Control Number: 51023

Item Number: 410

Addendum StartPage: 0

Coffin | Renner

December 10, 2020

Address to PUC filing clerk

RE: PUC Docket No. 51023; SOAH Docket No. 473-21-0247 - *Application of the City of San Antonio to Amend its Certificate of Convenience and Necessity for the Scenic Loop 138-kV Transmission Line in Bexar County*

To the PUC Filing Clerk:

On December 8, 2020, Anaqua Springs Homeowners' Association ("Anaqua Springs") and Brad Jauer/BVJ Properties, LLC ("Jauer") filed a Joint Route Adequacy Hearing Statement and inadvertently excluded hearing exhibits. The exhibits are attached to this letter and are being sent by email to the parties who requested them.

Respectfully,

Ann M. Coffin
State Bar No. 00787941
Wendy K. L. Harvel
State Bar No. 00796719
C. Glenn Adkins
State Bar No. 24103097
Coffin Renner LLP
1011 West 31st Street
Austin, TX 78705
(512) 879-0900
(512) 879-0912 (fax)
ann.coffin@crtxlaw.com
wendy.harvel@crtxlaw.com
glenn.adkins@crtxlaw.com

ATTORNEYS FOR ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION

NID

SOAH DOCKET NO. 473-21-0247
PUC DOCKET NO. 51023

APPLICATION OF THE CITY OF SAN ANTONIO ACTING BY AND THROUGH THE CITY PUBLIC SERVICE BOARD (CPS ENERGY) TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE PROPOSED SCENIC LOOP 138-KV TRANSMISSION LINE	**§**	**BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS**

RECORDS AFFIDAVIT

Before me, the undersigned authority, personally appeared Mark Stephen Cichowski, who, being by me duly sworn, deposed as follows:

"My name is Mark Stephen Cichowski, I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated. I am the President of the Anaqua Springs Ranch Homeowner's Association and am familiar with the manner in which its records are created and maintained by virtue of my duties and responsibilities.

Attached are ten (10) pages of records. These are original records or exact duplicates of the original records.

It is the regular practice of Anaqua Springs Ranch Homeowner's Association to make or keep this type of record at or near the time of each act, event, condition, opinion, or diagnosis set forth in the record.

-----Original Message-----
From: CANNIZZO, JAMES V GS-15 USAF HAF AFLOA/JACE/FSC [mailto:james.cannizzo@us.af.mil]
Sent: Thursday, October 22, 2020 7:38 AM
To: steve@cichowskilaw.com
Subject: FW: RE: CPS Powerline Project and Conservation Easement and GCW Habitat Credits; Email from HOA

I would have not used some of the wording you use, but you are correct in the key point that unless the TNC and Pond Foundation agree to relinquish part of the conservation easement, the Army/Air Force cannot act -- we cannot force them to relinquish it. Ref GCWA mitigation credits, we would need credits from a FWS approved GCWA mitigation bank and even then a new section 7 formal consultation would have to be done.

Regards, Jim C
Jim Cannizzo, GS-15, USAF
Senior Attorney, Mission Sustainment and Planning AFLOA/JACE-FSC
3515 S. General McMullen, Suite 4060
JBSA-Lackland AFB, 78226
(210) 375-4142 teleworking from home

From: Steve Cichowski <steve@cichowskilaw.com <mailto:steve@cichowskilaw.com> >
Sent: Wednesday, October 21, 2020 12:41 PM
To: CANNIZZO, JAMES V GS-15 USAF HAF AFLOA/JACE/FSC <james.cannizzo@us.af.mil
<mailto:james.cannizzo@us.af.mil> >
Subject: [Non-DoD Source] RE: CPS Powerline Project and Conservation Easement and GCW Habitat Credits

Thank-you for taking the time to visit with me regarding the Pond Foundation property and the Conservation Easement. I am meeting with the other Board members tomorrow to brief them on what we discussed and want to confirm that I understood what we talked about.

To summarize, CPS Energy is planning a transmission line to improve service in the Scenic Loop/Boerne Stage Road area. CPS formerly proposed a possible route that had a short segment (segment 12) going through the old Maverick Ranch. Upon final submittal to the PUC, that segment had been removed. We were under the impression that it had been removed because the Army/Air Force would not give its agreement to CPS for that segment because it would result in a loss of Golden Cheeked Warbler Habitat credits now owned by the Army/Air Force. We (the group of homeowners represented by the Anaqua Springs HOA) proposed to acquire replacement credits and donate them to the Army/Air Force in exchange for the Army/Air Force giving its agreement to allow the route segment in question to be re-added to the routes being considered by the PUC. For this purpose we sought a meeting with the Army's representatives in order to present this proposal. Numerous e-mails were exchanged regarding the subject matter of the sought after meeting of which you are aware.

Prior to meeting with the Army, we were made aware that we were talking to the wrong people and that the Air Force was now the point of contact on this matter. You subsequently e-mailed me and we were able to visit this week regarding what we (the HOA) were proposing. After speaking with you it is my understanding that the things we were proposing are not within the Air Force' control, nor within the Air Forces authority under the Conservation Easement to agree to. In other words, the Air Force cannot give CPS Energy its agreement to go forward with the transmission line in the location we are talking about because the Conservation Easement does not grant it the authority do so. Based on our conversation it is my understanding that the only authority the Air Force has is the authority to enforce the terms of the Conservation Easement in the event the Nature Conservancy does not, and the authority to have the Easement transferred to the Air Force or other qualified entity in the event the Nature Conservancy dissolves or becomes incapable of monitoring and enforcing the terms of the Easement. I was left with the impression that it is the Air Force's position that it is up to the Nature Conservancy and the Grantors of the easement to agree to the location of a transmission line on the property.

Because it is so important to the Board members and affected homeowners that what I report to them is accurate, can you please confirm or correct any of the impressions I have taken away from our conversation. The proposed project is going to affect hundreds of home and land owners so your time is greatly appreciated.

Thank-you again for your time.

Steve Cichowski
Cichowski Law Firm, P.C.
Board Certified - Personal Injury Trial Law Texas Board of Legal Specialization
10500 Heritage Blvd., Suite 102
San Antonio, Texas 78216
210-223-5299 direct
210-870-1521 fax

From: CANNIZZO, JAMES V GS-15 USAF HAF AFLOA/JACE/FSC [mailto:james.cannizzo@us.af.mil]
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To: steve@cichowskilaw.com <mailto:steve@cichowskilaw.com>
Subject: CPS Powerline Project and Conservation Easement and GCW Habitat Credits

As I mentioned on the phone, very few people understand the difference between section 7 and 10 of the ESA, credits under Section 10 are not usable under Sec 7 (the federal agency section), see excerpt from SEPHCP website:

P 3:
WHO MAY USE THE SEP-HCP?
Landowners, developers, Bexar County, the City of San Antonio, and others conducting nonfederal activities within the jurisdictions of Bexar County or the City of San Antonio (excluding any portion of Comal County) may be eligible to achieve ESA compliance through the Plan.

https://www.fws.gov/southwest/es/Documents/R2ES/AUES_SEP_HCP_FINAL_11_13_201
5.pdf

The key issue in my mind as I relayed in the prior email, is TNC and Pond Foundation willingness to extinguish/relinquish part of the conservation easement for the 100 ft ROW. When we spoke with them last spring and when I checked back with them last week, they were not willing. Here are their POC contact #s:

Kathryn Tancig, Braun & Gresham:
Kathryn Tancig
Attorney and Counselor
512.894.5426

https://braungresham.com/meet-the-team/kathryn-tancig/

Justin G. Rice, Senior Attorney
The Nature Conservancy
200 E. Grayson St., Suite 202
San Antonio, TX 78215
Tele (210) 301-5779 direct
(210) 224-8774 <tel:+1(210)%202248774>

https://lawyers.findlaw.com/profile/view/4076872_1

Regards, Jim C
Jim Cannizzo, GS-15, USAF
Senior Attorney, Mission Sustainment and Planning AFLOA/JACE-FSC
3515 S. General McMullen, Suite 4060
JBSA-Lackland AFB, 78226
(210) 375-4142 teleworking from home

-----Original Message-----
From: CANNIZZO, JAMES V GS-15 USAF HAF AFLOA/JACE/FSC [mailto:james.cannizzo@us.af.mil]
Sent: Wednesday, October 14, 2020 4:56 PM
To: steve@cichowskilaw.com
Subject: CPS Project and Conservation easement and GCW habitat credits

The Joint Base POCs asked me to call you to explain the situation the Air Force is in. Until about 2 years ago I worked for the Army and was actually the one who arranged all of the Camp Bullis golden-cheeked warbler mitigation transactions from 2009-2013. I now work for the Air Force at a legal HQ at Lackland's Kelly Annex.

The options you laid out for John Anderson are NOT within the Air Force (or
Army's) control because the REPI conservation partner, TNC, and the underlying fee owner, the Pond Foundation, are unwilling to extinguish the easement. I re-verified this with TNC and the Pond Foundation today.

I tried calling the direct line in your email below, but it just rang without an answering machine. I have been working from home for the past 7 months, so my telework number is below if you wish to discuss this.

Regards, Jim C
Jim Cannizzo, GS-15, USAF
Senior Attorney, Mission Sustainment and Planning AF/JAOE
3515 S. General McMullen, Suite 4060
JBSA-Lackland AFB, 78226
(210) 375-4142 teleworking from home

From: TREVINO, RICHARD JR GS-15 USAF AETC 502 CEG/CL <richard.trevino@us.af.mil>
Sent: Wednesday, October 7, 2020 12:44 PM
To: steve@cichowskilaw.com; 'Rasmussen, Kirk' <krasmussen@jw.com>
Cc: JACKSON, CANDACE L GS-06 USAF AETC 502 CEG/CSS <candace.jackson@us.af.mil>; Anderson, John H CIV USAF 502 ABW (USA) <john.h.anderson54.civ@mail.mil>; MULHEARN, MARY H GS-14 USAF AFMC AFCEC/SAF/GCN-SA <mary.mulhearn@us.af.mil>
Subject: RE: [Non-DoD Source] RE: CPS Project and Conservation easement and GCW habitat credits

Mr. Cichowski,

Mr. John Anderson will be contacting you to reset with the correct points of contact.

Thank you for your understanding.

v/r, Richard

From: Steve Cichowski <steve@cichowskilaw.com <mailto:steve@cichowskilaw.com> >
Sent: Wednesday, October 7, 2020 12:28 PM
To: TREVINO, RICHARD JR GS-15 USAF AETC 502 CEG/CL <richard.trevino@us.af.mil <mailto:richard.trevino@us.af.mil> >; 'Rasmussen, Kirk' <krasmussen@jw.com <mailto:krasmussen@jw.com> >
Cc: JACKSON, CANDACE L GS-06 USAF AETC 502 CEG/CSS <candace.jackson@us.af.mil <mailto:candace.jackson@us.af.mil> >; Anderson, John H CIV USAF 502 ABW (USA) <john.h.anderson54.civ@mail.mil <mailto:john.h.anderson54.civ@mail.mil> >; MULHEARN, MARY H GS-14 USAF AFMC AFCEC/SAF/GCN-SA <mary.mulhearn@us.af.mil <mailto:mary.mulhearn@us.af.mil> >
Subject: [Non-DoD Source] RE: CPS Project and Conservation easement and GCW habitat credits

Mr. Trevino,

Understood. Just to be clear, do I need to call and reset with the proper persons, or will we be contacted?

Steve Cichowski
Cichowski Law Firm, P.C.
Board Certified - Personal Injury Trial Law Texas Board of Legal Specialization
10500 Heritage Blvd., Suite 102
San Antonio, Texas 78216
210-223-5299 direct
210-870-1521 fax

From: TREVINO, RICHARD JR GS-15 USAF AETC 502 CEG/CL [mailto:richard.trevino@us.af.mil]
Sent: Wednesday, October 07, 2020 10:03 AM
To: Steve Cichowski <steve@cichowskilaw.com <mailto:steve@cichowskilaw.com> >; Rasmussen, Kirk <krasmussen@jw.com <mailto:krasmussen@jw.com> >
Cc: JACKSON, CANDACE L GS-06 USAF AETC 502 CEG/CSS <candace.jackson@us.af.mil <mailto:candace.jackson@us.af.mil> >; Anderson, John H CIV USAF 502 ABW (USA) <john.h.anderson54.civ@mail.mil <mailto:john.h.anderson54.civ@mail.mil> >; MULHEARN, MARY H GS-14 USAF AFMC AFCEC/SAF/GCN-SA <mary.mulhearn@us.af.mil <mailto:mary.mulhearn@us.af.mil> >
Subject: CPS Project and Conservation easement and GCW habitat credits
Importance: High

Mr. Cichowski/Mr. Rasmussen,

Good morning. Hope all is safe and healthy for you and your families.

Sincerely apologize for the late notice, but I must cancel today's discussion concerning the CPS Energy project as it pertains to the Conservation easement and habitat credits.

It has been recently brought to my attention that the appropriate office to address your concerns is the Air Force Civil Engineer Center located on Joint Base San Antonio.

Mr. John Anderson, the 502d Air Base Wing Community Initiatives Director will contact you to facilitate any further meetings on this issue with the Air Force Civil Engineer Center. Mr. Anderson's contact information is 210-808-7513 (office) or 660-238-4708 (cell).

Again, I sincerely apologize for the late cancellation, as I know there has much time spent trying to set up this meeting. Sincerely appreciate your continued partnership with the United States Armed Forces and Joint Base San Antonio.

Respectfully, Richard

RICHARD TREVINO JR., P.E., GS-15
Director, 502d Civil Engineer Group
Joint Base San Antonio, Texas
(210) 221-0903

-----Original Message-----
From: CANNIZZO, JAMES V GS-15 USAF HAF AFLOA/JACE/FSC [mailto:james.cannizzo@us.af.mil]
Sent: Friday, October 23, 2020 9:46 AM
To: steve@cichowskilaw.com
Subject: RE: CPS Powerline Project and Conservation Easement and GCW Habitat Credits; 2nd Email from HOA

Ref the map you attached, off the top of my head, I do not know where the Maverick Range is in relation to the map routes, we would have to have a GIS tech plot it to understand route dynamics.

It is largely irrelevant what the route is and whether the AF/Army objects or supports a ROW through the Maverick easement. As long as the easement holder and property fee
interest owner do not agree to relinquishment, it cannot happen.

In the ACUB/REPI program we normally support our conservation partners. And undoing even part of the conservation easement would cause GCWA mitigation crediting issues and cause us to have to reopen our prior Section 7 ESA formal consultation.

I am not working today, just logged in for a few minutes to check my email.

Regards, Jim C
Jim Cannizzo, GS-15, USAF
Senior Attorney, Mission Sustainment and Planning AF/JAOE-FSC
3515 S. General McMullen, Suite 4060
JBSA-Lackland AFB, 78226
(210) 375-4142 teleworking from home

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Sent: Thursday, October 22, 2020 1:52 PM

To: CANNIZZO, JAMES V GS-15 USAF HAF AFLOA/JACE/FSC <james.cannizzo@us.af.mil>
Subject: [Non-DoD Source] RE: RE: CPS Powerline Project and Conservation Easement and GCW Habitat Credits; Email from HOA

Thank-you for your response. It seems the more I learn, the less I understand.

Can you answer this question that I will be asked:
1. Does the Air Force/Army object to the construction of a 138 kv transmission line, shown as Segment 12 on the attached proposed route map, across the property known as the old Maverick Ranch.

Steve Cichowski
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https://www.fws.gov/southwest/es/Documents/R2ES/AUES_SEP_HCP_FINAL_11_13_201
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Kathryn Tancig, Braun & Gresham:
Kathryn Tancig
Attorney and Counselor
512.894.5426

https://braungresham.com/meet-the-team/kathryn-tancig/

Justin G. Rice, Senior Attorney
The Nature Conservancy
200 E. Grayson St., Suite 202
San Antonio, TX 78215
Tele (210) 301-5779 direct
(210) 224-8774 <tel:+1(210)%202248774>

https://lawyers.findlaw.com/profile/view/4076872_1

Regards, Jim C
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Senior Attorney, Mission Sustainment and Planning AFLOA/JACE-FSC
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(210) 375-4142 teleworking from home

It is the regular practice of Anaqua Springs Ranch Homeowner's Association for this type of record to be made by, or from information transmitted by, persons with knowledge of the matters set forth in them.

It is the regular practice of Anaqua Springs Ranch Homeowner's Association to make or keep this type of record in the regular course of business activity.

It is the regular practice of the business activity to make or keep the records."

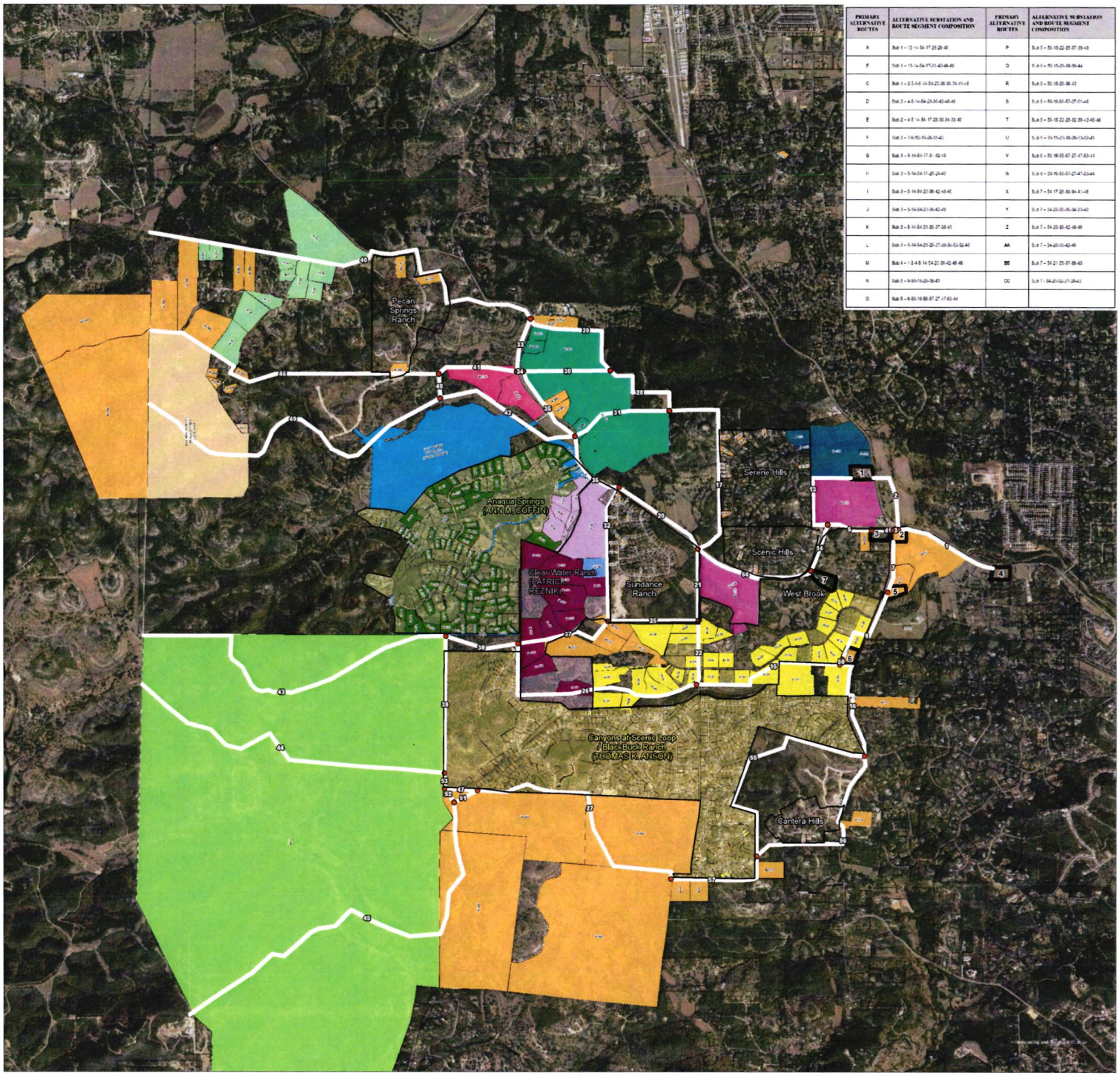
AFFIANT

SWORN TO AND SUBSCRIBED BEFORE ME on this the 7 day of Dec. 2020.

NOTARY PUBLIC FOR THE STATE OF TEXAS

ARGENTINA ORTIZ MARMOLEJO
Notary Public, State of Texas
Comm. Expires 06-23-2021
Notary ID 5492834

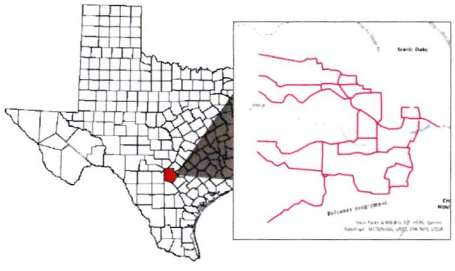
MY COMMISSION EXPIRES: 6/23/2021



PRIMARY ALTERNATIVE ROUTES	ALTERNATIVE SUBSTATION AND ROUTE SEGMENT COMPOSITION	PRIMARY ALTERNATIVE ROUTES	ALTERNATIVE SUBSTATION AND ROUTE SEGMENT COMPOSITION
A	Sub 1 – 13-14-54-17-20-29-40	P	Sub 5 – 50-15-22-35-37-38-43
B	Sub 1 – 13-14-54-17-31-42-48-49	Q	Sub 6 – 50-15-25-38-39-44
C	Sub 1 – 2-3-4-5-14-54-25-36-35-34-41-45	R	Sub 5 – 50-15-25-38-43
D	Sub 2 – 4-5-14-54-25-35-42-45-46	S	Sub 5 – 50-15-51-52-27-47-48
E	Sub 2 – 4-5-14-54-17-20-30-34-33-40	T	Sub 5 – 50-15-22-25-32-39-42-45-46
F	Sub 3 – 7-6-50-15-28-39-43	U	Sub 6 – 50-15-25-38-28-43-45
G	Sub 3 – 5-14-54-17-31-42-48	V	Sub 6 – 50-15-51-52-27-47-53-44
H	Sub 3 – 5-14-54-17-20-29-40	W	Sub 6 – 50-15-51-52-27-47-53-44
I	Sub 3 – 5-14-54-25-36-42-45-46	X	Sub 7 – 54-17-20-30-34-41-46
J	Sub 3 – 5-14-54-25-36-42-49	Y	Sub 7 – 54-20-30-35-34-53-42
K	Sub 3 – 5-14-54-25-35-37-38-43	Z	Sub 7 – 54-25-30-42-48-49
L	Sub 3 – 5-14-54-25-35-37-38-50-52-46	AA	Sub 7 – 54-20-35-42-49
M	Sub 4 – 1-2-4-5-14-54-25-36-42-48-46	BB	Sub 7 – 54-21-25-37-38-43
N	Sub 5 – 9-50-15-28-39-43	CC	Sub 7 – 54-20-52-37-38-43
O	Sub 5 – 9-50-16-38-37-27-47-53-44		

CPS Energy is the nation's largest municipally owned energy utility providing both natural gas and electric service. We serve more than 840,750 electric customers and 352,585 natural gas customers in and around San Antonio, the nation's seventh largest city. This map has been produced by CPS Energy for its own use. Accordingly, certain information, features or details may have been emphasized over others or may have been left out. CPS Energy does not warrant the accuracy of this map, either as to scale, accuracy or completeness.

Prepared by Refined Land Services.
10/27/2020



SEGMENTS
SUBSTATION
PROJECT NODE
ANAQUA SPRINGS RANCH
BLACKBUCK RANCH; THE CANYONS AT SCENIC LOOP; THOMAS K. ANSON
CLEAR WATER RANCH
ANDRES MEDRANO
BARRERA
BRADFORD W. BAYLIFF
JAMES K. SPIVEY
KATIE COLEMAN
LUKE E. KRAUS
LYNN SHERMAN
NISD
PATRICK CLEVELAND
PATRICK REZNIK
POLINA, BOUDKO
PRO-SE

Scenic Loop

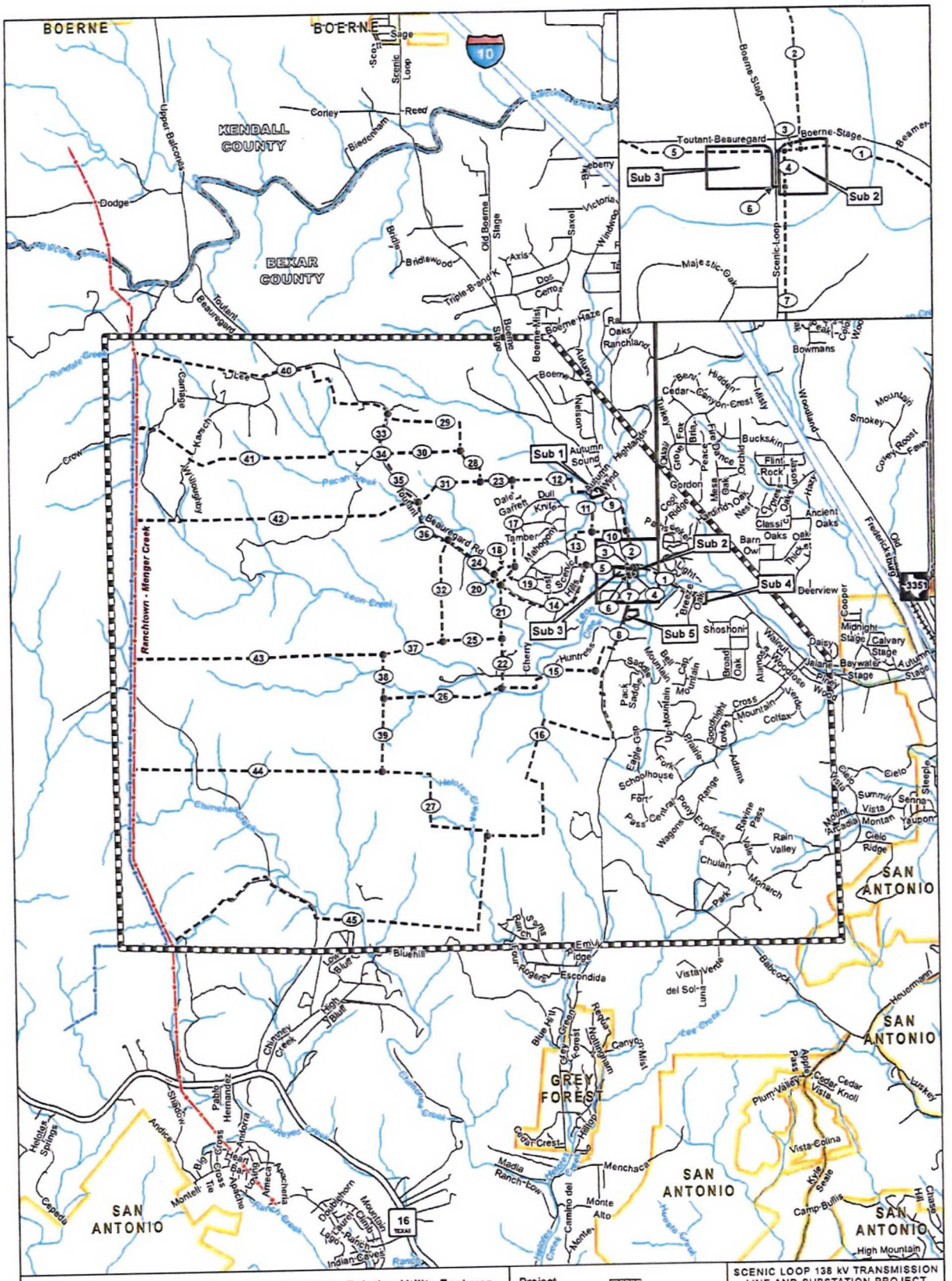
138kv Electric Transmission Project
Intervenors Map

0 0.32 0.64 Miles

N

Sheet 1 of 1
36"x42"

Rev.9
SOAH Docket No. 473-21-0247
PUC Docket No. 51023
AS/JAUER Exhibit 2


BOERNE
KENDALL COUNTY
BEXAR COUNTY
Sub 1
Sub 2
Sub 3
Sub 4
Sub 5
SAN ANTONIO
GREY FOREST
Project Components
Study Area Boundary
Preliminary Segment, Node, & Label
Preliminary Substation Site
Administrative Features
City Limits
County Boundary
Transportation Features
Interstate Highway
State Highway
FM Road
Local Road
Railroad
Surface Waters
River / Stream
Existing Utility Features
138 kV Transmission Line
345 kV Transmission Line
Project Location
TEXAS
Kendall County
Bexar County
SCENIC LOOP 138 kV TRANSMISSION LINE AND SUBSTATION PROJECT
Figure 2-2
Preliminary Segments Presented at Open House Meeting
0
4,000
8,000
Feet
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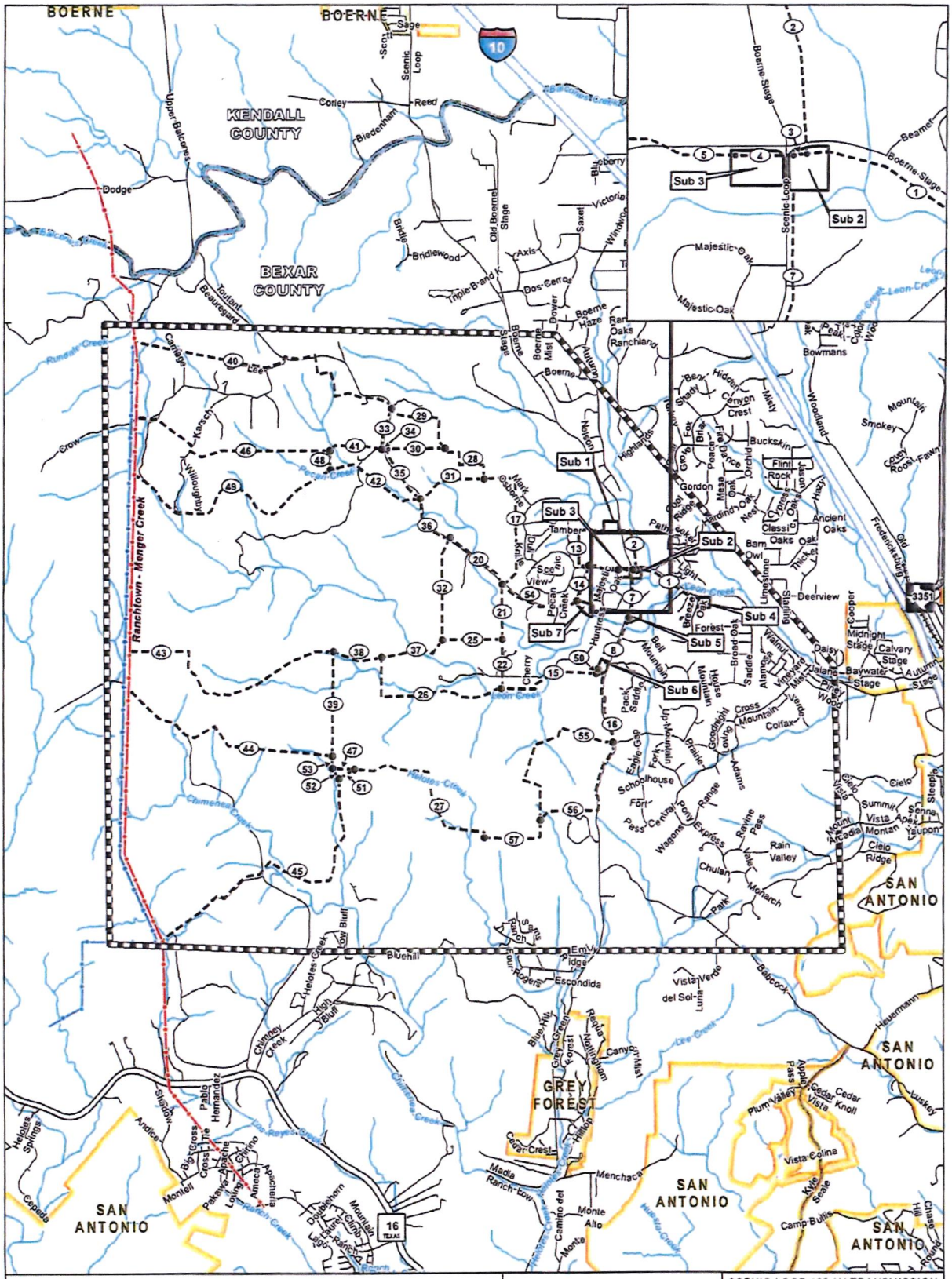

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Mark D Anderson PMP
14995 Boulder Pointe Road
EDEN PRAIRIE, MN 55347
Tel: (612) 345-1456
mda5551@hotmail.com

Mark D Anderson, PMP

Portfolio/Program/Project/Construction Manager, Expert Witness

SUMMARY

Senior level executive with extensive project/program management experience in the power sector. Persuasive negotiator with proven project management, problem-solving, decision-making, team building and leadership skills. Demonstrated ability to identify and mitigate risk, negotiate win/win outcomes while maintaining positive relationships, meet scheduled deadlines and manage costs within budgets while enhancing the bottom line. Analytical process oriented perspective used to establish, measure and monitor processes, and provide feedback for continuous process improvement. As an Expert Witness in three appearances at PUC's in two jurisdictions, my testimony and recommendations were incorporated into the final orders.

EXPERIENCE

MARK ANDERSON MANAGEMENT ASSOCIATES llc **10/2019 to 2/2020**
Managing Director
Provided route analysis and expert witness testimony for a client in Docket 49523 at the Public Utilities Commission of Texas, where my proposed routing recommendations were adopted. Currently providing route analysis and expert witness testimony in PUCT Dockets 50812 and 51023.

STANLEY CONSULTANTS, INC. **11/2017 to 6/2018**
Construction Manager
Provided Construction Management services to Lansing Board of Water and Light's West Side Reinforcement Project.

ALDRIDGE ELECTRIC **5/2016 to 10/2016**
Project Sponsor
Provided Business Development and Project Management services to Transmission Partners, a joint venture between Aldridge, Kiewit and Henkels and McCoy.

WESTWOOD PROFESSIONAL SERVICES **12/2014 to 5/2016**
Project Director
Developing marketing strategies designed to cater to the transmission sector, as well as mentoring project managers on transmission projects.

- Provided expert witness testimony for transmission line siting and routing in Docket 43878 at the Texas PUC. The PUC adopted my proposed route modifications.
- Developed fast track survey process to accelerate design and ROW acquisition.
- Developed access planning tools based on geo-referenced technology.

GREAT RIVER ENERGY – CapX2020 Brookings to Hampton Project
Project Manager **12/2011 to 8/2014**
Overall responsibility for pre-construction planning through energization. Project was initially approved for $738.5 million, now estimated at $670.7 million. Developed design and schedule optimization processes and implemented unique contracting and risk sharing strategies that resulted in the cost under-run.

MYR TRANSMISSION SERVICES, INC. **8/2010 to 12/2011**
Sr Project Manager
Managed the KETA project in central Kansas, significantly increased the profit margin from the initial bid and delivered the project on time. Managed multiple subcontractors for foundations, access, and vegetation management.

MARK ANDERSON MANAGEMENT ASSOCIATES llc **8/2009 to 8/2010**
Managing Director

Consultant on transmission business development opportunities for a major Midwest privately held construction company, a Denver based design engineering firm, and a national publicly traded electrical construction company.

KENNY CONSTRUCTION COMPANY **8/2008 to 8/2009**

Program Manager

P&L responsibility for a Program Management Office with a mid-west Transmission Utility for a portfolio of high voltage (345kV) transmission line and substation construction projects with an annual capital budget of +$150 million.

- Establish enhanced processes and controls that provided cash flows to +/- 5% of the monthly projection, while eliminating cost overruns.
- Implemented OSHA 30 hour training for all supervisory and field personnel.
- Optimized the constructability review process to consistently lower estimates by 5-10%.

XCEL ENERGY, INC. **2005 to 2008**

Senior Project Manager

Responsible for large Greenfield HV Transmission Projects

- Managed the SWTU EHV EPC project, about $150 million value, 150 miles of 345kV and 115kV, plus 3 new substations and modifications to 2 others.
- Negotiated a contract scope reduction to self perform the civil work scope that resulted in $15 million in savings compared to unit prices in the initial contract.
- Met scheduled ISD's and avoided $540 million in penalties notwithstanding a 9 month delay in obtaining a key permit.
- Developed a fast track project execution process that shortened permit to construction durations by 1 year.
- Provided expert witness testimony and routing recommendations to the Minnesota Public Utilities Commission, which were adopted by the Commission.

Manager, Transmission Project Management Office

Established the framework for a Project Management Office to standardize project management practices and better manage and track a capital budget that was doubling in size every year, better define roles and responsibilities within the Business Unit, select and roll out the primavera scheduling tool, and implement constructability review processes.

Sourcing Specialist

Hired to develop a fixed price lump sum EPC contract template for the transmission business unit.

- Managed the RFP process such that there was less than 1% difference in pricing between the two lowest bidders on a $150 million work scope after implementing a best and final series of bid clarifications that resulted in $8 million of price reductions.
- Developed metrics for unknown soils conditions that allowed competitive foundation bids as the geotech report was not yet completed.

MARK ANDERSON MANAGEMENT ASSOCIATES **2004 to 2005**

Managing Director

Managed consulting practice dedicated to risk mitigation for independent power producers.

NRG ENERGY, INC **1985 to 2004**

A multinational power and energy company that owns and operates a variety of energy-related operations worldwide.

Director, Contracts **2001 to 2004**

Senior commercial negotiator for large construction contracts, and program manager for lender's collateral while in bankruptcy.

- Negotiated the restructuring of a $600 million EPC contract for a greenfield one thousand megawatt project in Illinois when the prime contractor's parent became insolvent, maintaining original schedule.
- Developed and implemented a storage and preservation program for over $1 billion worth of combustion turbines and related equipment from terminated construction projects, saving over $10 Million

compared to original maintenance recommendations while maintaining resale value and Lender relationships.

- Closed a stagnant negotiation with project lenders on a greenfield 1,000MW project within a six week period, successfully avoiding project bankruptcy and/or lender foreclosure. Resulted in $1.8M fee for NRG and waiver of defaults to the credit facility. Managed subsequent completion of construction.

Executive Director, Commercial Portfolio Management, Europe	**1999 - 2001**
Executive Director, Asset Management, North America	**1998 – 1999**
Director, Contract Performance	**1995 – 1998**
Director, Business Development	**1992 – 1994**
Project Manager	**1990 - 1992**
Project Engineer	**1985 - 1990**

EDUCATION

Moorhead State University
BS Industrial Technology

CERTIFICATIONS

PMI Certified Project Management Professional (Lapsed)
OSHA 30 Certified

SOAH DOCKET NO. 473-21-0247
PUC DOCKET NO. 51023

APPLICATION OF THE CITY OF SAN ANTONIO TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE SCENIC LOOP 138-KV TRANSMISSION LINE IN BEXAR COUNTY	§ § § § § §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS

DIRECT TESTIMONY AND EXHIBITS

OF

ADAM R. MARIN, PE

ON BEHALF OF

APPLICANT
CPS ENERGY

November 6, 2020

SOAH DOCKET NO. 473-21-0247
PUC DOCKET NO. 51023
DIRECT TESTIMONY AND EXHIBITS OF ADAM R. MARIN, PE

TABLE OF CONTENTS

EXHIBITS

I. INTRODUCTION

Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.

A. My name is Adam R. Marin. My business address is: 500 McCullough Ave, San Antonio, Texas 78215.

Q. BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?

A. I am employed by the City of San Antonio (City), acting by and through the City Public Service Board (CPS Energy) as Regulatory Case Manager (RCM), and am providing testimony in this docket on behalf of CPS Energy.

Q. PLEASE DESCRIBE YOUR EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS AND BUSINESS EXPERIENCE.

A. I am a licensed Professional Engineer by the Texas Board of Professional Engineers. I have a Bachelor of Science degree in Electrical Engineering and a Master of Science degree in Management of Technology from the University of Texas, San Antonio. I began my career with CPS Energy in January of 2001 where I was hired into the Substation Design group. Shortly after I was hired, I volunteered to implement SAP as part of the Business Information System (BIS) Project. My responsibilities included developing the estimation and project structure to be used by future substation and transmission projects. My next assignment came as a founding member of CPS Energy's first project management area. While working in Project Management I worked with senior engineers and a project management professor/PhD to develop the initial project management framework based on Project Management Institute (PMI) standards. From Project Management, I moved to Transmission Engineering and spent the next 8+ years designing and managing the construction of transmission lines. In addition to engineering and construction of the transmission lines, I was responsible for working with the CPS Energy Right of Way (ROW) department to obtain new easements, resolving land owner issues, evaluating/procuring professional and non-professional contracts and bids, analyzing existing facilities for National Electrical Safety Code (NESC) compliance, and participating in routing and siting teams for transmission projects. After Transmission

Engineering, I moved to Standards and Specifications in the Distribution Engineering Department. There I worked on specifications for various transmission and distribution materials and worked on updating the Overhead Distribution Design Standards for CPS Energy. Following Standards and Specifications, I became manager of Overhead Engineering. I was manager of Overhead Engineering for nearly five years. Some of my responsibilities included: project/work order delivery, coordinating and communicating with the City and other government agencies, customer conflict resolution, teambuilding, problem solving, legal services requests/coordination, contract development, and code/standards compliance. Today, I am CPS Energy's Regulatory Case Manager (RCM) with the responsibilities described below. My resume is attached as Exhibit ARM-1.

Q. PLEASE DESCRIBE YOUR JOB RESPONSIBILITIES, PARTICULARLY AS THEY APPLY TO THIS PROJECT.

A. As the RCM for the proposed Scenic Loop 138-kilovolt (kV) Transmission Line Project (Project), I am responsible for managing and coordinating the preparation of CPS Energy's Application to Amend its Certificate of Convenience and Necessity (CCN) (Application). My involvement in the Project includes:

- Oversight of the public involvement process, including meetings with landowners and local officials;
- Overseeing the preparation by Power Engineers, Inc. (POWER) of the *Scenic Loop 138 kV Transmission Line and Substation Project Environmental Assessment and Alternative Route Analysis Bexar County, Texas* (EA);
- Managing the overall preparation of the Application, including coordinating with specialists from CPS Energy and POWER, and developing a suite of routes that address the applicable requirements of the Public Utility Regulatory Act (PURA) (see Exhibit ARM-2) and PUC Substantive Rules (see Exhibit ARM-3);
- Providing notice of the Application in accordance with all applicable PUC rules (see Exhibit ARM-4); and
- Providing testimony in support of the Application at the Commission.

Q. HAVE YOU TESTIFIED BEFORE THE COMMISSION PREVIOUSLY?

A. No, I have not.

II. PURPOSE OF TESTIMONY

Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THIS DOCKET?

A. My testimony addresses the following:

- A description of CPS Energy and an introduction of the witnesses providing testimony on behalf of CPS Energy in this proceeding;
- CPS Energy's compliance with the PURA and the Commission's rules, including compliance with requirements relating to the public participation process and the provision of notice; and
- The manner in which CPS Energy identified and evaluated a number of geographically diverse alternative transmission line routes and alternative substation locations for the Project in compliance with the rules and policies of the Commission.

Q. PLEASE BRIEFLY DESCRIBE THE TESTIMONY OF THE OTHER WITNESSES WHO PROVIDE DIRECT TESTIMONY ON BEHALF OF CPS ENERGY IN THIS DOCKET.

A. Mr. George Tamez, P.E., Director Grid Transformation & Planning, testifies regarding the purpose and need for the Project. Mr. Scott Lyssy, P.E., Manager Civil Engineering, testifies regarding the schedule, cost, design and operation of the new proposed transmission line and substation facilities. Ms. Lisa Meaux, Senior Project Manager for POWER, sponsors the EA and testifies regarding the preparation of the EA. Each witness also sponsors portions of the Application that correspond to his or her respective discipline.

Q. WHAT PORTIONS OF CPS ENERGY'S APPLICATION DO YOU SPONSOR?

A. I sponsor the responses to Questions 1, 2, 3, 9, 10, 12, 25, and 30 of the Application. I co-sponsor the response to Questions 4 and 7 with Mr. Lyssy and Mr. Tamez, the response to Question 6 with Mr. Lyssy and Ms. Meaux, the response to Question 11 with Mr. Tamez, the response to Question 17 with Mr. Lyssy, Ms. Meaux, and Mr. Tamez, and the responses to Questions 18, 19, and 29 with Ms. Meaux. I also co-sponsor with Mr. Lyssy, Ms. Meaux, and Mr. Tamez Section 1 of the EA, prepared by POWER, which is included as Attachment 1 to the Application. Additionally, I sponsor Attachments 7, 8, 9, 10, 11, and 12, co-sponsor with Mr. Tamez Attachment 2, and co-sponsor with Ms. Meaux Attachments 5 and 6 to the Application. A complete list of sponsorship is attached to my testimony as Exhibit ARM-5.

Q. WERE YOUR TESTIMONY AND THE PORTIONS OF THE APPLICATION YOU SPONSOR PREPARED BY YOU OR BY KNOWLEDGEABLE PERSONS UPON WHOSE EXPERTISE, JUDGMENT, AND OPINIONS YOU RELY IN PERFORMING YOUR DUTIES?

A. Yes.

Q. IS THE INFORMATION CONTAINED IN YOUR TESTIMONY AND IN THE PORTIONS OF THE APPLICATION YOU SPONSOR TRUE AND CORRECT TO THE BEST OF YOUR KNOWLEDGE AND BELIEF?

A. Yes.

III. DESCRIPTION OF CPS ENERGY AND THE PROJECT

Q. PLEASE DESCRIBE CPS ENERGY.

A CPS Energy is the largest municipally owned energy company in the nation. CPS Energy is independently governed by its own Board of Trustees, which has authority under statute and ordinance to operate and manage the electric system for the City and nearby areas.

Q. PLEASE DESCRIBE CPS ENERGY'S EXISTING TRANSMISSION FACILITIES.

A. Presently, CPS Energy owns and operates approximately 1,536 circuit miles of high voltage transmission lines in Central Texas within the Electric Reliability Council of Texas (ERCOT) region. In addition, CPS Energy owns or operates facilities at approximately 94 substations.

Q. PLEASE DESCRIBE THE PROJECT.

A. CPS Energy proposes to design and construct a new double-circuit 138 kV transmission line that will loop into and out of a new Scenic Loop Substation. The Project will connect the new proposed Scenic Loop Substation, located in the area of the intersection of Scenic Loop Road and Toutant Beauregard Road, to the existing electric grid from CPS Energy's existing Ranchtown to Menger Creek 138 kV transmission line, which is located approximately five miles to the west of the area where the new alternative Scenic Loop Substation sites have been identified.

CPS Energy is proposing the Project to provide substation infrastructure needed to reliably serve the continued electric load growth in the northwest area of Bexar County. Mr. Tamez' testimony provides detailed information on why CPS Energy is undertaking the Project and an associated discussion on the specific purpose of, and need for, the Project.

IV. IDENTIFICATION OF DIRECTLY AFFECTED PROPERTIES AND NOTICE

Q. PLEASE DESCRIBE CPS ENERGY'S PROCESS FOR IDENTIFYING LANDOWNERS THAT ARE DIRECTLY AFFECTED BY THE PROJECT.

A. CPS Energy follows the process established in PUC Procedural Rule 22.52, which requires it to notify directly affected landowners as identified on the current county tax rolls. According to the Commission's rule, land is directly affected if an easement or other property interest would be obtained over all or any portion of it, or if it contains a habitable structure that would be within 300 feet of the centerline of a transmission line of 230-kV or less. In addition to directly affected landowners, for this case CPS Energy also identified all parcels within 300 feet of the centerline of all routes included in the Application based on data from the Bexar County Appraisal District.

Q. PLEASE DESCRIBE THE NOTICE CPS ENERGY PROVIDED IN ASSOCIATION WITH THE APPLICATION FILING.

A. In accordance with PUC Procedural Rule 22.52, CPS Energy provided the following notice in association with the filing of the Application in this docket:

Landowner Notice: CPS Energy sent via first-class mail notice of the Application to all directly affected landowners. The notice included a description of the Project, a detailed map of the alternative routes, narrative segment descriptions, information about how to participate in the proceeding, and my name and phone number as a primary point of contact for interested persons to obtain additional information about the Project. The mailed notice also included the PUC Landowner Brochure and blank comment and intervention forms. A complete list of the landowners who were sent notice is included as Attachment 8 to the Application.

Published Notice: CPS Energy published a public notice in the *San Antonio Express News* on July 28, 2020, the week after the Application was filed with the PUC. A publishers' affidavit was filed with the Commission on August 11, 2020, showing proof of notice as required by Order No. 1. The *San Antonio Express News* is a newspaper of general circulation in Bexar County.

Notice to Counties and Municipalities: Concurrent with the filing of the Application, written notice was mailed by first-class mail to Bexar County officials and municipal authorities for the City of San Antonio, the City of Fair Oaks Ranch, the City of Grey Forest, and the City of Helotes.

Notice to Neighboring Utilities: Concurrent with the filing of the Application, written notice was mailed by first-class mail to Bandera Electric Cooperative and Pedernales Electric Cooperative, which are neighboring utilities providing electric utility service within five miles of the requested facility. CPS Energy also sent notice of the Application to LCRA Transmission Services Corporation.

Notice to Other Public Officials, Organizations, and Interested Parties: Concurrent with the filing of the Application, written notice was hand delivered or mailed by first-class mail to state and federal representatives and senators in whose districts the Project is proposed; the Northside Independent School District; the Office of Public Utility Counsel; and the Texas Department of Transportation. A complete list of the notices hand delivered or mailed to public officials, organizations, and other interested parties is included as Attachment 10 to the Application.

Notice to Department of Defense Siting Clearinghouse: Concurrent with the filing of the Application, written notice was mailed by first-class mail to the Department of Defense Siting Clearinghouse (DOD).

An affidavit attesting to the provision of mailed notice in compliance with the Commission's rules was filed with the Commission on August 11, 2020. The Commission issued Order No. 5 in this docket, finding CPS Energy's provision of notice to be sufficient.

Q. DID CPS ENERGY HOLD A PUBLIC OPEN HOUSE MEETING ABOUT THE PROJECT PRIOR TO FILING THE APPLICATION?

A. Yes. CPS Energy held a public open house meeting for the Project prior to filing this CCN Application on October 3, 2019, at the Cross Mountain Church, 24891 Boerne Stage Road in San Antonio, Texas.

Q. WHAT WAS THE PURPOSE OF THE PUBLIC OPEN HOUSE MEETING?

A. The purpose of the public open house meeting was to solicit comments and input from landowners, residents, public officials, and other interested parties concerning the Project, the route, and the CCN process for transmission lines. Further, CPS Energy used the public open house meeting to provide information about the Project, including the need for the Project and the certification process.

Q. DID CPS ENERGY PROVIDE NOTICE OF THE PUBLIC OPEN HOUSE MEETING PURSUANT TO PUC PROCEDURAL RULE 22.52?

A. Yes. CPS Energy mailed invitation letters to the open house meeting to landowners who owned property within 300 feet of a preliminary alternative route segment. Each landowner that received an invitation letter also received a map of the study area depicting the preliminary alternative route segments as well as a map showing the location of the public open house meeting. An advertisement for the open house was also published in the *San Antonio Express News* on September 22 and 29, 2019.

The notice CPS Energy provided in association with the public open house meeting is more fully described in response to Question 18 of the Application, Section 6.0 and Appendix B of the EA, and Section VII of my direct testimony below.

V. ROUTING IN COMPLIANCE WITH PURA AND THE COMMISSION'S RULES

Q. ARE YOU FAMILIAR WITH THE ROUTING CRITERIA IDENTIFIED IN PUC SUBSTANTIVE RULE 25.101(b)(3)(B)?

A. Yes. The routing criteria referenced in this part of the PUC's Substantive Rules are attached to my testimony as Exhibit ARM-3.

Q. BRIEFLY DESCRIBE THE ROUTING CRITERIA CONTAINED IN PUC SUBSTANTIVE RULE 25.101(b)(3)(B).

A. PUC Substantive Rule 25.101(b)(3)(B) requires that, to the extent reasonable without compromising reliability and safety and considering the requirements of PURA § 37.056 (attached as Exhibit ARM-2), engineering constraints, and costs, proposed electric transmission lines should be routed in such a manner as to:

1. Parallel or utilize existing compatible right-of-way (ROW) for electric facilities, including the use of vacant positions on existing multiple-circuit transmission lines;
2. Parallel or utilize other existing compatible ROW; including roads, highways, railroads, or telephone utility ROW;
3. Parallel property lines or other natural or cultural features; and
4. Conform to the PUC's policy of prudent avoidance.

Q. WERE THE ROUTES AND SEGMENTS INCLUDED IN THE APPLICATION IDENTIFIED IN ACCORDANCE WITH THE COMMISSION'S ROUTING CRITERIA?

A. Yes. Considering PURA Section 37.056 and PUC Substantive Rule 25.101(b)(3)(B), including the PUC's policy of prudent avoidance, CPS Energy has reasonably routed the Project's alternative routes to moderate the impact on the affected community and directly affected landowners. CPS Energy has done so by paralleling road and highway ROW, paralleling property lines where reasonable, and by paralleling other existing compatible natural or cultural routing features.

Q. ARE THE ROUTES IN THE APPLICATION CONSISTENT WITH THE PUC'S POLICY OF PRUDENT AVOIDANCE?

A. Yes. The proposed alternative routes and segments for the Project have been identified in accordance with the PUC's prudent avoidance policy. All of the proposed alternative routes and segments composing such routes reflect reasonable investments of money and effort in order to limit exposure to electric and magnetic fields.

Q. DO YOU HAVE AN OPINION REGARDING THE ELECTRIC AND MAGNETIC FIELDS (EMF) THAT MAY BE EMITTED FROM THE PROPOSED TRANSMISSION LINE FACILITIES?

A. Yes, I do. I know that members of the public can at times feel concerned regarding EMF associated with electric transmission line facilities. As I described at the start of my testimony, I have spent most of the last 20 years working for CPS Energy in the distribution and transmission engineering groups. I am familiar with the concepts of EMF associated with both distribution and transmission lines. The levels of EMF that will be associated with the Project proposed in this proceeding are similar to those associated with CPS Energy's double circuit 138 kV facilities throughout Central Texas and consistent with levels emitted from similarly designed and loaded double circuit 138 kV transmission facilities owned and operated by other utilities throughout Texas.

Q. PLEASE EXPLAIN THE STEPS TAKEN BY CPS ENERGY TO REDUCE THE IMPACTS TO LANDOWNERS THAT MAY RESULT FROM CONSTRUCTION OF THE PROJECT.

A. CPS Energy has proposed alternative routes that parallel and/or utilize existing compatible ROW (such as roads), follow compatible natural or cultural routing features, and parallel apparent property lines where reasonable. Additionally, CPS Energy made routing adjustments (as described in the EA in Section 6.1) in part based on input from the public where reasonable and practical.

Q. DOES THE APPLICATION CONTAIN AN ADEQUATE NUMBER OF ALTERNATIVE ROUTES TO CONDUCT A PROPER EVALUATION?

A. Yes. As proposed, the Project includes alternative routes to the seven proposed Scenic Loop Substation sites from six possible tap points off the existing Ranchtown to Menger Creek 138 kV transmission line. In her testimony, Ms. Meaux addresses in greater detail the diversity of alternative routing options included in the Application that result from the combination of segments, six alternative end points, and the seven alternative sites identified for the new Scenic Loop Substation.

Q. IS CPS ENERGY REQUIRED TO IDENTIFY AN ALTERNATIVE ROUTE IN THE APPLICATION THAT IT BELIEVES BEST ADDRESSES THE REQUIREMENTS OF PURA AND THE COMMISSION SUBSTANTIVE RULES?

A. Yes. Question 17 of the Commission's CCN application form requires an applicant to identify the "alternative route the applicant believes best addresses the requirements of PURA and PUC Substantive Rules." CPS Energy identified Route Z as the route that best addresses the requirements of PURA and the Commission's Substantive Rules. However, while CPS Energy identified Route Z as the route that best addresses the requirements of PURA and the Commission's Substantive Rules at the time of the filing of the Application, all 29 routes in the Application, and any reasonably forward-progressing route that can be delineated from the 48 individual route segments that serve to connect any of the six proposed tap points on the existing Ranchtown to Menger Creek 138 kV transmission line to one of the seven Scenic Loop Substation alternatives are viable options available for approval by the Commission.

Q. IS ROUTE Z CPS ENERGY'S PREFERRED OR RECOMMENDED ROUTE?

A. No, neither Route Z, nor any other route, is CPS Energy's "preferred" or "recommended" route. PUC Procedural Rule 22.52(a)(4) states that "[i]n the notice for the public meeting, at the public meeting, and in other communications with a potentially affected person, the utility shall not describe routes as preferred routes or otherwise suggest that a particular route is more or less likely to be selected than one of the other routes."

Thus, Route Z is simply the route CPS Energy identified at the time of the filing of the Application as the route it believes best addresses the requirements of PURA and the PUC's Substantive Rules.

VI. PROPOSED SUBSTATION LOCATIONS

Q. WHAT CRITERIA DID CPS ENERGY AND POWER CONSIDER IN IDENTIFYING POSSIBLE ALTERNATIVE SUBSTATION SITES FOR THE NEW SCENIC LOOP SUBSTATION?

A. CPS Energy and POWER considered the following guidelines in identifying possible alternative sites for the Scenic Loop Substation:

- Capability to meet the need for the Project;
- Approximately five acres in size;
- Generally level terrain;
- Ease of access and proximity to paved roads;
- Consideration of habitat, floodplain, and potentially impacted environmental features and land uses;
- Proximity to existing CPS Energy electric distribution facilities;
- Avoidance of buried utility infrastructure (e.g., pipelines) on the site; and
- Single parcel/tract rather than multiple parcels/tracts.

Q. HAS CPS ENERGY IDENTIFIED ALTERNATIVE SITES FOR THE NEW SCENIC LOOP SUBSTATION THAT ADDRESS THESE CRITERIA?

A. Yes. With the assistance of POWER, CPS Energy identified, evaluated, and submitted seven possible alternative sites for the new Scenic Loop Substation.

VII. PUBLIC INVOLVEMENT

Q. PLEASE DESCRIBE CPS ENERGY'S PUBLIC INVOLVEMENT ACTIVITIES FOR THE PROJECT.

A. CPS Energy held an open house meeting for the Project on October 3, 2019, from 5:30 p.m. to 7:30 p.m. at the Cross Mountain Church Student Center in San Antonio, Texas. CPS Energy mailed 592 written notices of the meeting to all owners of property within 300 feet of each preliminary alternative route segment centerline. Additional letters were sent to elected officials, the DOD, and other interested parties. In addition, a public notice was published in the *San Antonio Express News*, a newspaper having circulation within Bexar County, on September 22 and 29, 2019. The mailed and published notices announced the

location, time, and purpose of the meetings. A representative copy of the mailed and published newspaper notice is located in Appendix B of the EA.

The meetings had the following objectives:

- Promote a better understanding of the Project, including its purpose, need, potential benefits, and impacts, and of the PUC certification process;
- Inform the public with regard to the routing procedure, schedule, and route approval process; and
- Gather the values and concerns of the public and community leaders.

The meetings were configured in an informal information station format with each station assigned to a particular aspect of the project or routing process and staffed with CPS Energy or POWER personnel. These stations included maps, illustrations, photographs, and text explaining each topic. In addition, POWER provided GIS computer stations to show the extent of the project, the proposed preliminary alternative route segments, Bexar County Appraisal District parcel boundaries, and recent aerial photography of the project area. GIS-trained staff members were available to answer detailed questions regarding the proposed location of the transmission line segments and other features of interest to the public. Attendees were encouraged to visit each station so that the entire process could be explained in the sequence of project development. The information station format is typically advantageous because it allows attendees to process information in a more relaxed manner, to focus on their particular area of interest, and to ask specific questions. Furthermore, the one-to-one discussions with CPS Energy or POWER personnel encouraged more interaction from those attendees who might be hesitant to participate in a more formal speaker-audience format.

A total of 172 people signed in at the open house meeting. In some cases, only one spouse or family member signed in when more than one may have been present. The following documents were made available at the open house and on CPS Energy's project website: a brochure providing an overview of the Project, a questionnaire, a preliminary route segment map, and a frequently asked questions document (see Appendix B of the EA). The State of Texas Landowner's Bill of Rights and the PUC's brochure entitled "Landowners and Transmission Line Cases at the PUC" were also available at the open house. Some attendees handed in completed questionnaires at or shortly after the meeting (totaling 146), while others took questionnaires with them, acquired questionnaires from

neighbors, or accessed questionnaires from CPS Energy's Scenic Loop Project website. A total of 40 additional completed questionnaires were sent to CPS Energy following the open house meeting. Thus, a total of 186 questionnaires were received by CPS Energy at or following the public open house meeting. Additionally, CPS Energy received public comments in the form of letters or emails.

Additional information concerning the public involvement program and summarizing the questionnaire results is located in Section 6.0, pages 6-1 through 6-4, of the EA. A representative copy of the questionnaires provided for the Project is included in Appendix B of the EA.

Q. HAS CPS ENERGY COMMUNICATED WITH THE PUBLIC IN ADDITION TO THE OPEN HOUSE MEETINGS?

A. Yes. Following the open house meetings, CPS Energy received questionnaires and other input from landowners located within the study area. CPS Energy also maintains a Project website to provide the public with updates about the Project.

VIII. SUMMARY AND CONCLUSION

Q. PLEASE SUMMARIZE YOUR TESTIMONY.

A. Each of the proposed alternative routes presented in the Application complies with the factors in PURA Section 37.056 and Commission Substantive Rule 25.101(b)(3)(B), including the policy on prudent avoidance. CPS Energy is willing to build any of the 29 routes contained in the Application or any other reasonably forward-progressing route composed of the route segments contained in the Application that meet the need for the Project.

Q. DOES THIS CONCLUDE YOUR DIRECT TESTIMONY?

A. Yes.

Adam R. Marin, PE

Profile

I am a native San Antonioian and a licensed Professional Engineering in the state of Texas with nearly 20 years experience in Transmission and Distribution. I am a motivated, personable engineering professional with a Master of Science in Management of Technology and successful track record in project delivery, leadership, customer service and team management. My skills also include: diplomacy with professionals and non-professionals, leading cross functional teams, contract development, delivery of large/small scale construction projects, vendor alliances, professional services, corporate initiatives and stand-alone projects.

Licensed by the Texas Board of Professional Engineers (License# 114412)

Education

UNIVERSITY OF TEXAS AT SAN ANTONIO – SAN ANTONIO, TX
Bachelor of Science, Electrical Engineering 2000

UNIVERSITY OF TEXAS AT SAN ANTONIO – SAN ANTONIO, TX
Master of Science, Management of Technology 2006

Skills Summary

- Project Management
- Report Preparation
- Written Correspondence
- Negotiation
- Fostering Trust
- Teamwork
- Customer Service
- Scheduling
- Listening
- Coaching People
- Analytical Thinking
- Decision Making
- Budgeting
- Professional Presentations

Employment History

CPS ENERGY – San Antonio, TX
Substation Engineering, Engineer (January 2001 to March 2001)

BIS Project, Engineer (April 2001 to May 2002)

EDS Project Management, Engineer (May 2002 to February 2004)

Transmission Engineering, Sr. Engineer (February 2004 to September 2012)

EDS Standards and Specifications, Sr. Engineer (September 2012 to March 2015)

Overhead Engineering, Manager (March 2015 to November 2019)

Regulatory Case Manager (December 2019 to Present)

Professional Experience

CORPORATE INITIATIVES

- Represented EDS in multiple cross disciplinary teams
  - Manage Information Resources Process Improvement – A corporate process improvement team intended to oversee and initiate improvements corporate wide for CPS Energy's information technology infrastructure.
  - Outage Management System (OMS)/Geographic Information System (GIS) Project – Subject matter expert (SME) responsible for conversion of all transmission map data over to the new GIS system.
  - VIRSA Project – SME/Role Custodian responsible for SAP Project Systems roles and security.

Adam R. Marin, PE

- Materials Management Process Improvement – SME for corporate process improvement team intended to oversee and initiate improvements corporate wide for CPS's stock and non-stock materials.

BUSINESS INFORMATION SYSTEM (BIS) PROJECT

- Analyzed, designed and made recommendations for new Configurable Standard Networks (CSNs). CSNs are planning and construction macros used for the construction and planning of capital substation and transmission projects at CPS Energy.
- Developed one hundred thirteen CSNs for the launch of SAP.
- Provided technical support on Project Systems for "Go Live" (SAP official launch)

EDS PROJECT MANAGEMENT

- Analyzed and mapped CPS Energy substation and transmission construction practices
  - Analysis of substation and transmission line projects included a full life cycle analysis of project execution, including process mapping of the entire project life cycle, starting in the initiation/acquisition phase, and then proceeding through the planning/design phase, construction phase, and finally ending in the closing phase.
- Provided recommendations on new processes for funding, designing, planning and constructing of large capital projects.
- Developed training materials and classes for engineering staff.
- Assisted in the development of risks (technical, social, political and environment) used in project prioritization matrix.
- Analyzed and updated approximately 35 CSNs with new functionality to cover a wider array of engineering designs. The updates also provided new estimates for construction crew/labor used in planning projects.

TRANSMISSION ENGNEERING

- Designed high voltage transmission lines (138kV & 345kV) based on analysis of customer needs, schedule, budget, and surveys. This includes meeting National Electric Safety Code (NESC) for transmission lines, local, state, and federal regulations/ordinances and CPS Energy standards for transmission line design and construction. Exercised due diligence in obtaining all the necessary materials, permits, funding, construction personnel and equipment to complete designs.
- Initiated, developed, evaluated, and managed a variety of professional, construction and service contracts.
  - Engineering Design Consultants
  - Professional Land Surveyors
  - Aerial Surveyors (LIDAR)
  - Subsurface Utility Engineering
  - Transmission Construction
  - Material Alliances
  - Lightning Data Services
  - Design Software (ex. PLS-CADD©)
- Transmission/Substation Root Cause Team - Conduct analyses on lightning performance of the transmission system using the Fault Analysis and Lightning Location Software (FALLS). Determine if line operations were caused by lightning, the magnitude of any lightning strokes causing the operation, and recommend action to prevent future line operations and increase reliability.
- Reviewed survey plats and subdivision plans for possible conflicts with transmission facilities based on National Electric Safety Code & CPS Energy standards for safety.
- Acquired training courses for Professional Development Units for other Professional Engineers at CPS Energy.
- Electric Power Research Institute (EPRI) – represented CPS Energy on two EPRI task forces: Lightning and Grounding, and Insulators. Reviewed and provided feedback on the development of Polymer Insulator Standard. Provided feedback and assistance in the development of new products.
- Primary engineer for Transmission Line Rating Project – Responsible for managing preliminary engineering analysis of entire CPS Energy transmission system to meet North American Electric Reliability Corporation (NERC) requirements.

Adam R. Marin, PE

STANDARDS AND SPECIFICATIONS

- Edit, review and approve EDS specifications, focusing on Transmission, Civil and Substation Engineering.
- Reviewing proposed Distribution Design Standards.
- Collaborating and leading division initiatives
    - Leading review and implementation of changes to distribution Compatible Units (CUs) for Distribution performance and efficiency improvement plans.
    - Collaborating with various areas for implementation of Transmission/Substation performance and efficiency improvement plans.
    - Provided data management support for LED Streetlight Initiative
- Meet with manufactures and vendors to evaluate new and existing products for use in the CPS Energy Electric System.

OVERHEAD ENGNEERING

- Lead team of professional and non-professional staff in the design of CPS Energy Overhead Distribution System
- Primary engineer of record ensuring technical review, sign and seal of overhead designs
- Participated in cross functional team to develop and long-term supply of new LED street lighting
    - Included economic development
- Managed various major streetlight initiatives providing technical support, estimates, reporting, invoicing and future planning
    - City of San Antonio (COSA) District 5 (Streetlight) Infill Project
    - COSA Eastpoint (Streetlight) Project
    - 30k Residential LED Deployment
- Participated in development, evaluation, and execution on multi-year engineering contracts to support Overhead, Underground and Customer Engineering ($49 million)
- Consistently improved employee engagement scores
- Professional development of new engineers and designers
- Active member/presenter on Southwest Electric Distribution Exchange (SWEDE) Design Committee
- Manage over 50 design consultants working within CPS Energy across multiple engineering firms
- Responsible for managing over $65 million annually in design projects

REGULATORY CASE MANAGER

- Provide oversight and guidance to the Routing & Siting Project Team to ensure management of activities are in compliance with PURA and the Public Utility Commission (PUC) rules
- Provide expert testimony in any proceedings with regards to routing and siting of new transmission lines
- Communicate with all levels of leadership at CPS Energy with regarding regulations and legislation
- Interact and communicate with public regarding transmission projects
- Work with environmental staff and consultants in preparation of transmission line routing studies and environmental assessments for new electric transmission lines and system upgrades
- Monitor and manage project schedules
- Prepare and review filing packages

PUBLIC UTILITY REGULATORY ACT

Title II, Texas Utilities Code

(As Amended)

Effective as of September 1, 2019

PUBLIC UTILITY COMMISSION OF TEXAS

Sec. 37.054. NOTICE AND HEARING ON APPLICATION.

(a) When an application for a certificate is filed, the commission shall:

(1) give notice of the application to interested parties and to the office; and

(2) if requested:

(A) set a time and place for a hearing; and

(B) give notice of the hearing.

(b) A person or electric cooperative interested in the application may intervene at the hearing.

(V.A.C.S. art. 1446c-0, sec. 2.255(a).) (Amended by Acts 1999, 76th Leg., R.S., ch. 405 (SB 7), § 31 (amended subsec. (b)); Acts 2011, 82nd Leg., R.S., ch. 416 (SB 855), § 2 (amended subd. (a)(1)).)

Sec. 37.0541. CONSOLIDATION OF CERTAIN PROCEEDINGS.

The commission shall consolidate the proceeding on an application to obtain or amend a certificate of convenience and necessity for the construction of a transmission line with the proceeding on another application to obtain or amend a certificate of convenience and necessity for the construction of a transmission line if it is apparent from the applications or a motion to intervene in either proceeding that the transmission lines that are the subject of the separate proceedings share a common point of interconnection. This section does not apply to a proceeding on an application for a certificate of convenience and necessity for a transmission line to serve a competitive renewable energy zone as part of a plan developed by the commission under Section 39.904(g)(2).

(Added by Acts 2009, 81th Leg., R.S., ch. 1170 (HB 3309), § 1.)

Sec. 37.055. REQUEST FOR PRELIMINARY ORDER.

(a) An electric utility that wants to exercise a right or privilege under a franchise or permit that the utility anticipates obtaining but has not been granted may apply to the commission for a preliminary order under this section.

(b) The commission may issue a preliminary order declaring that the commission, on application and under commission rules, will grant the requested certificate on terms the commission designates, after the electric utility obtains the franchise or permit.

(c) The commission shall grant the certificate on presentation of evidence satisfactory to the commission that the electric utility has obtained the franchise or permit.

(V.A.C.S. art. 1446c-0, sec. 2.258.) (Amended by Acts 2009, 81st Leg., R.S., ch. 1170 (HB 3309), § 4 (amended subsecs. (a), (b), and (c)); Acts 2019, 86th Leg. R.S., ch. 44 (SB 1938), § 3 (amended subsecs. (a), (b), and (c)).)

Sec. 37.056. GRANT OR DENIAL OF CERTIFICATE.

(a) The commission may approve an application and grant a certificate only if the commission finds that the certificate is necessary for the service, accommodation, convenience, or safety of the public.

(b) The commission may:

(1) grant the certificate as requested;

(2) grant the certificate for the construction of a portion of the requested system, facility, or extension or the partial exercise of the requested right or privilege; or

(3) refuse to grant the certificate.

(c) The commission shall grant each certificate on a nondiscriminatory basis after considering:

(1) the adequacy of existing service;

(2) the need for additional service;

(3) the effect of granting the certificate on the recipient of the certificate and any electric utility serving the proximate area; and

(4) other factors, such as:

(A) community values;

(B) recreational and park areas;

(C) historical and aesthetic values;

(D) environmental integrity;

(E) the probable improvement of service or lowering of cost to consumers in the area if the certificate is granted; and

(F) to the extent applicable, the effect of granting the certificate on the ability of this state to meet the goal established by Section 39.904(a) of this title.

(d) The commission by rule shall establish criteria, in addition to the criteria described by Subsection (c), for granting a certificate for a transmission project that serves the ERCOT power region, that is not necessary to meet state or federal reliability standards, and that does not serve a competitive renewable energy zone. The criteria must include a comparison of the estimated cost of the transmission project and the estimated cost savings that may result from the transmission project. The commission shall include with its decision on an application for a certificate to which this subsection applies findings on the criteria.

(e) A certificate to build, own, or operate a new transmission facility that directly interconnects with an existing electric utility facility or municipally owned utility facility may be granted only to the owner of that existing facility. If a new transmission facility will directly interconnect with facilities owned by different electric utilities or municipally owned utilities, each entity shall be certificated to build, own, or operate the new facility in separate and discrete equal parts unless they agree otherwise.

(f) Notwithstanding Subsection (e), if a new transmission line, whether single or double circuit, will create the first interconnection between a load-serving station and an existing transmission facility, the entity with a load-serving responsibility or an electric cooperative that has a member with a load-serving responsibility at the load-serving station shall be certificated to build, own, or operate the new transmission line and the load-serving station. The owner of the existing transmission facility shall be certificated to build, own, or operate the station or tap at the existing transmission facility to provide the interconnection, unless after a reasonable period of time the owner of the existing transmission facility is unwilling to build, and then the entity with the load-serving responsibility or an electric cooperative that has a member with a load-serving responsibility may be certificated to build the interconnection facility.

(g) Notwithstanding any other provision of this section, an electric utility or municipally owned utility that is authorized to build, own, or operate a new transmission facility under Subsection (e) or (f) may designate another electric utility that is currently certificated by the commission within the same electric power region, coordinating council, independent system operator, or power pool or a municipally owned utility to build, own, or operate a portion or all of such new transmission facility, subject to any requirements adopted by the commission by rule.

(h) The division of any required certification of facilities described in this section shall apply unless each entity agrees otherwise. Nothing in this section is intended to require a certificate for facilities that the commission has determined by rule do not require certification to build, own, or operate.

(i) Notwithstanding any other provision of this section, an electric cooperative may be certificated to build, own, or operate a new facility in place of any other electric cooperative if both cooperatives agree.

(V.A.C.S. art. 1446c-0, secs. 2.255(b), (c).) (Amended by Acts 2003, 78th Leg., R.S., ch. 295 (HB 2548), § 2 (added subd. (c)(4)(F)); Acts 2011, 82nd Leg., R.S., ch. 949 (HB 971), § 2(a) (added subsec. (d)); Acts 2019, 86th Leg. R.S., ch. 44 (SB 1938), § 4 (added subsecs. (e), (f), (g), (h), and (i)).)

CHAPTER 25. SUBSTANTIVE RULES APPLICABLE TO ELECTRIC SERVICE PROVIDERS.

Subchapter E. CERTIFICATION, LICENSING AND REGISTRATION.

§25.101. Certification Criteria.

(a) **Definitions.** The following words and terms, when used in this section, shall have the following meanings unless the context clearly indicates otherwise:

(1) **Construction and/or extension** -- Shall not include the purchase or condemnation of real property for use as facility sites or right-of-way. Acquisition of right-of-way shall not be deemed to entitle an electric utility to the grant of a certificate of convenience and necessity without showing that the construction and/or extension is necessary for the service, accommodation, convenience, or safety of the public.

(2) **Generating unit** -- Any electric generating facility. This section does not apply to any generating unit that is less than ten megawatts and is built for experimental purposes only.

(3) **Habitable structures** -- Structures normally inhabited by humans or intended to be inhabited by humans on a daily or regular basis. Habitable structures include, but are not limited to: single-family and multi-family dwellings and related structures, mobile homes, apartment buildings, commercial structures, industrial structures, business structures, churches, hospitals, nursing homes, and schools.

(4) **Municipal Power Agency (MPA)** -- Agency or group created under Texas Utilities Code, Chapter 163 – Joint Powers Agencies.

(5) **Municipal Public Entity (MPE)** -- A municipally owned utility (MOU) or a municipal power agency.

(6) **Prudent avoidance** -- The limiting of exposures to electric and magnetic fields that can be avoided with reasonable investments of money and effort.

(7) **Tie line** -- A facility to be interconnected to the Electric Reliability Council of Texas (ERCOT) transmission grid by a person, including an electric utility or MPE, that would enable additional power to be imported into or exported out of the ERCOT power grid.

(b) **Certificates of convenience and necessity for new service areas and facilities.** Except for certificates granted under subsection (e) of this section, the commission may grant an application and issue a certificate only if it finds that the certificate is necessary for the service, accommodation, convenience, or safety of the public, and complies with the statutory requirements in the Public Utility Regulatory Act (PURA) §37.056. The commission may issue a certificate as applied for, or refuse to issue it, or issue it for the construction of a portion of the contemplated system or facility or extension thereof, or for the partial exercise only of the right or privilege. The commission shall render a decision approving or denying an application for a certificate within one year of the date of filing of a complete application for such a certificate, unless good cause is shown for exceeding that period. A certificate, or certificate amendment, is required for the following:

(1) **Change in service area**. Any certificate granted under this section shall not be construed to vest exclusive service or property rights in and to the area certificated.

(A) Uncontested applications: An application for a certificate under this paragraph shall be approved administratively within 80 days from the date of filing a complete application if:

(i) no motion to intervene has been filed or the application is uncontested;

(ii) all owners of land that is affected by the change in service area and all customers in the service area being changed have been given direct mail notice of the application; and

(iii) commission staff has determined that the application is complete and meets all applicable statutory criteria and filing requirements, including, but not limited to, the provision of proper notice of the application.

(B) Minor boundary changes or service area exceptions: Applications for minor boundary changes or service area exceptions shall be approved administratively within 45 days of the filing of the application provided that:

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(i) every utility whose certificated service area is affected agrees to the change;
(ii) all customers within the affected area have given prior consent; and
(iii) commission staff has determined that the application is complete and meets all applicable statutory criteria and filing requirements, including, but not limited to, the provision of proper notice of the application.

(2) **Generation facility.**

(A) In a proceeding involving the purchase of an existing electric generating facility by an electric utility that operates solely outside of ERCOT, the commission shall issue a final order on a certificate for the facility not later than the 181st day after the date a request for the certificate is filed with the commission under PURA §37.058(b).

(B) In a proceeding involving a newly constructed generating facility by an electric utility that operates solely outside of ERCOT, the commission shall issue a final order on a certificate for the facility not later than the 366th day after the date a request for the certificate is filed with the commission under PURA §37.058(b).

(3) **Electric transmission line.** All new electric transmission lines shall be reported to the commission in accordance with §25.83 of this title (relating to Transmission Construction Reports). This reporting requirement is also applicable to new electric transmission lines to be constructed by an MPE seeking to directly or indirectly construct, install, or extend a transmission facility outside of its applicable boundaries. For an MOU, the applicable boundaries are the municipal boundaries of the municipality that owns the MOU. For an MPA, the applicable boundaries are the municipal boundaries of the public entities participating in the MPA.

(A) Need:

(i) Except as stated below, the following must be met for a transmission line in the ERCOT power region. The applicant must present an economic cost-benefit study that includes an analysis that shows that the levelized ERCOT-wide annual production cost savings attributable to the proposed project are equal to or greater than the first-year annual revenue requirement of the proposed project of which the transmission line is a part. Indirect costs and benefits to the transmission system may be included in the cost-benefit study. The commission shall give great weight to such a study if it is conducted by the ERCOT independent system operator. This requirement also does not apply to an application for a transmission line that is necessary to meet state or federal reliability standards, including: a transmission line needed to interconnect a transmission service customer or end-use customer; or needed due to the requirements of any federal, state, county, or municipal government body or agency for purposes including, but not limited to, highway transportation, airport construction, public safety, or air or water quality.

(ii) For a transmission line not addressed by clause (i) of this subparagraph, the commission shall consider among other factors, the needs of the interconnected transmission systems to support a reliable and adequate network and to facilitate robust wholesale competition. The commission shall give great weight to:

(I) the recommendation of an organization that meets the requirement of PURA §39.151; and/or

(II) written documentation that the transmission line is needed to interconnect a transmission service customer or an end-use customer.

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(B) **Routing:** An application for a new transmission line shall address the criteria in PURA §37.056(c) and considering those criteria, engineering constraints, and costs, the line shall be routed to the extent reasonable to moderate the impact on the affected community and landowners unless grid reliability and security dictate otherwise. The following factors shall be considered in the selection of the utility's alternative routes unless a route is agreed to by the utility, the landowners whose property is crossed by the proposed line, and owners of land that contains a habitable structure within 300 feet of the centerline of a transmission project of 230 kV or less, or within 500 feet of the centerline of a transmission project greater than 230 kV, and otherwise conforms to the criteria in PURA §37.056(c):

(i) whether the routes parallel or utilize existing compatible rights-of-way for electric facilities, including the use of vacant positions on existing multiple-circuit transmission lines;

(ii) whether the routes parallel or utilize other existing compatible rights-of-way, including roads, highways, railroads, or telephone utility rights-of-way;

(iii) whether the routes parallel property lines or other natural or cultural features; and

(iv) whether the routes conform with the policy of prudent avoidance.

(C) Uncontested transmission lines: An application for a certificate for a transmission line shall be approved administratively within 80 days from the date of filing a complete application if:

(i) no motion to intervene has been filed or the application is uncontested; and

(ii) commission staff has determined that the application is complete and meets all applicable statutory criteria and filing requirements, including, but not limited to, the provision of proper notice of the application.

(D) Projects deemed critical to reliability. Applications for transmission lines which have been formally designated by a PURA §39 151 organization as critical to the reliability of the system shall be considered by the commission on an expedited basis. The commission shall render a decision approving or denying an application for a certificate under this subparagraph within 180 days of the date of filing a complete application for such a certificate unless good cause is shown for extending that period.

(4) **Tie line**. An application for a tie line must include a study of the tie line by the ERCOT independent system operator. The study shall include, at a minimum, an ERCOT-approved reliability assessment of the proposed tie line. If an independent system operator intends to conduct a study to evaluate a proposed tie line or intends to provide confidential information to another entity to permit the study of a proposed tie line, the independent system operator shall file notice with the commission at least 45 days prior to the commencement of such a study or the provision of such information. This paragraph does not apply to a facility that is in service on December 31, 2014.

(c) **Projects or activities not requiring a certificate.** A certificate, or certificate amendment, is not required for the following:

(1) A contiguous extension of those facilities described in PURA §37.052;

(2) A new electric high voltage switching station, or substation;

(3) The repair or reconstruction of a transmission facility due to emergencies. The repair or reconstruction of a transmission facility due to emergencies shall proceed without delay or prior approval of the commission and shall be reported to the commission in accordance with §25.83 of this title;

(4) The construction or upgrading of distribution facilities within the electric utility's service area;

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Subchapter E. CERTIFICATION, LICENSING AND REGISTRATION.

(5) Routine activities associated with transmission facilities that are conducted by transmission service providers. Nothing contained in the following subparagraphs should be construed as a limitation of the commission's authority as set forth in PURA. Any activity described in the following subparagraphs shall be reported to the commission in accordance with §25.83 of this title. The commission may require additional facts or call a public hearing thereon to determine whether a certificate of convenience and necessity is required. Routine activities are defined as follows:

(A) The modification or extension of an existing transmission line solely to provide service to a substation or metering point provided that:

(i) an extension to a substation or metering point does not exceed one mile; and

(ii) all landowners whose property is crossed by the transmission facilities have given prior written consent.

(B) The rebuilding, replacement, or respacing of structures along an existing route of the transmission line; upgrading to a higher voltage not greater than 230 kV; bundling of conductors or reconductoring of an existing transmission facility, provided that:

(i) no additional right-of-way is required; or

(ii) if additional right-of-way is required, all landowners of property crossed by the electric facilities have given prior written consent.

(C) The installation, on an existing transmission line, of an additional circuit not previously certificated, provided that:

(i) the additional circuit is not greater than 230 kV; and

(ii) all landowners whose property is crossed by the transmission facilities have given prior written consent.

(D) The relocation of all or part of an existing transmission facility due to a request for relocation, provided that:

(i) the relocation is to be done at the expense of the requesting party; and

(ii) the relocation is solely on a right-of-way provided by the requesting party.

(E) The relocation or alteration of all or part of an existing transmission facility to avoid or eliminate existing or impending encroachments, provided that all landowners of property crossed by the electric facilities have given prior written consent.

(F) The relocation, alteration, or reconstruction of a transmission facility due to the requirements of any federal, state, county, or municipal governmental body or agency for purposes including, but not limited to, highway transportation, airport construction, public safety, or air and water quality, provided that:

(i) all landowners of property crossed by the electric facilities have given prior written consent; and

(ii) the relocation, alteration, or reconstruction is responsive to the governmental request.

(6) Upgrades to an existing transmission line by an MPE that do not require any additional land, right-of-way, easement, or other property not owned by the MOU;

(7) The construction, installation, or extension of a transmission facility by an MPE that is entirely located not more than 10 miles outside of an MOU's certificated service area that occurs before September 1, 2021; or

(8) A transmission facility by an MOU placed in service after September 1, 2015, that is developed to interconnect a new natural gas generation facility to the ERCOT transmission grid and for which, on or before January 1, 2015, an MOU was contractually obligated to purchase at least 190 megawatts of capacity.

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Subchapter E. CERTIFICATION, LICENSING AND REGISTRATION.

(d) **Standards of construction and operation.** In determining standard practice, the commission shall be guided by the provisions of the American National Standards Institute, Incorporated, the National Electrical Safety Code, and such other codes and standards that are generally accepted by the industry, except as modified by this commission or by municipal regulations within their jurisdiction. Each electric utility shall construct, install, operate, and maintain its plant, structures, equipment, and lines in accordance with these standards, and in such manner to best accommodate the public, and to prevent interference with service furnished by other public utilities insofar as practical.

(1) The standards of construction shall apply to, but are not limited to, the construction of any new electric transmission facilities, rebuilding, upgrading, or relocation of existing electric transmission facilities.

(2) For electric transmission line construction requiring the acquisition of new rights-of-way, electric utilities must include in the easement agreement, at a minimum, a provision prohibiting the new construction of any above-ground structures within the right-of-way. New construction of structures shall not include necessary repairs to existing structures, farm or livestock facilities, storage barns, hunting structures, small personal storage sheds, or similar structures. Utilities may negotiate appropriate exceptions in instances where the electric utility is subject to a restrictive agreement being granted by a governmental agency or within the constraints of an industrial site. Any exception to this paragraph must meet all applicable requirements of the National Electrical Safety Code.

(3) Measures shall be applied when appropriate to mitigate the adverse impacts of the construction of any new electric transmission facilities, and the rebuilding, upgrading, or relocation of existing electric transmission facilities. Mitigation measures shall be adapted to the specifics of each project and may include such requirements as:

(A) selective clearing of the right-of-way to minimize the amount of flora and fauna disturbed;

(B) implementation of erosion control measures;

(C) reclamation of construction sites with native species of grasses, forbs, and shrubs; and

(D) returning site to its original contours and grades.

(e) **Certificates of convenience and necessity for existing service areas and facilities.** For purposes of granting these certificates for those facilities and areas in which an electric utility was providing service on September 1, 1975, or was actively engaged in the construction, installation, extension, improvement of, or addition to any facility actually used or to be used in providing electric utility service on September 1, 1975, unless found by the commission to be otherwise, the following provisions shall prevail for certification purposes:

(1) The electrical generation facilities and service area boundary of an electric utility having such facilities in place or being actively engaged in the construction, installation, extension, improvement of, or addition to such facilities or the electric utility's system as of September 1, 1975, shall be limited, unless otherwise provided, to the facilities and real property on which the facilities were actually located, used, or dedicated as of September 1, 1975.

(2) The transmission facilities and service area boundary of an electric utility having such facilities in place or being actively engaged in the construction, installation, extension, improvement of, or addition to such facilities or the electric utility's system as of September 1, 1975, shall be, unless otherwise provided, the facilities and a corridor extending 100 feet on either side of said transmission facilities in place, used or dedicated as of September 1, 1975.

(3) The facilities and service area boundary for the following types of electric utilities providing distribution or collection service to any area, or actively engaged in the construction, installation, extension, improvement of, or addition to such facilities or the electric utility's system as of September 1, 1975, shall be limited, unless otherwise found by the commission, to the facilities and the area which lie within 200 feet of any point along a distribution line, which is specifically deemed to include service drop lines, for electrical utilities

CHAPTER 25. SUBSTANTIVE RULES APPLICABLE TO ELECTRIC SERVICE PROVIDERS.

Subchapter E. CERTIFICATION, LICENSING AND REGISTRATION.

(f) **Transferability of certificates.** Any certificate granted under this section is not transferable without approval of the commission and shall continue in force until further order of the commission.

(g) **Certification forms.** All applications for certificates of convenience and necessity shall be filed on commission-prescribed forms so that the granting of certificates, both contested and uncontested, may be expedited. Forms may be obtained from Central Records.

(h) **Commission authority**. Nothing in this section is intended to limit the commission's authority to recommend or direct the construction of transmission under PURA §§35.005, 36.008, or 39.203(e).

Subchapter D. NOTICE.

§22.52. Notice in Licensing Proceedings.

(a) **Notice in electric licensing proceedings**. In all electric licensing proceedings except minor boundary changes, the applicant shall give notice in the following ways:

(1) Applicant shall publish notice once of the applicant's intent to secure a certificate of convenience and necessity in a newspaper having general circulation in the county or counties where a certificate of convenience and necessity is being requested, no later than the week after the application is filed with the commission. This notice shall identify the commission's docket number and the style assigned to the case by Central Records. In electric transmission line cases, the applicant shall obtain the docket number and style no earlier than 25 days prior to making the application by filing a preliminary pleading requesting a docket assignment. The notice shall identify in general terms the type of facility if applicable, and the estimated expense associated with the project. The notice shall describe all routes without designating a preferred route or otherwise suggesting that a particular route is more or less likely to be selected than one of the other routes.

(A) The notice shall include all the information required by the standard format established by the commission for published notice in electric licensing proceedings. The notice shall state the date established for the deadline for intervention in the proceeding (date 45 days after the date the formal application was filed with the commission; or date 30 days after the date the formal application was filed with the commission for an application for certificate of convenience and necessity filed under PURA §39.203(e)) and that a letter requesting intervention should be received by the commission by that date.

(B) The notice shall describe in clear, precise language the geographic area for which the certificate is being requested and the location of all alternative routes of the proposed facility. This description shall refer to area landmarks, including but not limited to geographic landmarks, municipal and county boundary lines, streets, roads, highways, railroad tracks, and any other readily identifiable points of reference, unless no such references exist for the geographic area. In addition, the notice shall include a map that identifies all of the alternative locations of the proposed routes and all major roads, transmission lines, and other features of significance to the areas that are used in the utility's written notice description.

(C) The notice shall state a location where a detailed routing map may be reviewed. The map shall clearly and conspicuously illustrate the location of the area for which the certificate is being requested including all the alternative locations of the proposed routes, and shall reflect area landmarks, including but not limited to geographic landmarks, municipal and county boundary lines, streets, roads, highways, railroad tracks, and any other readily identifiable points of reference, unless no such references exist for the geographic area.

(D) Proof of publication of notice shall be in the form of a publisher's affidavit which shall specify the newspaper(s) in which the notice was published, the county or counties in which the newspaper(s) is or are of general circulation, the dates upon which the notice was published, and a copy of the notice as published. Proof of publication shall be submitted to the commission as soon as available.

(E) The applicant shall provide a copy of each environmental impact study and/or assessment for the project to the Texas Parks and Wildlife Department (TPWD) for its review within seven days of filing the application. Proof of submission of the information to TPWD shall be provided in the form of an affidavit to the commission, which shall specify the date the information was mailed or otherwise provided to TPWD, and shall provide a copy of the cover letter or other documentation that confirms that the information was provided to TPWD.

(2) Applicant shall, upon filing an application, also mail notice of its application to municipalities within five miles of the requested territory or facility, neighboring utilities providing the same utility service within five miles of the requested territory or facility, the county government(s)

Subchapter D. NOTICE.

of all counties in which any portion of the proposed facility or requested territory is located, and the Department of Defense Siting Clearinghouse. In addition, the applicant shall, upon filing the application, serve the notice on the Office of Public Utility Counsel using a method specified in §22.74(b) of this title (relating to Service of Pleadings and Documents). The notice shall contain the information as set out in paragraph (1) of this subsection and a map as described in paragraph (1)(C) of this subsection. An affidavit attesting to the provision of notice to municipalities, utilities, counties, the Department of Defense Siting Clearinghouse, and the Office of Public Utility Counsel shall specify the dates of the provision of notice and the identity of the individual municipalities, utilities, and counties to which such notice was provided. Before final approval of any modification in the applicant's proposed route(s), applicant shall provide notice as required under this paragraph to municipalities, utilities, and counties affected by the modification which have not previously received notice. The notice of modification shall state such entities will have 20 days to intervene.

(3) Applicant shall, on the date it files an application, mail notice of its application to the owners of land, as stated on the current county tax roll(s), who would be directly affected by the requested certificate. For purposes of this paragraph, land is directly affected if an easement or other property interest would be obtained over all or any portion of it, or if it contains a habitable structure that would be within 300 feet of the centerline of a transmission project of 230kV or less, or within 500 feet of the centerline of a transmission project greater than 230kV.

(A) The notice must contain all information required in paragraph (1) of this subsection and shall include all the information required by the standard notice letter to landowners prescribed by the commission. The commission's docket number pertaining to the application must be stated in all notices. The notice must also include a copy of the "Landowners and Transmission Line Cases at the PUC" brochure prescribed by the commission.

(B) The notice must include a map as described in paragraph (1)(C) of this subsection.

(C) Before final approval of any modification in the applicant's proposed route(s), applicant shall provide notice as required under subparagraphs (A) and (B) of this paragraph to all directly affected landowners who have not already received such notice.

(D) Proof of notice may be established by an affidavit affirming that the applicant sent notice by first-class mail to each of the persons listed as an owner of directly affected land on the current county tax roll(s). The proof of notice shall include a list of all landowners to whom notice was sent and a statement of whether any formal contact related to the proceeding between the utility and the landowner other than the notice has occurred. This proof of notice shall be filed with the commission no later than 20 days after the filing of the application.

(E) Upon the filing of proof of notice as described in subparagraph (D) of this paragraph, the lack of actual notice to any individual landowner will not in and of itself support a finding that the requirements of this paragraph have not been satisfied. If, however, the utility finds that an owner of directly affected land has not received notice, it shall immediately advise the commission by written pleading and shall provide notice to such landowner(s) by priority mail, with delivery confirmation, in the same form described in subparagraphs (A) and (B) of this paragraph, except that the notice shall state that the person has fifteen days from the date of delivery to intervene. The utility shall immediately file a supplemental affidavit of notice with the commission.

(4) The utility shall hold at least one public meeting prior to the filing of its licensing application if 25 or more persons would be entitled to receive direct mail notice of the application. Direct mail notice of the public meeting shall be sent by first-class mail to each of the persons listed on the current county tax rolls as an owner of land within 300 feet of the centerline of a transmission project of 230kV or less, or within 500 feet of the centerline of a transmission project greater than 230kV. The utility shall also provide written notice to the Department of Defense Siting Clearinghouse of the public meeting. In the notice for the public meeting, at the public meeting, and in other communications with a potentially affected person, the utility

shall not describe routes as preferred routes or otherwise suggest that a particular route is more or less likely to be selected than one of the other routes. In the event that no public meeting is held, the utility shall provide written notice to the Department of Defense Siting Clearinghouse of the planned filing of an application prior to completion of the routing study.

(5) Failure to provide notice in accordance with this section shall be cause for day-for-day extension of deadlines for intervention and for commission action on the application.

(6) Upon entry of a final, appealable order by the commission approving an application, the utility shall provide notice to all owners of land who previously received direct notice. Proof of notice under this subsection shall be provided to the commission's staff.

(A) If the owner's land is directly affected by the approved route, the notice shall consist of a copy of the final order.

(B) If the owner's land is not directly affected by the approved route, the notice shall consist of a brief statement that the land is no longer the subject of a pending proceeding and will not be directly affected by the facility.

(7) All notices of an applicant's intent to secure a certificate of convenience and necessity whether provided by publication or direct mail shall include the following language: "All routes and route segments included in this notice are available for selection and approval by the Public Utility Commission of Texas."

(b) **Notice in telephone licensing proceedings.** In all telephone licensing proceedings, except minor boundary changes, applications for a certificate of operating authority, or applications for a service provider certificate of operating authority, the applicant shall give notice in the following ways:

(1) Applicants shall publish in a newspaper having general circulation in the county or counties where a certificate of convenience and necessity is being requested, once each week for two consecutive weeks, beginning the week after the application is filed, notice of the applicant's intent to secure a certificate of convenience and necessity. This notice shall identify in general terms the types of facilities, if applicable, the area for which the certificate is being requested, and the estimated expense associated with the project. Whenever possible, the notice should state the established intervention deadline. The notice shall also include the following statement: "Persons with questions about this project should contact (name of utility contact) at (utility contact telephone number). Persons who wish to intervene in the proceeding or comment upon action sought, should contact the Public Utility Commission, P.O. Box 13326, Austin, Texas 78711-3326, or call the Public Utility Commission at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. The deadline for intervention in the proceeding is (date 70 days after the date the application was filed with the commission) and you must send a letter requesting intervention to the commission which is received by that date." Proof of publication of notice shall be in the form of a publisher's affidavit, which shall specify the newspaper or newspapers in which the notice was published; the county or counties in which the newspaper or newspapers is or are of general circulation; the dates upon which the notice was published and a copy of the notice as published. Proof of publication shall be submitted to the commission as soon as available.

(2) Applicant shall also mail notice of its application, which shall contain the information as set out in paragraph (1) of this subsection, to cities and to neighboring utilities providing the same service within five miles of the requested territory or facility. Applicant shall also provide notice to the county government of all counties in which any portion of the proposed facility or territory is located. The notice provided to county governments shall be identical to that provided to cities and to neighboring utilities. An affidavit attesting to the provision of notice to counties shall specify the dates of the provision of notice and the identity of the individual counties to which such notice was provided.

(3) Failure to provide notice in accordance with this section shall be cause for day-for-day extension of deadlines for intervention.

CPS Energy Scenic Loop Transmission Line Project
CCN Application Sponsorship

CCN Question Number	Sponsor(s)
1. Applicant (Utility) Name	Marin
2. Ownership Interest	Marin
3. Person to Contact	Marin
4. Project Description	Lyssy/Marin/Tamez
5. Conductor and Structures	Lyssy
6. Right-of-way	Lyssy/Marin/Meaux
7. Substations or Switching Stations	Lyssy/Marin/Tamez
8. Estimated Schedule	Lyssy/Tamez
9. Counties	Marin
10. Municipalities	Marin
11. Affected Utilities	Marin/Tamez
12. Financing	Marin
13. Estimated Costs	Lyssy
14. Need for Proposed Project	Tamez
15. Alternatives to Project	Tamez
16. Schematic or Diagram	Tamez
17. Routing Study	Lyssy/Marin/Meaux/Tamez
18. Public Meeting or Public Open House	Marin/Meaux
19. Routing Maps	Marin/Meaux
20. Permits	Lyssy/Meaux
21. Habitable Structures	Meaux
22. Electronic Installations	Meaux
23. Airstrips	Lyssy/Meaux
24. Irrigation Systems	Meaux
25. Notice	Marin
26. Parks and Recreation Areas	Meaux
27. Historical and Archeological Sites	Meaux
28. Coastal Management Program	Meaux
29. Environmental Impact	Marin/Meaux
30. Affidavit	Marin
Attachment Number	**Sponsor(s)**
1. Environmental Assessment (EA)	Lyssy/Marin/Meaux/Tamez
2. LCRA TSC Letter	Marin/Tamez
3. Cost Estimates	Lyssy
4. Existing Area Transmission System	Tamez
5. Overall Property and HS Map	Marin/Meaux
6. Property and Habitable Structure Mapping	Marin/Meaux
7. Landowner Notice Packet	Marin
8. Landowner Notice List	Marin
9. Public Official Notice Packet	Marin
10. Public Official and Agency Contact List	Marin
11. Newspaper Notice	Marin
12. TPWD Letter	Marin
13. Need Assessment	Tamez

SOAH DOCKET NO. 473-21-0247
PUC DOCKET NO. 51023

APPLICATION OF THE CITY OF SAN ANTONIO TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE SCENIC LOOP 138-KV TRANSMISSION LINE IN BEXAR COUNTY	§ § § § § §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS

DIRECT TESTIMONY AND EXHIBITS

OF

GEORGE J. TAMEZ, P.E. #90313

ON BEHALF OF

APPLICANT
CPS ENERGY

November 6, 2020

SOAH DOCKET NO. 473-21-0247
PUC DOCKET NO. 51023
DIRECT TESTIMONY AND EXHIBITS OF GEORGE J. TAMEZ, P.E.

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EXHIBITS

I. INTRODUCTION

Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.

A. My name is George J. Tamez. My business address is: 500 McCullough Ave, San Antonio, Texas 78215.

Q. WHAT IS YOUR OCCUPATION?

A. I am a professional electrical engineer employed by the City of San Antonio (City), acting by and through the City Public Service Board (CPS Energy) as Director of Grid Transformation and Planning.

Q. WHAT IS YOUR EDUCATIONAL AND PROFESSIONAL BACKGROUND?

A. I am a graduate of Texas A&M University, I am a professional engineer, and I have over 24 years of experience in the electric utility industry. My resume is attached as Exhibit GJT-1 to my testimony.

Q. IN YOUR PRESENT CAPACITY, WHAT ARE YOUR RESPONSIBILITIES?

A. In my role as Director of Grid Transformation and Planning, I manage three areas for CPS Energy, including Transmission Planning, Distribution Planning, and Infrastructure Innovation. Previously I managed both the engineering and construction areas of the company. I currently oversee the Transmission and Distribution Planning departments, which administer all aspects of the short and long range planning for the CPS Energy electric delivery system (EDS). In addition, I manage the Innovation Infrastructure team that is developing projects to leverage advanced resources such as electric vehicles and energy storage in order to advance resiliency, reliability, and affordable integration into the CPS Energy electric system. I have collaborated with stakeholders across the organization on the development of the EDS Transmission & Distribution Long Range Plan to address forecasted load growth, aging infrastructure, and reliability enhancements. I have also led the development of the Strategic Asset Management Plan for EDS.

Q. HAVE YOU PREVIOUSLY TESTIFIED BEFORE THE PUBLIC UTILITY COMMISSION OF TEXAS (COMMISSION OR PUC)?

A. No, I have not.

Q. PLEASE DESCRIBE THE PROJECT PROPOSED IN THIS PROCEEDING.

A. The project proposed in this proceeding, the Scenic Loop 138-kilovolt (kV) transmission line project (Project), consists of a new double circuit 138 kV transmission line located in Bexar County, Texas. The Project is proposed in order to connect the new Scenic Loop Substation with the existing electric grid at the Ranchtown to Menger Creek 138 kV transmission line, which is approximately five miles to the west of the area for the new substation. The new Scenic Loop Substation is proposed in the area of the intersection of Scenic Loop Road and Toutant Beauregard Road. The new transmission line will be approximately 4.6 to 6.9 miles long, depending on the route selected.

Q. WERE YOUR TESTIMONY AND THE PORTIONS OF THE APPLICATION YOU SPONSOR PREPARED BY YOU OR BY KNOWLEDGEABLE PERSONS UPON WHOSE EXPERTISE, JUDGMENT, AND OPINIONS YOU RELY IN PERFORMING YOUR DUTIES?

A. Yes, they were.

Q. IS THE INFORMATION CONTAINED IN YOUR TESTIMONY AND IN THE PORTIONS OF THE APPLICATION YOU SPONSOR TRUE AND CORRECT TO THE BEST OF YOUR KNOWLEDGE AND BELIEF?

A. Yes, it is.

II. PURPOSE OF TESTIMONY

Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?

A. The purpose of my testimony is to sponsor certain portions of CPS Energy's application to amend its CCN filed in this docket on July 22, 2020 (Application) and to describe and support:

(1) The need and requirements for a new load-serving Scenic Loop Substation associated with the proposed Project;

(2) The need for the 138 kV transmission line that is required to connect the proposed Scenic Loop Substation to the existing Ranchtown to Menger Creek 138 kV transmission line to the west; and

(3) The reasons why the Project is the best solution when compared to other alternatives.

Q. WHAT PORTIONS OF CPS ENERGY'S APPLICATION DO YOU SPONSOR?

A. I sponsor the responses to Questions 14, 15, and 16 in the Application. I co-sponsor the response to Questions 4 and 7 of the Application with Mr. Scott Lyssy and Mr. Adam Marin, the response to Question 8 with Mr. Lyssy, the response to Question 11 with Mr. Marin, and the response to Question 17 with Mr. Lyssy, Mr. Marin, and Ms. Lisa Meaux. Additionally, I sponsor Attachments 4 and 13 to the Application. I also co-sponsor with Mr. Lyssy, Mr. Marin, and Ms. Meaux Section 1 of the *Scenic Loop 138 kV Transmission Line and Substation Project Environmental Assessment and Alternative Route Analysis Bexar County, Texas* (EA), prepared by POWER Engineers, Inc., which is included as Attachment 1 to the Application. Last, I co-sponsor Attachment 2 to the Application with Mr. Marin. Please refer to Exhibit ARM-5 to Mr. Marin's direct testimony for an overview of the sponsorship of the Application in this case.

III. PROJECT NEED

Q. WHY IS THE PROJECT NEEDED?

A. The Project is needed to address capacity limitations and reliability concerns on CPS Energy's distribution system in the northwest region of Bexar County. The Project will provide additional electric capacity to support community growth and improve the reliability of electric service to greater than 25,000 homes and businesses in the area. Electric service to the Project area is currently provided from two existing CPS Energy substations—the La Sierra Substation and the Fair Oaks Ranch Substation, which are located to the southeast and northeast of the Project area, respectively.

Capacity Limitations

The existing CPS Energy electrical infrastructure in the northwest area of Bexar County will be challenged by increasing load along the IH-10 corridor north of Loop 1604. The Scenic Loop Substation is needed to improve the load serving capability in the area. Based

on the growth rate experienced by CPS Energy in the area over the last five years and CPS Energy's reasonable projections for load growth in the coming years, informed by the extensive SA Tomorrow Comprehensive Plan (SA Tomorrow) recently undertaken by the City, the Project area will experience significant load growth in the next five, ten, fifteen years and up thru 2040. The geographic area of the City that includes the University of Texas as San Antonio (UTSA) campus is targeted in SA Tomorrow as a regional development center and is one of the fastest growing areas of the City. As a member of the Technical Working Group of SA Tomorrow, I have come to understand that the dynamic growth from UTSA and its associated Main Campus Master Plan will significantly increase the current UTSA and the surrounding community load growth and move the region toward becoming a premier destination to live, work, and play. SA Tomorrow projects additional electrical load growth in the region of approximately 8-9 MW/year. Historic and projected load growth for the area served by the La Sierra and Fair Oaks Ranch substations is presented in Tables 14-1 and 14-2 and Figure 14-3 of the Application.

Geographic Limitations

As can be seen on Attachment 4 to the Application, the existing substations within the northwest region of Bexar County are in close proximity to each other. The La Sierra, Hill Country, De Zavala, and UTSA substations are all within three miles of each other to the south of the Project area. Similarly, the Stonegate, Panther Springs, and Bulverde substations are within three to six miles of each other to the east. The Ranchtown, Helotes, and UTSA substations are all six to eight miles of each other to the south/southwest. As a result of their proximity, the circuits between these stations are not very long and the existing substations can be reliably called upon to back each other up in the event of a transformer outage. In contrast, the La Sierra and Fair Oaks Ranch substations are approximately 11 miles (straight line) apart and many of the circuits served by these substations are significantly longer than the CPS Energy system average.

The average length of CPS Energy's primary overhead distribution circuits (both 35 kV and 13 kV) is 12.8 miles. The average length of the 34.5 kV circuits is approximately 20 miles. The line lengths for the distribution circuits served from the La Sierra and Fair Oaks Ranch substations are two to four times longer than the CPS Energy system average

for 34.5 kV circuits (see page 14 of the Application and pages 10-16 of Attachment 13 to the Application).

Again, referring to Attachment 4 to the Application, the existing Ranchtown, La Sierra, and Fair Oaks Ranch substations are located a significant distance from each other such that the significant load growth of new homes and commercial development to the north, northwest, and west of these existing substations (respectively), is and will be, served by long and increasingly loaded distribution circuits. The new Scenic Loop Substation, geographically central to those existing three substations, will serve a significant portion of that area with shorter, less loaded distribution circuits. Compare for example, the large geographic area served from the La Sierra and Fair Oaks Ranch substations today, as shown in Figure 14-1 of the Application, with the equally divided smaller geographic areas served when the Scenic Loop Substation is constructed in the area proposed for the Project as shown in Figure 14-5 of the Application.

Significantly shortening and unloading the circuits served from the existing substations will enhance the load serving capacity in the La Sierra and Fair Oaks Ranch substations and also the overall load serving capability in the region. As I will discuss below, connecting the existing long, low reliability circuits into the new Scenic Loop Substation will reduce the number of customers impacted from outages and improve reliability in the area to closer to the CPS Energy system averages.

Reliability

Based on historical outage data, the customers served from the La Sierra and Fair Oaks Ranch circuits have experienced approximately 8-10 times more outages compared to the entire CPS Energy system average over the last few years. Whereas the total load served from the La Sierra and Fair Oaks Ranch substations represents approximately 3 percent of the total load that CPS Energy serves, the frequency of outages and duration of outages for the entire CPS Energy system are notably skewed because of the poor reliability of the area. For example: (1) in 2019, 32 percent of ***all*** customers affected (known as "CA") by distribution system outages in the CPS Energy system reside in the area served by the La Sierra and Fair Oaks Ranch substations; and (2) in 2017, 20 percent of ***all*** the CPS Energy customer minutes of interruptions (known as "CMI") were associated with the customers

served in this area. Between 2010 and 2019, one or more of the La Sierra and Fair Oaks Ranch circuits were on CPS Energy's poor performing circuits (PPC) list for six different years, and six of the 11 circuits have been on the list since 2010 (see Table 14-5 in the Application). Additionally, five circuits from La Sierra and Fair Oaks Ranch were on the PPC list in 2018, which was the most of any year within the past ten years.

Construction of the proposed Scenic Loop Substation will provide CPS Energy with a load serving substation geographically intermediate to the Fair Oaks Ranch and La Sierra substations in a manner that will cut the average length and loading of distribution circuits serving end-use customers by 50 percent or more. The Scenic Loop Substation will significantly improve the reliability in the northwest area of Bexar County and provide CPS Energy with the electric system capacity needed to serve this growing area for many years into the future.

Q. DID CPS ENERGY PREPARE A NEED ASSESSMENT ASSOCIATED WITH THE PROJECT?

A. Yes. CPS Energy worked with electrical planning experts at Burns McDonnell to prepare the *Scenic Loop Substation Analysis Report*, which is included as Attachment 13 to the Application. I oversaw preparation of the report and sponsor its inclusion in the Application. Details regarding reliability metrics for the area, load growth trends, system modeling, and power flow analysis performed by electric planning experts at Burns McDonnell and CPS Energy are presented in the report.

Q. DID CPS ENERGY SUBMIT THE PROJECT FOR REVIEW BY THE ELECTRIC RELIABILITY COUNCIL OF TEXAS (ERCOT)?

A. No. As discussed in response to Questions 4 and 15 of the Application, the Project has not been submitted to ERCOT for review. The Project is a Tier 4 Neutral project pursuant to the classifications established by ERCOT. Accordingly, the Project is not required to be submitted to the ERCOT Regional Planning Group for review and comment. Notably, however, CPS Energy has concluded that the Project will not result in any violation of

North American Electric Reliability Corporation (NERC) or ERCOT performance requirements.

Q. PLEASE DESCRIBE THE EXISTING ELECTRIC SYSTEM TOPOLOGY IN THE AREA OF THE PROJECT.

A. Figure 15-1 in the Application and Attachment 4 to the Application provide an illustration of the existing transmission system in the area. As can be seen from these figures, the Ranchtown to Menger Creek 138 kV transmission line (to the west), the Fair Oaks to Esperanza 138 kV transmission line (to the north), and the La Sierra to UTSA BTAP 138 kV transmission line (to the south) are all located several miles from the area where the new Scenic Loop Substation is needed. As a result, a new transmission line is needed to connect the Scenic Loop Substation to the existing transmission grid. Because of the shorter distance and lower estimated cost (see Figure 15-2, Table 15-1, and pages 22-25 of the Application), the Project is proposed to connect the Scenic Loop Substation with the existing Ranchtown to Menger Creek 138 kV transmission line to the west.

Q. WHY DOES THE NEW SUBSTATION NEED TO BE LOCATED AT OR NEAR THE INTERSECTION OF SCENIC LOOP ROAD AND TOUTANT BEAUREGARD ROAD?

A. As can be seen from Attachment 4 to the Application, the intersection of Scenic Loop Road and Toutant Beauregard Road is nearly equidistant between the Ranchtown, Fair Oaks Ranch, and La Sierra substations. Centering the new substation geographically between those three substations serves several purposes. First, it places the substation as close as possible to the center of the current and forecasted load of this growing service area. The optimal location (at the intersection of Scenic Loop Road and Toutant Beauregard Road) allows CPS Energy to serve the growing area load in all four directions along major existing roadway infrastructure (Scenic Loop Road to the south, Toutant Beauregard to the east and west, and Boerne Stage Road to the north). Second, the major backbone distribution infrastructure to the area is currently at the intersection of Scenic Loop Road and Toutant Beauregard Road. Constructing the substation at or near that location will allow CPS Energy to connect to the existing distribution network at the center of the area to be served. Moving the substation significantly any direction will require significant

distribution infrastructure to be installed to the area at significant cost to CPS Energy customers and, in some areas, may be physically constrained. The ideal location at the intersection of Scenic Loop Road and Toutant Beauregard Road allows CPS Energy to utilize the ultimate build out of the substation (three transformers) extending 12 circuits from the substation with a maximum of four in each direction along the existing major roadways (two circuits on either side). Third, locating the substation equidistant between the Ranchtown, Fair Oaks Ranch, and La Sierra substations provides the optimal location for the substations to provide back up and support to each other in the event of a transformer outage. In addition, the equidistant configuration of the substations will provide for best longer term development opportunities for the region. Fourth, one of the primary needs of the Scenic Loop Substation is to address the reliability issues CPS Energy has experienced with the long, heavily loaded distribution circuits serving the area. Placing the new substation central to the load minimizes the distance and loading of all of the distribution circuits from all of the area substations.

As can be seen from the intervention and participation in this proceeding, constructing a significant transmission line project and load serving substation in a developing suburban area is a significant endeavor. Based on prudent, good utility, long term distribution system planning principles, the optimal location for the new Scenic Loop Substation is at the intersection of Scenic Loop Road and Toutant Beauregard Road (Sites 2 and 3). In order to provide the Commission with geographically diverse route alternatives, CPS Energy carefully evaluated alternative substation sites in proximity to the intersection and identified five other sites (Sites 1 and 4-7) that meet the need for the Project in a manner that can reasonably be constructed and operated without significant additional distribution infrastructure construction and expense within constrained corridors. All of the proposed substation locations result in significant shortening of distribution circuits serving the area along diverse corridors. Any substation location further south, west, or north of the proposed substation locations would significantly impact both the short and long-term functionality and reliability of the Scenic Loop Substation and are not reasonable alternatives to the Project need.

Q. WHAT ALTERNATIVES TO THE PROJECT DID CPS ENERGY CONSIDER?

A. CPS Energy considered multiple alternatives to the Project, including transmission, distribution, and distributed energy resource solutions. CPS Energy's responses to Question 15 of the Application and Section 5 of the *Scenic Loop Substation Analysis Report* describe the options CPS Energy considered as alternatives to the Project. Based on the analysis conducted, none of the options considered provide the same reliability, capacity, and long term system advantages as the Project at a comparable cost.

Q. DO ALL OF THE ROUTING OPTIONS PROPOSED IN THE APPLICATION ADDRESS THE NEED FOR THE PROJECT?

A. Yes. Any of the 29 routes included in the Application address the need for the Project. Likewise, any combination of route segments presented in the Application that connects the Ranchtown to Menger Creek transmission line to one of the proposed Scenic Loop Substation sites would also address the need for the Project.

Q. DOES THE PROJECT COMPLY WITH PUC, ERCOT, AND NERC TRANSMISSION PLANNING REQUIREMENTS?

A. Yes, the Project complies with all applicable PUC, ERCOT, and NERC transmission system planning requirements.

IV. THE PROJECT MEETS THE CRITERIA OF PURA AND OTHER CRITERIA CONSIDERED BY THE COMMISSION

Q. PLEASE SUMMARIZE YOUR FINDINGS AND RECOMMENDATIONS IN THIS PROCEEDING.

A. The Project is needed to satisfy reliability and adequacy needs for electric service in accordance with CPS Energy standard planning criteria and good utility practice as well as state and federal electric service reliability standards. The Project is necessary for the service, accommodation, convenience, and safety of the public, and the Project is also the best option to meet the reliability needs when compared to other solutions, including employing distribution facilities.

Q. PLEASE SUMMARIZE THE STATE OF SERVICE WITHOUT THE PROJECT.

A. Absent the Project, CPS Energy's ability to provide reliable delivery of electricity to the Project area will diminish and limit CPS Energy's ability to provide service to new customers. CPS Energy has taken steps to temporarily improve reliability to the area through distribution circuit reconfiguration and installation of reclosers, but due to the rugged terrain and distance of the load from the existing substations at La Sierra and Fair Oaks Ranch, the new Scenic Loop Substation is necessary to ensure the long term reliability of the local distribution system in accordance with the standards and expectations of CPS Energy, its customers, and the Commission. In addition, within the next few years CPS Energy will not have the necessary system capacity to serve the growing load in northwest Bexar County without the new Scenic Loop Substation in service.

Q. WILL CONSTRUCTION OF THE PROJECT RESULT IN IMPROVED SERVICE OR LOWER COSTS TO ELECTRIC SERVICE CUSTOMERS?

A. Yes. As described in detail in response to Question 14 of the Application and in Attachment 13 to the Application, the Project will result in improved service to CPS Energy's electric service customers in northwest Bexar County. Even with recent system reconfiguration improvements on the existing distribution system immediately prior to the filing of the Application, without a new substation in northwest Bexar County, the CPS Energy customers served from the La Sierra and Fair Oaks Ranch substations will continue to experience significantly lower reliability than CPS Energy's system averages. The Project will also ensure CPS Energy has sufficient capacity to provide service to both new and existing customers throughout northwest Bexar County.

Q. WHAT WILL BE THE EFFECT ON CPS ENERGY AND OTHER UTILITIES IN THE AREA IF THE PROJECT IS BUILT?

A. The Project will significantly improve CPS Energy's ability to provide reliable electric delivery service in the northwest Bexar County and provide capacity to serve the load growth in that area for many years into the future. Because the Project taps into an existing CPS Energy transmission line and is proposed to provide service wholly within CPS Energy's existing service territory, the Project will not have a negative effect on other

utilities in the area. The other utility connected to the Ranchtown to Menger Creek transmission line (LCRA Transmission Services Corporation) has coordinated with CPS Energy on the Project and, other than the identification of protective relay setting changes at the Menger Creek Substation, has not raised any concerns with the Project (see Application Attachment 2).

Q. IS THE PROJECT NEEDED TO CONNECT A NEW CUSTOMER OR TO IMPROVE WHOLESALE COMPETITION?

A. The Project is needed to address reliability needs of existing and future end-use consumers based on actual and forecasted electric load and identified system limitations in meeting this electric load. As a local Tier 4 project in ERCOT, the Project is not anticipated to notably impact wholesale competition in Texas.

Q. DO THE PROPOSED ROUTING ALTERNATIVES INCLUDED IN THE APPLICATION (INCLUDING THE ENDPOINTS AND THE PROPOSED NEW SUBSTATION LOCATIONS) ADEQUATELY CONSIDER ELECTRICAL EFFICIENCY AND RELIABILITY?

A. Yes, the alternative routes, new substation siting alternatives, and the endpoints associated with the Project will provide for immediate efficiency and reliability benefits to CPS Energy and its customers.

Q. DID CPS ENERGY CONSIDER DISTRIBUTION ALTERNATIVES TO THE PROJECT?

A. Yes, CPS Energy considered distribution system improvements to address the electric system reliability and capacity needs in the area of the Project. Specifically, Options A, E, and F in CPS Energy's response to Question 15 of the Application and in Section 5 of Attachment 13 to the Application, are distribution alternatives CPS Energy considered.

For the reasons discussed in detail in response to Question 15 of the Application and in Section 5 of Attachment 13, CPS Energy concluded that the distribution alternatives considered did not provide the same long term reliability and system capacity improvements as the Project or were significantly more expensive than the Project proposed in the Application.

Q. DID CPS ENERGY CONSIDER DISTRIBUTED GENERATION AS AN ALTERNATIVE TO THE PROJECT?

A. Yes. Options C and D discussed in response to Question 15 of the Application and in Section 5 of Attachment 13 are renewable energy and natural gas fired distributed generation projects considered by CPS Energy as alternatives to the Project. For the reasons presented more fully in the Application and Attachment 13, distributed generation does not provide the same reliability and capacity benefits as the Project at a comparable cost.

Q. IS THE PROJECT THE BEST ALTERNATIVE TAKING INTO ACCOUNT CONSIDERATIONS OF EFFICIENCY, RELIABILITY, AND COST BENEFITS?

A. Yes. After studying the immediate and long-term reliability and capacity needs of the area, the Project provides the overall most reliable and most efficient configuration to increase the reliability of the existing distribution system now and throughout the timeframe studied.

Q. IF THE COMMISSION ISSUES A FINAL ORDER GRANTING CPS ENERGY AUTHORITY TO AMEND ITS CCN FOR THE PROJECT, ARE YOU PRESENTLY AWARE OF ANY CIRCUMSTANCE THAT WOULD WARRANT THE EXTENSION OF THE SEVEN-YEAR DEFAULT PERIOD FOR WHICH SUCH AUTHORITY WOULD REMAIN IN EFFECT?

A. No, not at this time.

V. SUMMARY AND CONCLUSIONS

Q. PLEASE SUMMARIZE YOUR CONCLUSIONS REGARDING THE PROJECT.

A. The purpose and need for the Project has been studied and evaluated extensively by transmission and distribution planning professionals at CPS Energy and Burns McDonnell. The Project provides the most reliable and most efficient solution to increase the reliability and capacity of the distribution system surrounding the Project area when compared to other solutions.

Q. DOES THIS CONCLUDE YOUR DIRECT TESTIMONY?

A. Yes, it does.

GEORGE J. TAMEZ, P.E.

Objective

Electric power experience including over 24 years with CPS Energy. My career goal is to continue on a pathway to progressional development consistent with the organizational success of CPS Energy and self development including building relationships, achieving projects and goals and leadership strength.

Experience

Jan 2019 to August 2020	CPS Energy	San Antonio, TX

Director – 1.5 years

- Responsible for Infrastructure Innovation & Transmission and Distribution Planning.
- Supervise areas (Infrastructure Innovation, Transmission Planning, Distribution Planning).

Jan 2017 to Dec 2018	CPS Energy	San Antonio, TX

Director – 2 years.

- Responsible for Transmission and Distribution Planning, Asset Management and GIS.
- Supervise Engineering area (Transmission Planning, Distribution Planning, Asset Mgmt, and GIS Services).

Aug 2011 to Jan 2017	CPS Energy	San Antonio, TX

Director – 5.5 years.

- Responsible for Distribution Engineering.
- Supervise Engineering area (Overhead, Underground, Network, Standards and Specifications, Utility Coordination, and GIS Services-since 2015).

Aug 2008 to Aug 2011	CPS Energy	San Antonio, TX

Senior Manager – 3 years.

- Responsible for construction and maintenance activities at Southwest Service District and UG Construction
- Supervise Electric (Overhead, URD, S/M), Civil UED, UG Craft and UG Civil workgroups.

May 2005 to Aug 2008	CPS Energy	San Antonio, TX

Senior Manager – 3 years.

- Responsible for construction and maintenance activities at Southwest Service District.
- Supervise Electric (Overhead, URD, S/M), and Civil UED groups

Jan 2003 to May 2005	CPS Energy	San Antonio, TX

Manager – 2.5 years.

- Manager of Overhead Engineering Section.
- Responsible for engineering, planning of system & civic improvement, maintenance and comm. jobs.

Aug 2002 to Jan 2003	CPS Energy	San Antonio, TX

Senior Engineer – 0.5 years.

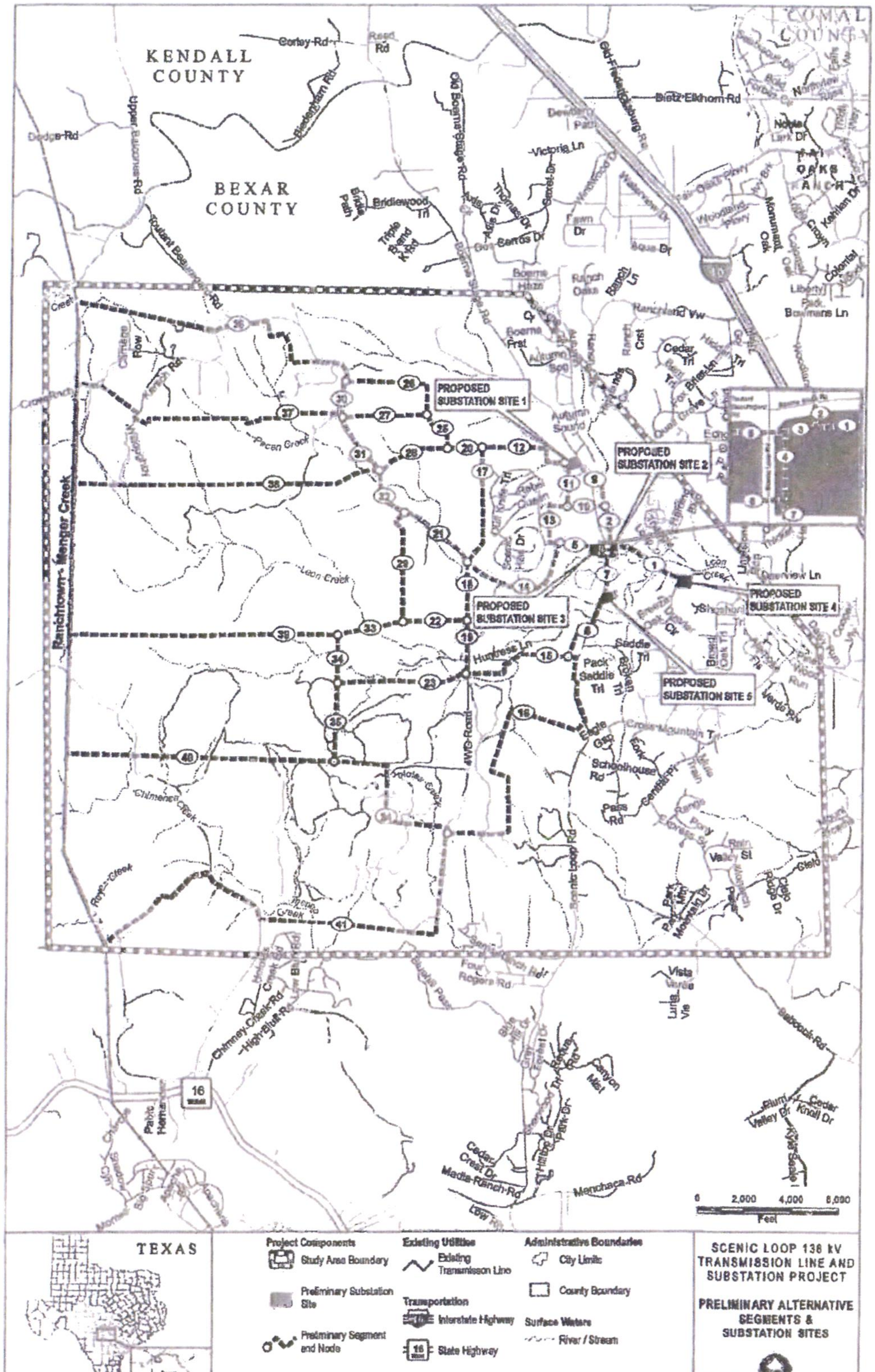
- Supervisor of Overhead Engineering Section.
- Responsible for engineering, planning of system and civic improvement, maintenance and comm. jobs.

Sept 1999 to Aug 2002	CPS Energy	San Antonio, TX

Project Engineer – 3 years.

- Overhead Engineering Engineer planning and coordinating system improvement projects.
- Underground Engineering Engineer planning and coordinating system and conversion projects.

Sept 1996 to Sept 1999	CPS Energy	San Antonio, TX
Junior Engineer – 3 years. ▪ Underground Engineering Engineer planning and coordinating electric jobs. ▪ Standard and Specifications Engineer creating and revising specs, CU's and material description		
May 1993 to Sept 1996	Industry Work Experience	Various
Energy Manager & Support – 3 years ▪ Manage and coordinate energy management project such as lighting retrofits, air conditioning retrofits, monitoring & controls of HVAC systems and conducting energy audits. Assist in data and analysis of hvac systems.		
Assistant to Energy Manager, Univ. of Texas – Medical Branch Energy Manager, Brownsville Independent School District		Galveston, TX Brownsville, TX
Education	Texas A&M University	College Station, TX
Bachelor of Science in Electrical Engineering – May 1993 ▪ Power Systems emphasis with a Minor in Math; ▪ (additional 12 hours at UTSA on MBA)		
Certification		
June 2002, Professional Engineer License in Texas	Texas P. E certification	San Antonio, TX



000300

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PUC Docket No. 51023
AS/JAUER Exhibit 8

The central portion of Segment 43 was modified by shifting it to the south due to engineering constraints (Figure 6-14).

Segment 44 was modified by shifting it to the north due to engineering constraints. As a resulting of shifting Segment 44, a node was added to the southern portion of Segment 39, decreasing the length of Segment 39 and relabeling the southern portion of that segment as Segment 53 (Figure 6-14).

The eastern portion of Segment 45 was modified by shifting it to the west due to engineering constraints. As a result of shifting Segment 45, a node was added near the western end of Segment 27, reducing the length of Segment 27 and relabeling that portion of the segment as Segment 47. A node was also added near the northern end of Segment 45 relabeling that portion of the segment as Segment 51. At the node for Segment 51, another segment was added to the west and labeled as Segment 52. This segment was added due to engineering constraints (Figure 6-15).

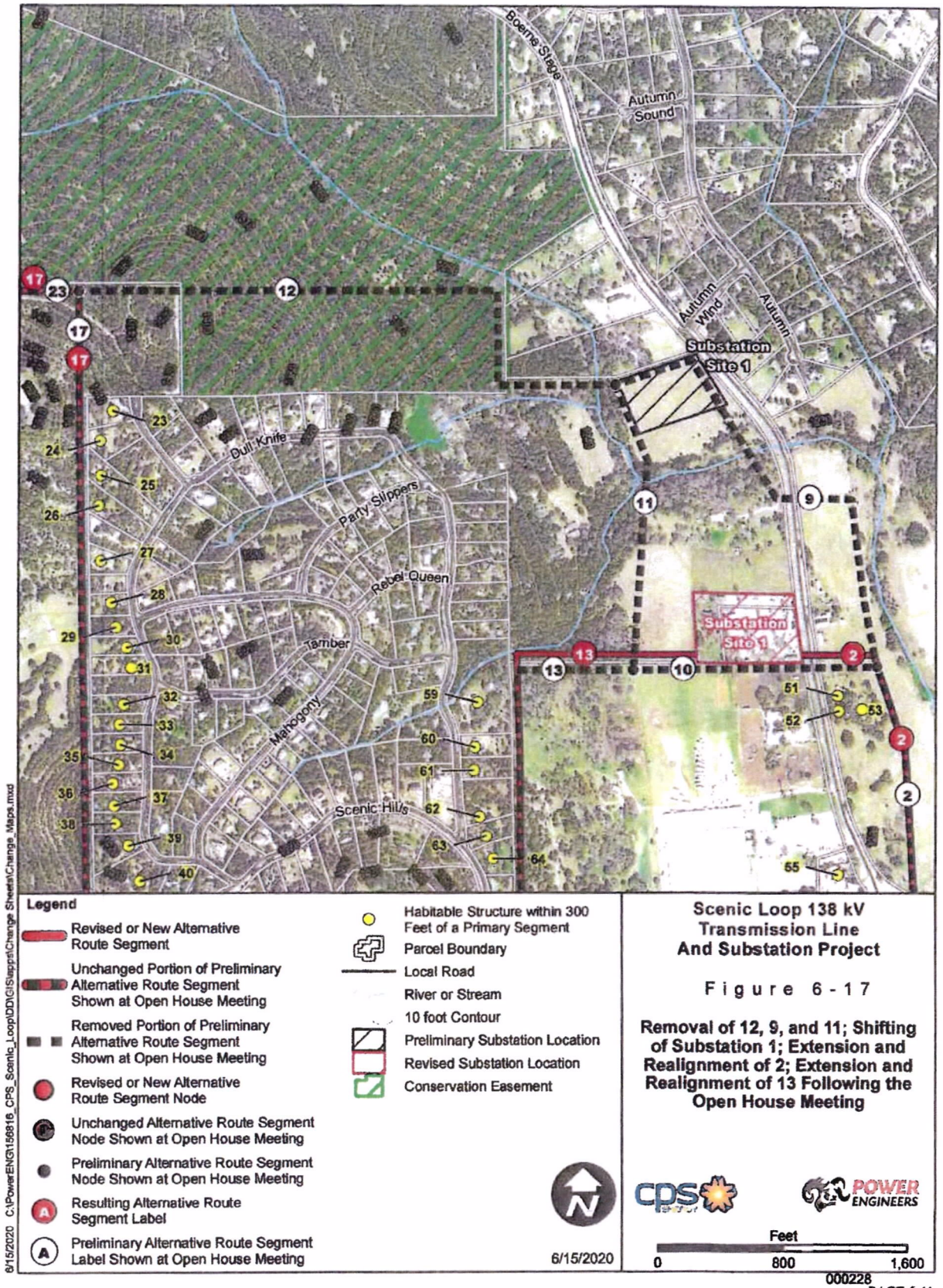
6.1.3 Segment Deletions

Segment 6 was originally proposed to cross Scenic Loop Road between Substation Sites 2 and 3. However, the segment was not utilized in any of the alternative routes; therefore, it was deleted from further consideration. As a result of deleting Segment 6, the node between Segments 4, 6, and 7 was moved to just inside the property boundary of Substation Site 3; decreasing the length of Segment 5 and relabeling the eastern portion of the segment as Segment 4, while the previous location of Segment 4 was deleted from further consideration (Figure 6-16).

Segment 12 was originally proposed to cross the Bandera Pass Easement in which the Army holds a third party beneficiary interest. However, based on official comment received from both the Army and Air Force following the open house meeting, it was deleted from further consideration. As a result of deleting Segment 12, Segments 9 and 11 were also deleted and Substation Site 1 was relocated further south due to the landowner's willingness to sell the property to CPS Energy. As a result of deleting Segment 9 and relocating Substation Site 1, the node between Segments 9 and 2 was removed and Segment 2 was expended into the new location of Substation Site 1 and shifted to the north side of the property line. Also, as a result of deleting Segment 11 and relocating Substation Site 1, the node between Segments 10, 11, and 13 was removed and Segment 10 became part of Segment 13. Segment 13 was also shifted to the north side of the property line (Figure 6-17).

Deleting Segment 12 also resulted in the removal of the node between Segments 17 and 23, relabeling the entire segment as Segment 17 (Figure 6-18).

Segment 18 was originally proposed to parallel a property boundary north of Toutant Beauregard Road. However, due to engineering constraints it was deleted from further consideration. As a result of deleting Segment 18, the node between Segments 17, 18, and 19 was removed, relabeling the entire segment as Segment 17. The southern portion of Segment 17 was also shifted to the southeast due to engineering constraints. Also, as a result of deleting Segment 18, the node between Segments 18, 20, and 24 was removed, relabeling the entire segment as Segment 20. The southern portion of Segment 20 was also shifted to the north to avoid pipeline infrastructure (Figure 6-19).



Scenic Loop 138 kV Transmission Line And Substation Project

Figure 6-17

Removal of 12, 9, and 11; Shifting of Substation 1; Extension and Realignment of 2; Extension and Realignment of 13 Following the Open House Meeting

000228

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, FORT WORTH DISTRICT
P.O. BOX 17300
FORT WORTH, TX 76102-0300

June 26, 2019

Regulatory Division

SUBJECT: Project Number SWF-2019-00231, Scenic Loop 138 kV Transmission Line and Substation Project

Ms. Lisa Barko Meaux
Power Engineers, Inc.
16825 Northchase Drive, Suite 1200
Houston, Texas 77060

Dear Ms. Barko Meaux:

Thank you for your letter received June 25, 2019, concerning a proposal by CPS Energy to construct a double circuit 138kV transmission line located in Bexar County, Texas. Mr. John Derinzy has been assigned as the regulatory project manager. The project has been assigned Project Number SWF-2019-00231, please include this number in all future correspondence concerning this project.

Mr. John Derinzy has been assigned as the regulatory project manager for your request and will be evaluating it as expeditiously as possible.

You may be contacted for additional information about your request. For your information, please reference the Fort Worth District Regulatory Division homepage at www.swf.usace.army.mil/Missions/Regulatory and particularly guidance on submittals at www.media.swf.usace.army.mil/pubdata/environ/regulatory/introduction/submital.pdf and mitigation at www.usace.army.mil/Missions/Regulatory/Permitting/Mitigation that may help you supplement your current request or prepare future requests.

If you have any questions about the evaluation of your submittal or would like to request a copy of one of the documents referenced above, please refer to our website at http://www.swf.usace.army.mil/Missions/Regulatory or contact Mr. John Derinzy at the address above or telephone (817) 886-1742 and refer to your assigned project number. Please note that it is unlawful to start work without a Department of the Army permit if one is required.

Please help the regulatory program improve its service by completing the survey on the following website: http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey

Stephen L Brooks
Chief, Regulatory Division

000256

DEPARTMENT OF THE AIR FORCE
502D AIR BASE WING
JOINT BASE SAN ANTONIO

26 March 2020

Mr. Richard Trevino, USAF
Base Civil Engineer
502d Civil Engineer Group
2428 Stanley Rd
JBSA-Fort Sam Houston TX 78234

COL Isaac C. Manigault
Commander, Army Environmental Command
2455 Reynolds Road
Fort Sam Houston, Texas 78234-7664

Kirk D. Rasmussen
Jackson Walker LLP
100 Congress Ave #1100
Austin, Texas 78701

Re: Request for Right of Way to CPS for a transmission line through Maverick Ranch

Dear Mr. Rasmussen,

We write jointly regarding your client's, City Public Service (CPS), request for a Right of Way (ROW) for an electric transmission line and substation through a tract on Maverick Ranch located in northwest Bexar County. For the reasons set forth below, it is the Air Force's and Army's position that the proposed ROW would be inconsistent with the conservation easement over the Maverick Ranch that the Army's conservation partner, The Nature Conservancy (TNC), acquired in 2010 (see enclosed conservation easement). In addition, a ROW for an electric transmission line would negatively impact the ongoing military missions at Camp Bullis.

By way of background, the Maverick Ranch perpetual conservation easement was one of six endangered species habitat exchanges executed during 2009 – 2013 between Camp Bullis and TNC with assistance from the City of San Antonio, Bexar County, and Texas Parks and Wildlife Department (TPWD). The specific tract at issue is made up of very dense old growth cedar and oak and contains a high percentage of Golden-cheeked Warbler (GCW) habitat (see enclosed 2019 Endangered Species Presence-Absence Survey of the subject property). This effort was vital to relieving endangered species habitat restrictions on more than 2,500 acres of GCW habitat on Camp Bullis.

In return for conserving land off of the installation in perpetuity, US Fish and Wildlife Service (USFWS) authorized Camp Bullis to clear most of the cedar on 2,500 acres on Camp Bullis. This exchange made it much more feasible to accommodate the growth related to the

Base Realignment and Closure (BRAC) recommendations of 2005, wherein Joint Base San Antonio stood up, and 12,000 additional personnel were added to Fort Sam Houston and Camp Bullis. This made Fort Sam Houston the home of all Department of Defense medic training, including 5,000 additional medical trainees. The field training at Camp Bullis is essential to the long-term viability of Fort Sam Houston and is home to a multitude of critical training, including security forces trainees from Joint Base San Antonio-Lackland.

If the TNC in perpetuity conservation easements were to be disturbed, USFWS would require another consultation under Section 7 of the Endangered Species Act and Camp Bullis would need to obtain replacement GCW mitigation credits. Finally, regardless of any willingness of Camp Bullis (US Air Force or Army) to entertain additional endangered species replacement habitat, Section 4 of the conservation easement only allows utilities to be installed for existing houses already on the tracts.

We have also been communication with the owners of the underlying fee title of the Maverick Ranch as well as TNC, and both are resistant to a utility ROW over the Maverick Ranch.

Sincerely

RICHARD TREVINO JR., GS-15
Director, 502d Civil Engineer Group

Sincerely

ISAAC C. MANIGAULT
COL, CM
Commanding

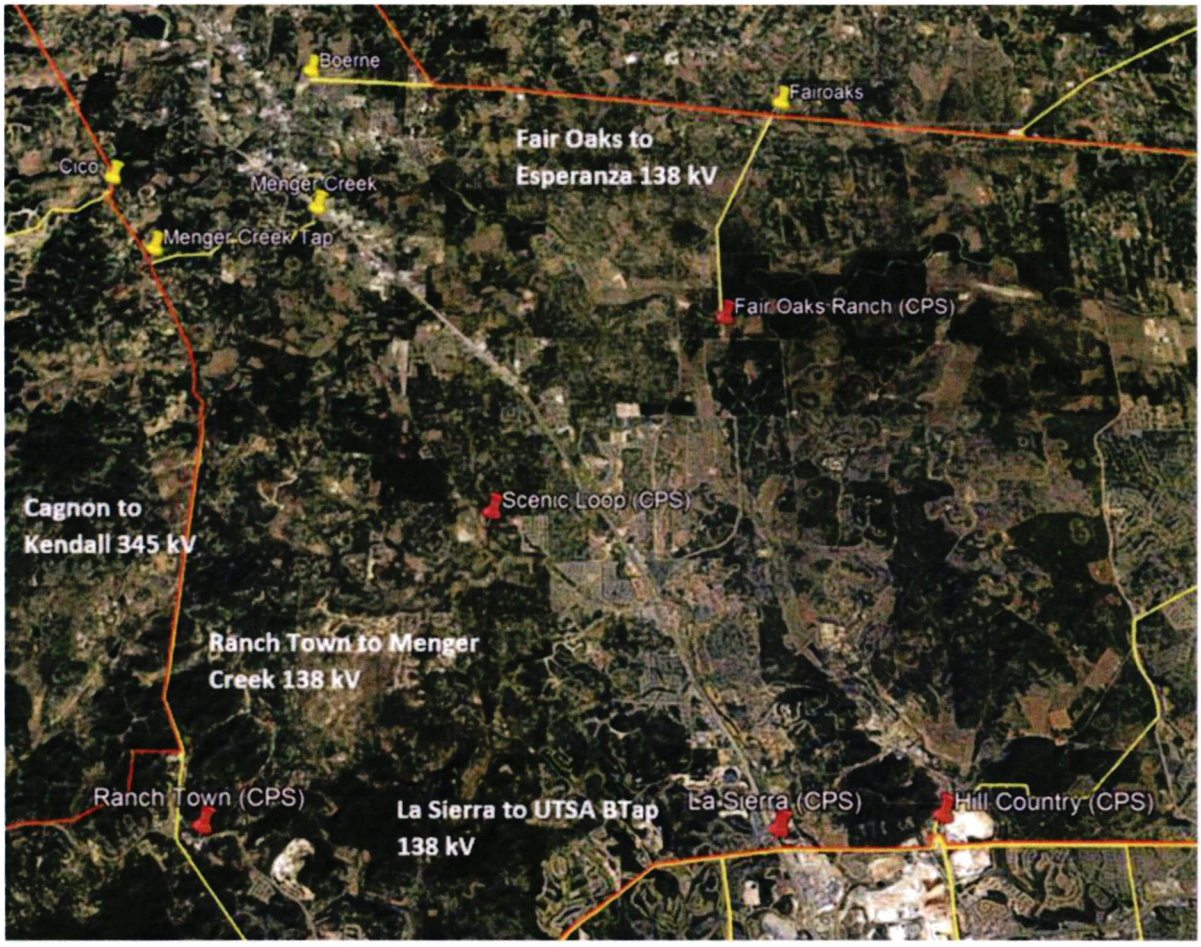
Enclosures

cc: The Nature Conservancy
The Pond Foundation

4. Transmission Interconnection

CPS Energy evaluated potential transmission options that are best capable to serve the proposed Scenic Loop Substation. CPS Energy's standard practice is to loop in 138-kV transmission lines for CPS Energy owned load serving stations and has arrived at three potential transmission options that connect the proposed Scenic Loop Substation to the existing interconnected transmission grid. Although there are 345-kV transmission lines in the vicinity of the proposed Scenic Loop Substation, because CPS Energy does not serve the distribution system load from 345 kV system, interconnection with such lines was not considered a viable alternative option. Figure 16 Transmission lines in the area surrounding the proposed Scenic Loop Substation provides an overview of the available transmission lines in the area, including substations within the region.

Figure 16 Transmission lines in the area surrounding the proposed Scenic Loop Substation



To determine the best option to serve and connect to the proposed Scenic Loop Substation, additional power flow analysis was conducted. This analysis coupled with the cost estimates to construct a looped 138-kV transmission circuit on mono pole structures determined the preferred transmission option. Figure 17 shows the three options considered and their possible connection to the area proposed for the Scenic Loop Substation. Table 19 provides the high level cost estimate considered in the analysis. To estimate the length of ROW, a straight line length with a 30% adder was used. For purposes of this

analysis, CPS Energy's estimated cost per mile for double circuit 138-kV structure for the study area of $ 6.9 million/mile was assumed for this analysis.

The following are the three options considered for the analysis:

- Option 1: Looping the Ranchtown to Menger Creek 138-kV transmission line into the Scenic Loop Substation.
- Option 2: Looping the La Sierra to UTSA BTap 138-kV transmission line into Scenic Loop Substation.
- Option 3: Looping Fair Oaks to Esperanza 138-kV transmission line into Scenic Loop Substation.

Figure 17 Transmission Options considered for analysis.

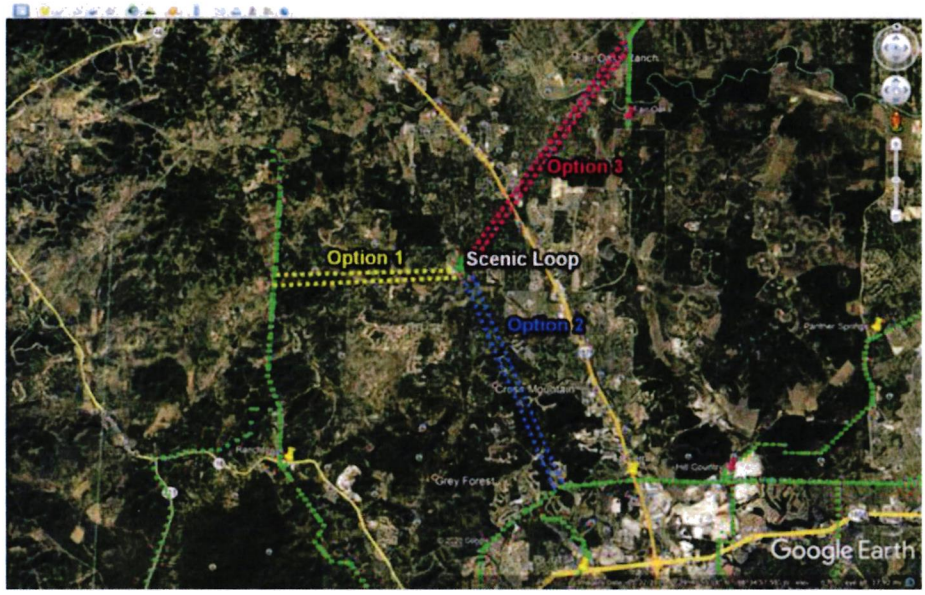


Table 19: Transmission options cost estimates

Study Options	Description	Conductor Type Modeled	Mileage (miles)	Substation ($M)	Transmission ($M)	Total ($M)
Option 1	Looping Ranchtown to Menger Creek transmission line into Scenic Loop	795 Drake ACSR (2-Bundled)	4.27 Straight line length+ 30% adder= 5.55	$ 8.0	$ 38.3	**$ 46.3**
Option 2	Looping La Sierra to UTSA B Tap transmission line into Scenic Loop	1272 Narcissus AAC (2-Bundled)	5.28 Straight line length+ 30% adder= 6.86	$ 8.0	$ 47.3	**$ 55.3**
Option 3	Looping Fair Oaks to Esperanza transmission line into Scenic Loop	795 Drake ACSR (Single)	6.65 Straight line length+ 30% adder= 8.65	$ 8.0	$ 59.7	**$ 67.7**

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PUC DOCKET NO. 51023

APPLICATION OF THE CITY OF SAN ANTONIO TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE SCENIC LOOP 138-KV TRANSMISSION LINE IN BEXAR COUNTY	§ § § § § §	**BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS**

CPS ENERGY'S RESPONSE TO ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION FIRST REQUEST FOR INFORMATION

Anaqua Springs Question No. 1-4:

Please provide the approximate date upon which CPS became aware of the federal interest in the Conservation Easement.

Response:

CPS Energy became aware of the potential federal interest in the Conservation Easement in the summer of 2019.

Prepared By:	Adam R. Marin	Title:	Regulatory Case Manager
	Lisa B. Meaux	Title:	Project Manager, POWER Engineers, Inc.
Sponsored By:	Adam R. Marin	Title:	Regulatory Case Manager
	Lisa B. Meaux	Title:	Project Manager, POWER Engineers, Inc.

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CPS ENERGY'S RESPONSE TO ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION FIRST REQUEST FOR INFORMATION

Anaqua Springs Question No. 1-5:

Please provide all documents related to alternatives considered to Segment 12 after it was eliminated from consideration as a segment in the Application.

Response:

There are no documents responsive to this request. Following the decision to remove Segment 12 from consideration due to the interest of the U.S. Army in the Conservation Easement, CPS Energy, in consultation with experts at POWER Engineers, Inc., determined that the remaining segments could be combined to delineate an adequate number of reasonably differentiated alternative routes to conduct a proper evaluation. See discussion on page 6-7 of the Environmental Assessment included as Attachment 1 to the Application.

Prepared By:	Adam R. Marin	Title:	Regulatory Case Manager
	Lisa B. Meaux	Title:	Project Manager, POWER Engineers, Inc.
Sponsored By:	Adam R. Marin	Title:	Regulatory Case Manager
	Lisa B. Meaux	Title:	Project Manager, POWER Engineers, Inc.

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CPS ENERGY'S RESPONSE TO ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION FIRST REQUEST FOR INFORMATION

Anaqua Springs Question No. 1-6:

Please provide all documents related to existing or considered routes that run north of Anaqua Springs HOA that do not impact Toutant Beauregard.

Response:

There are no documents responsive to this request. Because of the path Toutant Beauregard Road traverses through the Study Area, routes proposed in the Application with segments located north of the Anaqua Springs Ranch development either parallel or cross Toutant Beauregard Road, including Routes A, B, C, D, E, G, H, I, J, M, X, Y, Z, and AA. Note, however, that over half of the routes included in the Application do not include segments that run north of Anaqua Springs Ranch, including Routes K, L, N, O, P, Q, R, S, T, U, V, W, BB, and CC.

Prepared By: Lisa B. Meaux Title: Project Manager, POWER Engineers, Inc.
Sponsored By: Lisa B. Meaux Title: Project Manager, POWER Engineers, Inc.

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CPS ENERGY'S RESPONSE TO ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION FIRST REQUEST FOR INFORMATION

Anaqua Springs Question No. 1-9:

Please provide a list of all locations considered for substations prior to filing the Application.

Response:

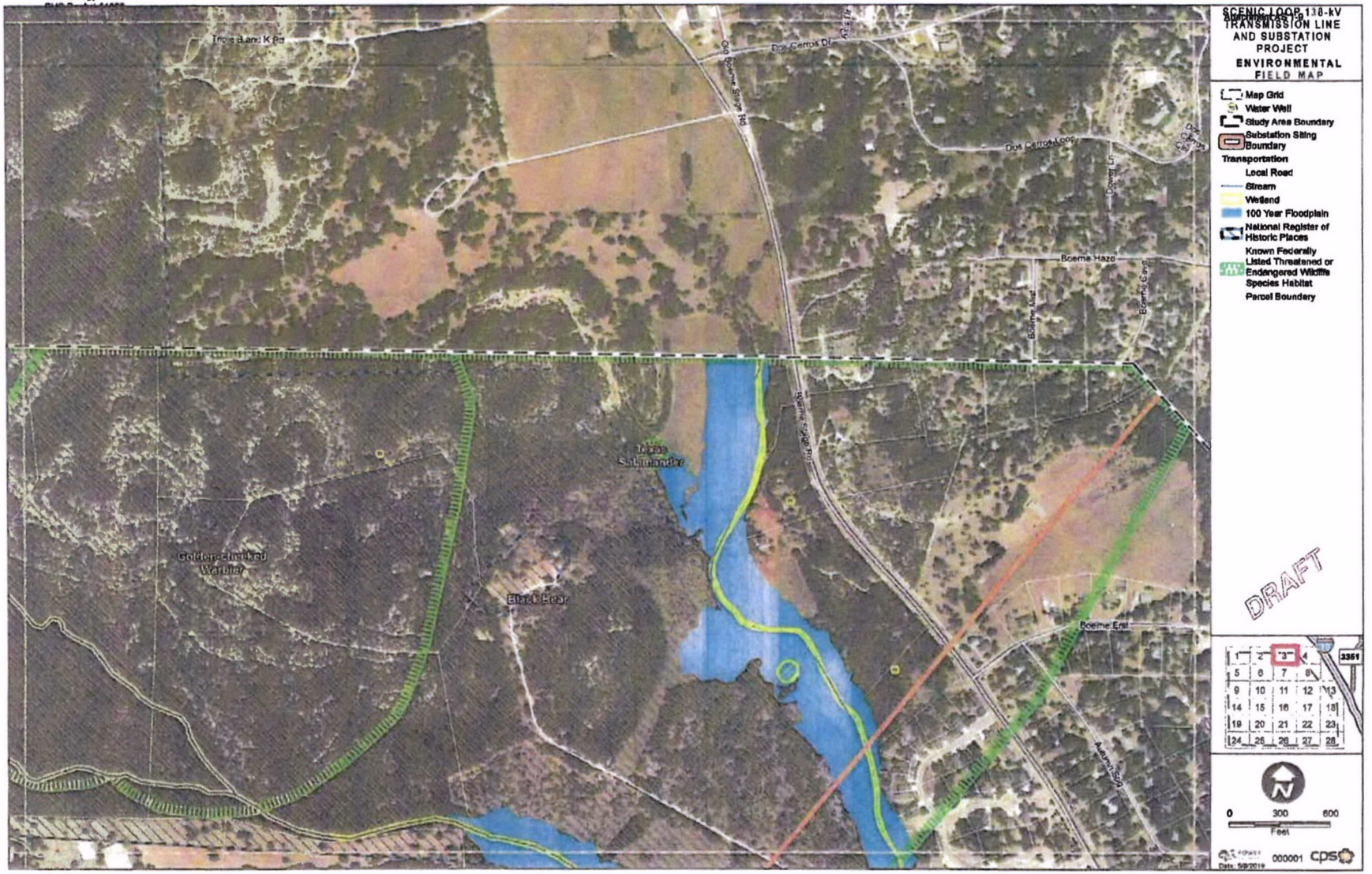
See Attachment. A general substation siting boundary, represented by an orange line, was identified within the northeastern portion of the study area and is shown in the attachment. Substation sites considered prior to the filing of the Application are shown on page four of the attachment. One of the proposed locations that was considered prior to the filing of the Application was located at the northeast corner of the intersection of Boerne Stage Road and Scenic Loop Road. One of the other locations that was considered prior to the filing of the Application was located at the southwest corner of the intersection of Boerne Stage Road and Breeze Oak. The other three proposed substation site locations are included in the Application.

At the open house meeting on October 3, 2019, a proposed substation site location "Sub 1" was identified on Boerne Stage Road north of Toutant Beauregard Road. Following the open house meeting an alternative location for Substation Site 1 was identified. See Figures 2-2 and 6-17 of the Environmental Assessment included as Attachment 1 to the Application.

Attachment:
Attachment AS 1-9 Scenic Loop 138-kV Transmission Line and Substation Project Environmental Field Map, 7 Pages, No Author, 5/8/2019.

Prepared By: Lisa Barko Meaux Title: Project Manager, POWER Engineers, Inc.
Sponsored By: Lisa Barko Meaux Title: Project Manager, POWER Engineers, Inc.

CPS Energy



SCENIC LOOP 138-kV TRANSMISSION LINE AND SUBSTATION PROJECT

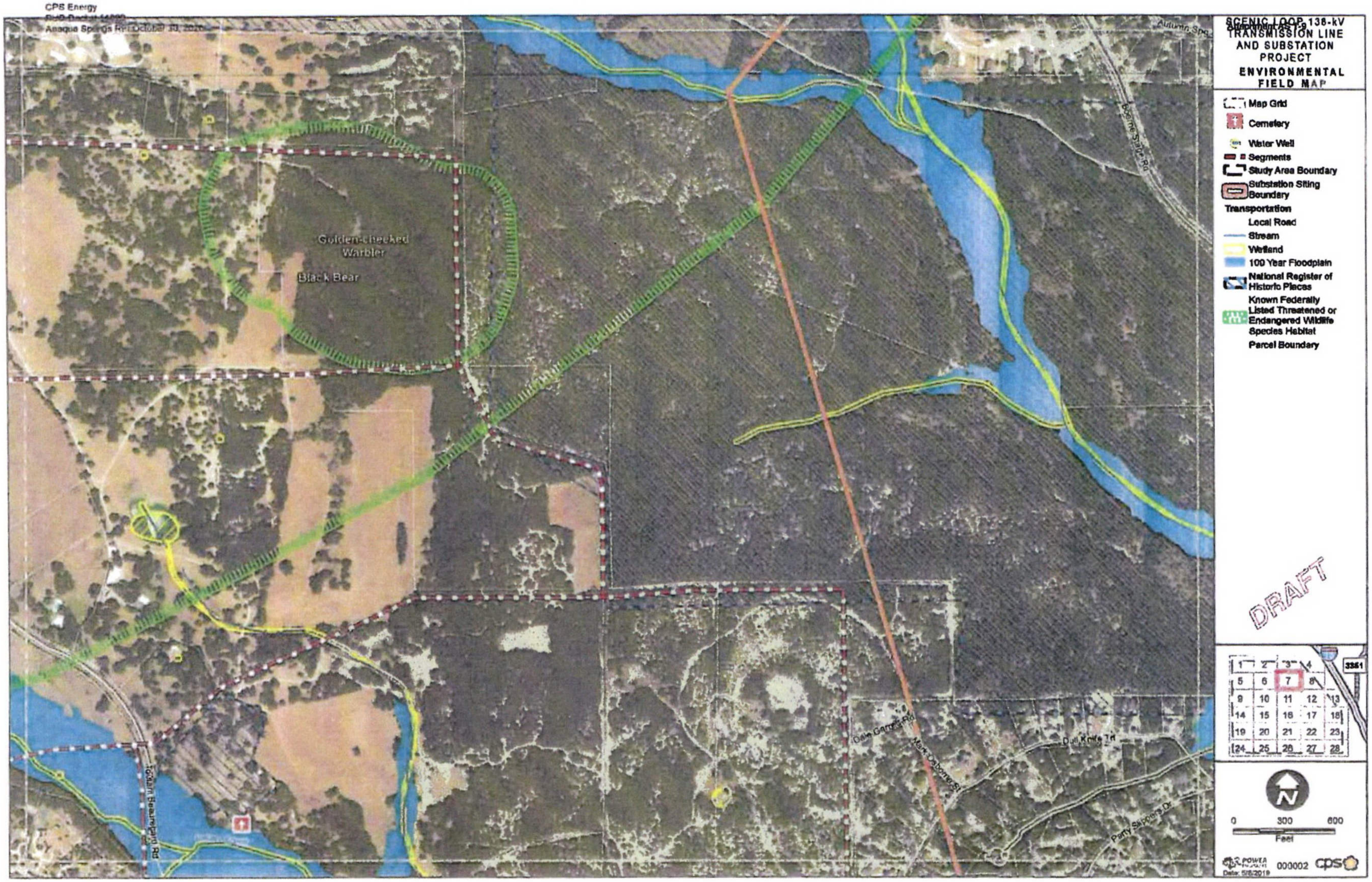
ENVIRONMENTAL FIELD MAP

- Map Grid
- Water Well
- Study Area Boundary
- Substation Siting Boundary

Transportation

- Local Road
- Stream
- Wetland
- 100 Year Floodplain
- National Register of Historic Places
- Known Federally Listed Threatened or Endangered Wildlife Species Habitat
- Parcel Boundary

CPS Energy


SCENIC LOOP 138-kV TRANSMISSION LINE AND SUBSTATION PROJECT
ENVIRONMENTAL FIELD MAP
Map Grid
Cemetery
Water Well
Segments
Study Area Boundary
Substation Siting Boundary
Transportation
Local Road
Stream
Wetland
100 Year Floodplain
National Register of Historic Places
Known Federally Listed Threatened or Endangered Wildlife Species Habitat
Parcel Boundary
Golden-cheeked Warbler
Black Bear
DRAFT
0 300 600
Feet
000002
Date: 5/8/2019


CPS Energy
SCENIC LOOP 138-kV
TRANSMISSION LINE
AND SUBSTATION
PROJECT
ENVIRONMENTAL
FIELD MAP
Map Grid
Communication Tower
Water Well
Segments
Study Area Boundary
Substation Siting Boundary
Transportation
Local Road
Stream
Wetland
100 Year Floodplain
National Register of Historic Places
Parcel Boundary
DRAFT
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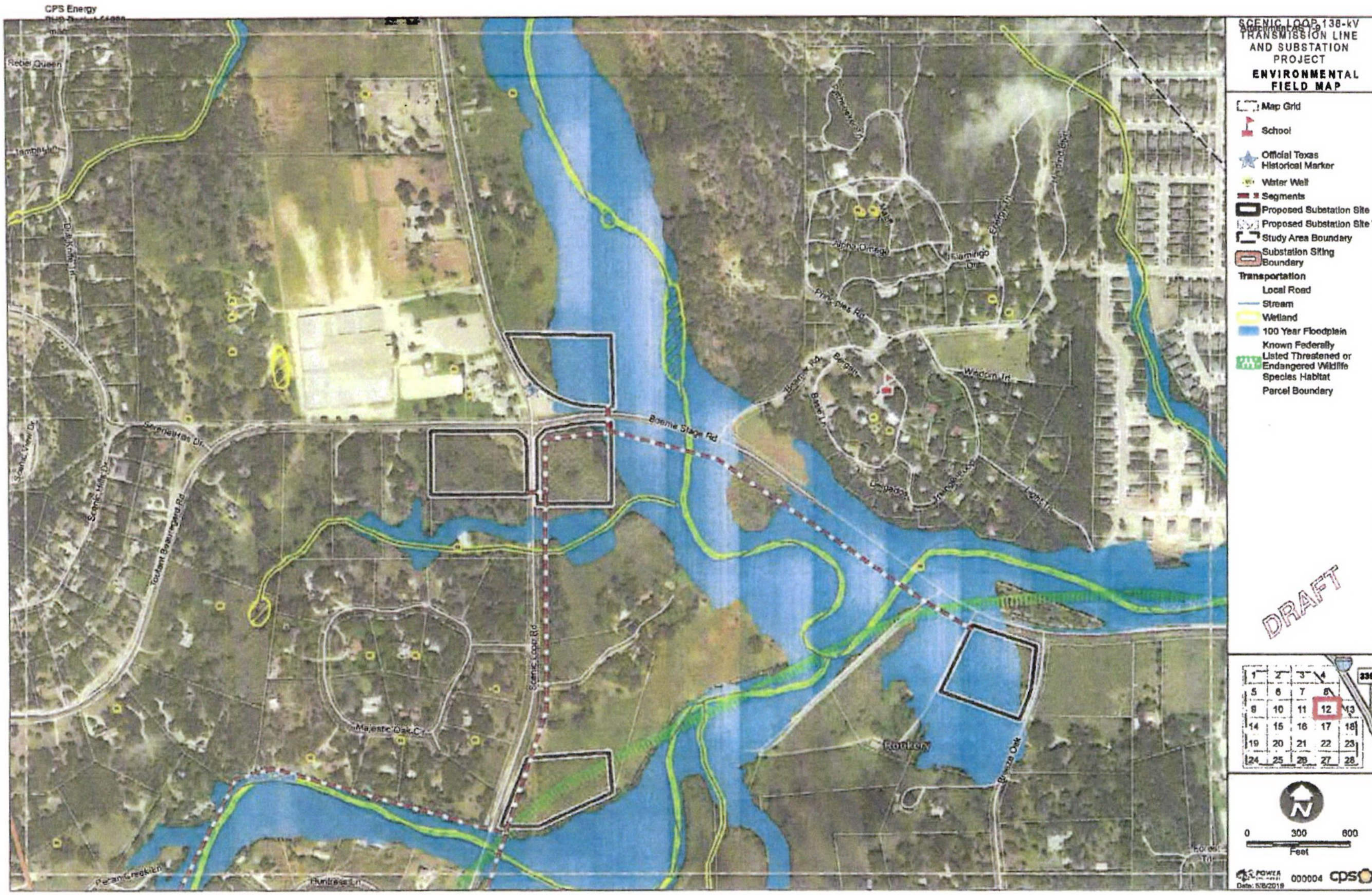
CPS Energy
SCENIC LOOP 138-kV
TRANSMISSION LINE
AND SUBSTATION
PROJECT
ENVIRONMENTAL
FIELD MAP
Map Grid
School
Official Texas Historical Marker
Water Well
Segments
Proposed Substation Site
Study Area Boundary
Substation Siting Boundary
Transportation
Local Road
Stream
Wetland
100 Year Floodplain
Known Federally Listed Threatened or Endangered Wildlife Species Habitat
Parcel Boundary
DRAFT
1 2 3 4
5 6 7 8
9 10 11 12 13
14 15 16 17 18
19 20 21 22 23
24 25 26 27 28
3351
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000004
cps
Boerne Stage Rd
Scenic Loop Rd
Majestic Oak Ct
Rebel Queen

CPS Energy


SCENIC LOOP 138-kV
TRANSMISSION LINE
AND SUBSTATION
PROJECT
ENVIRONMENTAL
FIELD MAP
Map Grid
Water Well
Segments
Study Area Boundary
Substation Siting Boundary
Transportation
Local Road
Stream
Wetland
100 Year Floodplain
Archeological Site
Known Federally Listed Threatened or Endangered Wildlife Species Habitat
Parcel Boundary
DRAFT
Texas Salamander
Pecan Creek Ln
3351
1 2 3 4
5 6 7 8
9 10 11 12 13
14 15 16 17 18
19 20 21 22 23
24 25 26 27 28
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CPS Energy


SCENIC LOOP 138-kV TRANSMISSION LINE AND SUBSTATION PROJECT
ENVIRONMENTAL FIELD MAP
Map Grid
Communication Tower
Water Well
Segments
Study Area Boundary
Substation Siting Boundary
Transportation
Local Road
Stream
Wetland
100 Year Floodplain
Known Federally Listed Threatened or Endangered Wildlife Species Habitat
Parcel Boundary
DRAFT
3351
0
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600
Feet
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cps
Date: 5/8/2019
Breeze Oak
Apache Trl
Rookery
Gap Mountain Dr
Cross Mountain Trl
Iron Horse
Texas Salamander
Fork

CPS Energy

SCENIC LOOP 138-kV TRANSMISSION LINE AND SUBSTATION PROJECT
ENVIRONMENTAL FIELD MAP
Map Grid
Water Well
Study Area Boundary
Substation Siting Boundary
Transportation
Local Road
Stream
Wetland
100 Year Floodplain
Known Federally Listed Threatened or Endangered Wildlife Species Habitat
Parcel Boundary
DRAFT
Tonkawa Ln
Saddle Trl
Rookery
Boerne Stage Rd
Piney Wood Run
Cougar Pass
Midnight Stage
Cavalry Stage
Baywater Stage
Saddle Ln
1 2 3 4
5 6 7 8
9 10 11 12 13
14 15 16 17 18
19 20 21 22 23
24 25 26 27 28
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Date: 5/8/2019
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CPS ENERGY'S RESPONSE TO ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION FIRST REQUEST FOR INFORMATION

Anaqua Springs Question No. 1-12:

Please provide the straight-line distance between the site proposed for Substation 6 and the La Sierra to UTSA B Tap transmission line.

Response:

The straight line distance between proposed Substation Site 6 and the closest point to the existing La Sierra-UTSA B Tap transmission line is approximately 4.6 miles.

Prepared By:	Adam R. Marin	Title:	Regulatory Case Manager
Sponsored By:	Adam R. Marin	Title:	Regulatory Case Manager

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PUC DOCKET NO. 51023

APPLICATION OF THE CITY OF SAN ANTONIO TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE SCENIC LOOP 138-KV TRANSMISSION LINE IN BEXAR COUNTY	§ § § § § §	**BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS**

CPS ENERGY'S RESPONSE TO ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION FIRST REQUEST FOR INFORMATION

Anaqua Springs Question No. 1-13:

Please provide the straight-line distance between the site proposed for Substation 6 and the Ranchtown to Menger Creek transmission line.

Response:

The straight line distance between proposed Substation Site 6 and the closest point to the existing Ranchtown to Menger Creek transmission line is approximately 4 miles.

Prepared By: Adam R. Marin Title: Regulatory Case Manager
Sponsored By: Adam R. Marin Title: Regulatory Case Manager

SOAH DOCKET NO. 473-21-0247
PUC DOCKET NO. 51023

APPLICATION OF THE CITY OF SAN ANTONIO TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE SCENIC LOOP 138-KV TRANSMISSION LINE IN BEXAR COUNTY	§ § § § § §	**BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS**

CPS ENERGY'S RESPONSE TO ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION FIRST REQUEST FOR INFORMATION

Anaqua Springs Question No. 1-20:

Did CPS seek the approval of the Nature Conservancy for an easement across the Conservation Easement?

Response:

CPS Energy has not sought approval from the Nature Conservancy for an easement across the Conservation Easement in order to accommodate construction of the Project.

Prepared By: Adam R. Marin Title: Regulatory Case Manager
Sponsored By: Adam R. Marin Title: Regulatory Case Manager

SOAH DOCKET NO. 473-21-0247
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APPLICATION OF THE CITY OF SAN ANTONIO TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE SCENIC LOOP 138-KV TRANSMISSION LINE IN BEXAR COUNTY	§ § § § § §	**BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS**

CPS ENERGY'S RESPONSE TO ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION FIRST REQUEST FOR INFORMATION

Anaqua Springs Question No. 1-21:

Please provide approximate length, cost and habitable structure count for a route consisting of Segments 44, 53, 47, 27, 57, and 56.

Response:

CPS Energy has evaluated a potential substation site at the location indicated by this question and determined that the location is not a viable alternative substation site that sufficiently meets the need for the project. Accordingly, CPS Energy does not consider the segment combination proposed in this request to be a viable alternative route for the project. No route data exists for the segment combination in the manner requested.

Prepared By:	George J. Tamez	Title: Director of Grid Transformation and Planning
	Lisa Barko Meaux	Title: Project Manager, POWER Engineers, Inc.
Sponsored By:	George J. Tamez	Title: Director of Grid Transformation and Planning
	Lisa Barko Meaux	Title: Project Manager, POWER Engineers, Inc.

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CPS ENERGY'S RESPONSE TO ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION FIRST REQUEST FOR INFORMATION

Anaqua Springs Question No. 1-22:

Please provide an estimate for the right-of-way and land acquisition cost for a substation located southwest of the location where Segments 16, 55 and 56 meet.

Response:

CPS Energy has evaluated a potential substation site at the location indicated by this question and determined that the location is not a viable alternative substation site that sufficiently meets the need for the project. Accordingly, CPS Energy does not have the right-of-way or land acquisition cost for a substation at the location indicated. CPS Energy does not have information responsive to this request.

Prepared By:	George J. Tamez	Title: Director of Grid Transformation and Planning
	Scott D. Lyssy	Title: Manager Civil Engineering
Sponsored By:	George J. Tamez	Title: Director of Grid Transformation and Planning
	Scott D. Lyssy	Title: Manager Civil Engineering

SOAH DOCKET NO. 473-21-0247
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APPLICATION OF THE CITY OF SAN ANTONIO TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE SCENIC LOOP 138-KV TRANSMISSION LINE IN BEXAR COUNTY	§ § § § § §	**BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS**

CPS ENERGY'S RESPONSE TO ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION FIRST REQUEST FOR INFORMATION

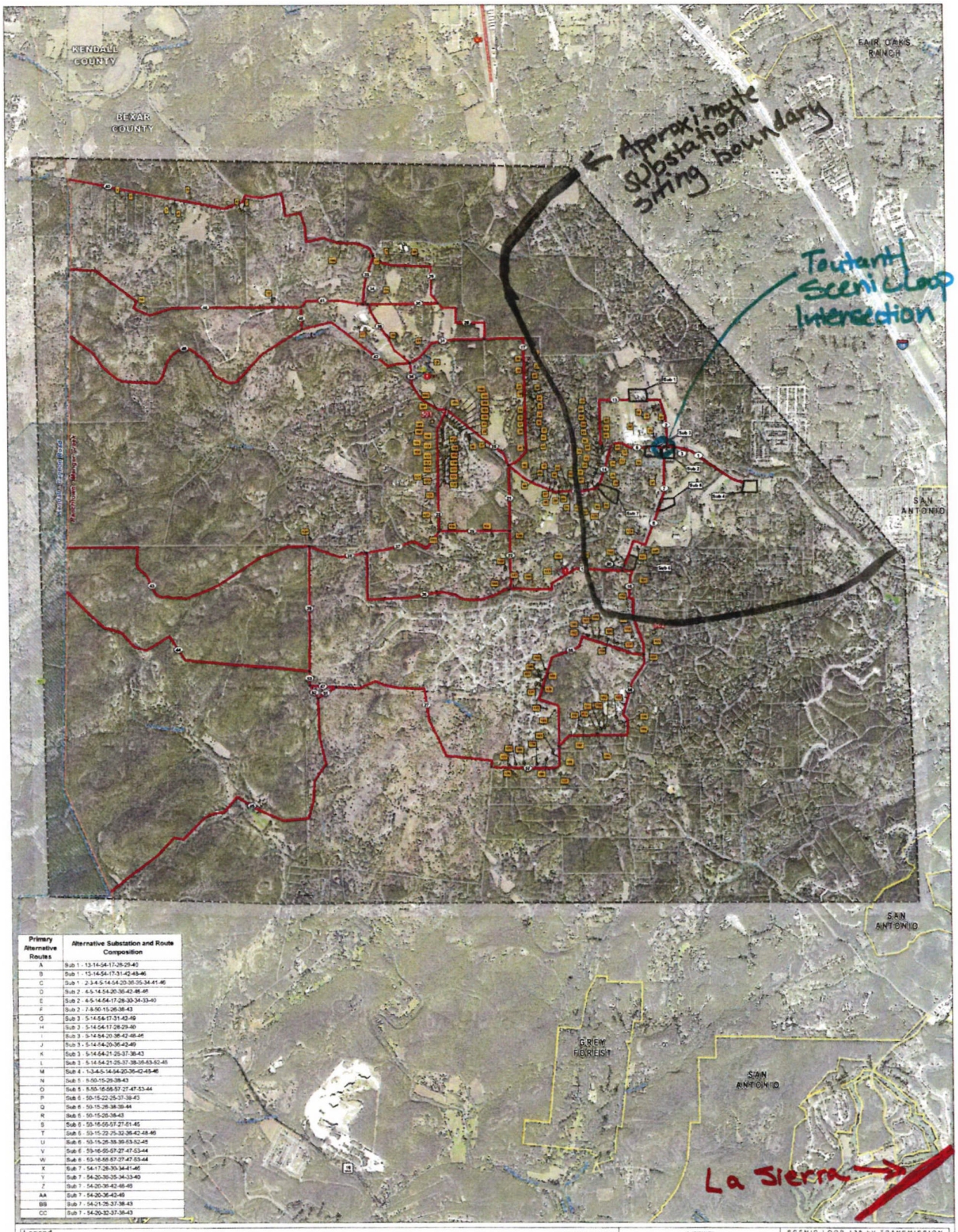
Anaqua Springs Question No. 1-26:

Please provide the straight-line distance from the location where Segment 56 turns to the west and the La Sierra to UTSA B Tap transmission line.

Response:

The straight line distance from the point indicated in this question where Segment 56 turns to the west and the closest point to the existing La Sierra to UTSA B Tap transmission line is approximately 3.75 miles.

Prepared By: Adam R. Marin Title: Regulatory Case Manager
Sponsored By: Adam R. Marin Title: Regulatory Case Manager


KENDALL COUNTY
BEXAR COUNTY
FAIR OAKS RANCH
SAN ANTONIO
GREY FOREST
SAN ANTONIO
SAN ANTONIO
Approximate substation siting boundary
Tentative Scenic Loop Intersection
La Sierra
Primary Alternative Routes
Alternative Substation and Route Composition
A
Sub 1 - 13-14-54-17-26-29-40
B
Sub 1 - 13-14-54-17-31-42-48-46
C
Sub 1 - 2-3-4-5-14-54-20-35-35-34-41-46
D
Sub 2 - 4-5-14-54-20-30-42-48-46
E
Sub 2 - 4-5-14-64-17-28-30-34-33-40
F
Sub 2 - 7-8-50-15-26-38-43
G
Sub 3 - 5-14-54-17-31-42-49
H
Sub 3 - 5-14-54-17-28-29-40
I
Sub 3 - 5-14-54-20-38-42-48-46
J
Sub 3 - 5-14-54-29-36-42-49
K
Sub 3 - 5-14-64-21-25-37-38-43
L
Sub 3 - 5-14-54-21-25-37-38-39-53-52-48
M
Sub 4 - 1-3-4-5-14-54-20-36-42-48-46
N
Sub 5 - 9-50-15-29-38-43
O
Sub 5 - 9-50-16-56-57-27-47-53-44
P
Sub 6 - 50-15-22-25-37-38-43
Q
Sub 6 - 50-15-26-38-39-44
R
Sub 6 - 50-15-26-38-43
S
Sub 6 - 50-16-55-57-27-51-45
T
Sub 6 - 50-15-22-25-32-36-42-48-46
U
Sub 6 - 50-15-26-38-39-53-52-48
V
Sub 6 - 50-16-55-57-27-47-53-44
W
Sub 6 - 50-16-56-57-27-47-53-44
X
Sub 7 - 54-17-26-30-34-41-46
Y
Sub 7 - 54-20-30-35-34-33-40
Z
Sub 7 - 54-20-38-42-48-46
AA
Sub 7 - 54-20-36-42-49
BB
Sub 7 - 54-21-25-37-38-43
CC
Sub 7 - 54-20-32-37-38-43
Legend
Project Components
Study Area Boundary
Primary Alternative Segment, Node, and Label
Proposed Substation Site
Land Use Features
Habitable Structure
Communication Tower (FCC)
Cemetery (USGS)
National Register of Historic Places (THC)
Existing Utility Features
138 kV Transmission Line
345 kV Transmission Line
Transportation Features
Interstate Highway
State Highway
Local Road
Airport Runway
Hydrologic Features
River / Stream (NHD)
Floodplain (FEMA)
Administrative Features
City Limits
Parcel Boundary
County Boundary
1 inch = 1,000 feet
Project Location
TEXAS
SCENIC LOOP 138 kV TRANSMISSION LINE AND SUBSTATION PROJECT
Figure 4-1
Habitable Structures and Other Land Use Features in the Vicinity of the Primary Alternative Routes
Feet
cps
POWER ENGINEERS