of our property.

10
11
12 QUESTION: HOW WOULD A 230-kV ELECTRIC TRANSMISSION LINE IMPACT YOUR
13 PROPERTY AND ITS OPERATIONS?

14
15 ANSWER: It would detract from the natural, pleasant and quiet surrounds that we have at this
16 time. We use the land to get away from the city, and this is a place we go for the peace and quiet.
17 The transmission line would be unsightly, noisy, and detract from the scenic beauty of the land.
18 The health risks associated with the power lines in such close proximity is the gravest concern of
19 all.

20
21
22 QUESTION: WOULD YOU HAVE TO REGULARLY DRIVE UNDER THE
23 TRANSMISSION LINE IF INSTALLED ON YOUR PROPERTY.

24
25 ANSWER: When travelling on my brother's property adjacent and to the west of ours, we
26 would be underneath proposed Segment R when working in the fields as it is proposed to bisect
27 his property from north to south. **See Exhibit A.**

28
29
30 QUESTION: DESCRIBE THE AESTHETIC IMPACT TO YOUR PROPERTY IF ETI
31 BUILDS A 230-kV TRANSMISSION LINE ON YOUR PROPERTY.

32
33 ANSWER: The transmission lines would be towering over our property directly to the west,
34 about 100 yards from the property line. It would be very unsightly and block the direction of the

1 sunset every evening. The surrounding access roads would detract from the natural land that we
2 have come to enjoy immensely.

3
4
5 QUESTION: IF THE TRANSMISSION LINE IS BUILT ON YOUR PROPERTY, DO YOU
6 HAVE ANY CONCERNS ABOUT ETI HAVING ACCESS TO YOUR PROPERTY?

7
8 ANSWER: Yes, we have the general concerns of landowners who are required to give third
9 parties access to their property. Also, this would materially affect the use of our property. We hope
10 ETI will respect our property.

11
12
13 QUESTION: IF THE TRANSMISSION LINE IS BUILT ON YOUR PROPERTY, DO YOU
14 HAVE ANY OTHER CONCERNS?

15
16 ANSWER: We have general safety and health concerns for living around transmission lines
17 and EMF issues. Because potential buyers may be aware of medical studies available on the
18 Internet arguing, correctly or not, a connection between high-powered transmission lines causing
19 health problems and possible cancer, we are concerned about a negative stigma being attached to
20 our property and the possible devaluation of our property value. In addition, the buzzing sounds
21 emanating from high-voltage transmission lines would be bothersome for people living near them.

22
23
24 QUESTION: IS THERE ANYTHING ELSE YOU WOULD LIKE THE ADMINISTRATIVE
25 LAW JUDGE AND THE PUBLIC UTILITY COMMISSION TO CONSIDER IN THIS
26 PROCEEDING?

27
28
29 ANSWER: We have been saving and planning a move out to the land our entire adult lives.
30 This transmission line would impact the value of the land and would more than likely destroy our
31 plans for moving out to the country. We would also respectfully ask that you take into
32 consideration the health risks associated with living in a proximity to a high voltage transmission

1 line. We would never want to intentionally expose any of the family, especially our grandchildren,
2 to a potentially dangerous environment when they come to visit us at the property.

3
4
5
6
7 **IV. CONCLUSION AND RECOMMENDATIONS**
8

9
10 QUESTION: HOW WOULD YOU SUMMARIZE THE EASTGATE ALLIANCE'S
11 POSITION IN THIS PROCEEDING REGARDING ETI'S RECOMMENDED ROUTE 2 AND
12 SEGMENTS C, H, M, O, P, Q, AND R, CUT-IN OPTION 3 AND ROUTES 3, 4, 5, AND 8?
13

14 ANSWER: We oppose ETI's use of Segments C, H, M, O, P, Q, and R, Cut-In Option Three,
15 and Routes 3, 4, 5, and 8 which utilize these Segments and Cut-In Option Three. We support ETI's
16 Recommended Route 2 as the route that best meets the overall community values and PURA §
17 37.056(c)(4) and P.U.C. SUBST. R. 25.101(b)(3)(B).
18

19
20 QUESTION: DOES THIS CONCLUDE YOUR TESTIMONY?
21

22 ANSWER: Yes.

R31499

29

R29897

P

R31499

24

R31385

R31384

R31386

25

R31033

26

R31332

R31034

R31331

R64446

R64447

R64448

County Road 6242

EXHIBIT
A
tabbles

W

County Road 6243

32537

27

28

R167687

R31404

SOAH Docket No. 473-20-0418
PUC Docket No. 49715
Page 11

EXHIBIT

B-1

tabbles

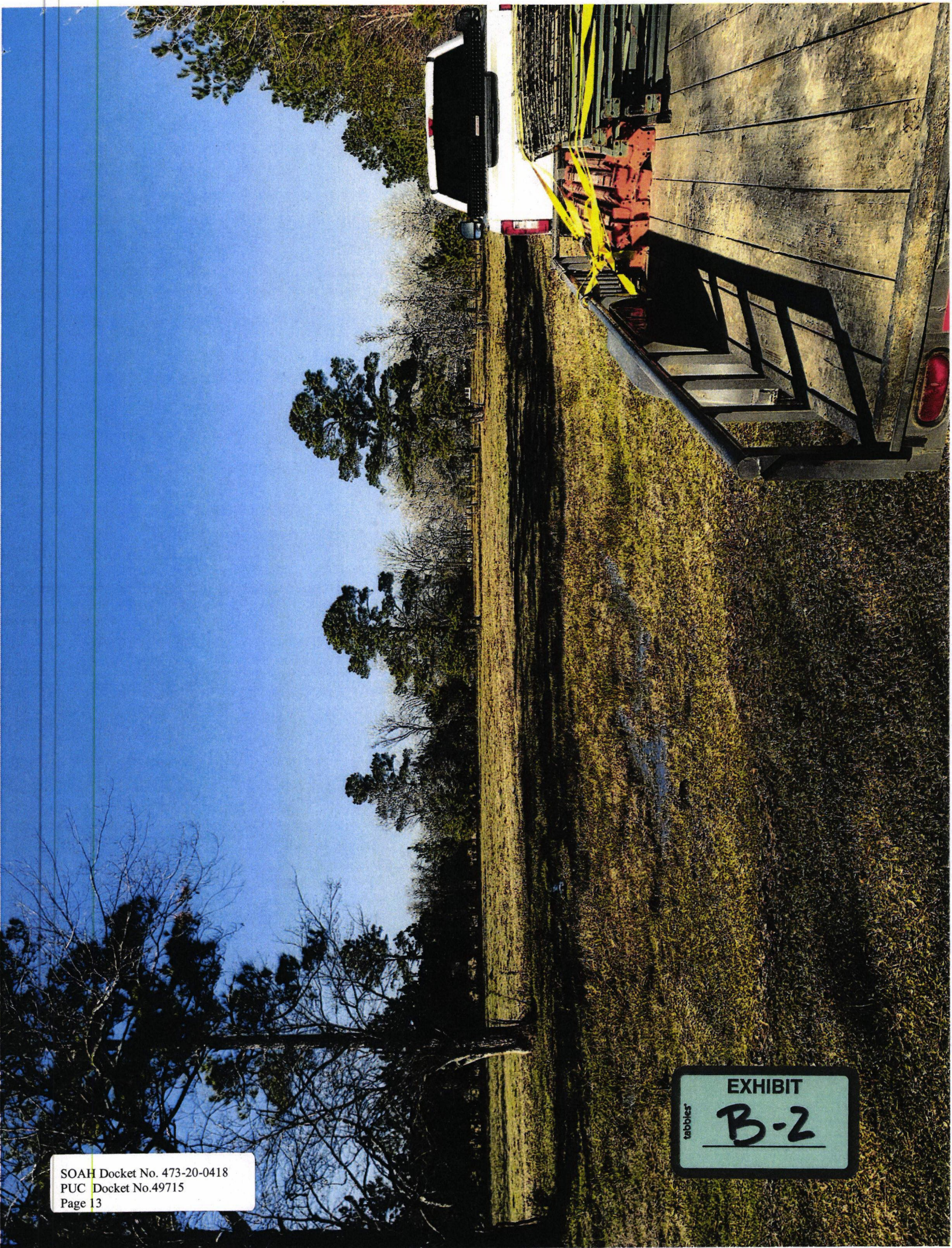


EXHIBIT
B-2