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PUBLIC UTILITY COMMISSION
BEFORE THE HEARING CLERK

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 §

STATE OFFICE OF

ADMINISTRATIVE HEARINGS

**STATEMENT OF POSITION OF
JAMES MIDDLETON**

My name is James Middleton. I am an intervenor in this case. I live at 11431 Cat Springs, Boerne, TX, which is within the Anaqua Springs Ranch subdivision and am impacted by the transmission line that runs along Toutant Beauregard Road and that runs along the southern border of Anaqua Springs Ranch property.

I am opposed to the routes that USE / RUN ALONG / ARE PARALLEL TO / OR FOLLOW Toutant Beauregard Road.

CPS contends there are adequate routes available for PUC to decide on final routing. The fact is on the Northern route, while there appears to be 6 options, in reality all involve using Toutant Beauregard Road as the routing option regardless of any minor sub segment deviations. So, if you chose North, which they have done, there is one option. That one option affects a school and 40 acres purchased to build a middle school, a 24-hour guard house operation, 1500 lots and homesites valued at \$1.5 B, crosses 5 major development entrances, crosses Toutant Beauregard (only road available for all the above) 5 times, and creates major disruption to the most people possible of ALL other options. The comparison of cost, using the "new" #7 (not even mentioned in the open house call for input) is flawed because the "chosen" option calculates cost based on that new #7 being the termination and all other options go back to the original #1. There will NEVER be a less

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cost for any other selections because it's an apples to oranges comparison. Rough calculations for any other options look like \$6-8 million more because they all go back to the original #1 substation. Not hard to see why the selected route looks better cost-wise than all others. Add to all this, the BEST route by far, #12 to sub #1, was summarily discarded out of hand because of 1 ARMY letter that has since been totally debunked by a number of knowledgeable lawyers AND, the Army itself. "We have NO authority to approve or disapprove of any transactions involving TNC or the Maverick ranch owners." ZERO, ZERO, due diligence done on the cheapest, least disruptive route. If anyone is listening or cares about affecting a ton of people and structures, this whole process needs to start over. My take is the whole process is TOTALLY flawed and subservient to some key people or landowners.

I am also opposed to the routes that use segments 38, 39, and 43 because those segments impact Anaqua Springs properties on the southern border.

I wish to remain an intervenor and participate in this case.

Respectfully submitted,


James Middleton