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SOAH DOCKET NO. 473-21-024

P.U.C. DOCKET NO. 51023

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PUBLIC UTILITY COMMISSION  
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**In re 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 Project  
in Bexar County, Texas**

**BEFORE THE STATE OFFICE OF  
ADMINISTRATIVE HEARINGS**

**STATEMENT OF POSITION OF JESSE C. DELEE**

1. My name is Jesse C. Delee and I have been an orthopedic surgeon in San Antonio for approximately 50 years.
2. I own three and one half lots at High Country Ranch (HCR). The first lot I bought in 1994 from Boyce Gaskin.
3. In 2000 I built a house, guest house and two garages on one of the lots. From my back porch, I have a sweeping view to the east of HCR, which encompasses Pecan Springs, Anaqua Springs Ranch, the Canyons developments and other developments.
4. HCR is comprised of approximately 350 acres of land in the northwest corner of Bexar County.
5. HCR has been in existence for over forty years with execution of the first Covenants occurring on June 15, 1977.
6. HCR is comprised of 15 individually owned lots and approximately 300 acres of common recreation area (plus a nine acre club site tract) wrapping around the southern and western borders of the lots. This recreation area is available to individual lot owners and their families and is used for hiking, hunting, bird and wildlife viewing, and educating our youth about nature

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conservancy in the unique micro-environment of the Texas Hill Country. In addition, it is used agriculturally for cattle grazing.

7. There are six blinds and eight feeders located throughout the ranch. Members are allowed to use any of the blinds on a first come, first serve basis, at all times of the year. Harvest data and sightings of both game, non-game animals and birds are collected in a log book located at the check-in station. Members are also required to document the age, sex and antler development of any white-tail deer harvested.

8. Segment 49a cuts through the middle of HCR and is adjacent to an intermittent stream that runs through the heart of the property. This stream flows in a southeast direction into Leon Springs Creek.

9. An abundance of wildlife is present and/or has been identified at HCR.

10. There are multiple colonies of Red Harvester Ants near the intermittent stream and directly in the path of proposed Segment #49a. Construction of electrical lines will disrupt these colonies.

11. Nobody from CPS Energy or Power Engineers contacted me to investigate whether HCR was a recreational area.

12. I object to Segment 49a, which is part of Routes AA1, G1, J1 and EE for the following reasons:

12.1 It is located in a recreational area which goes against PURA Sect. 37.056. In addition, the presence of this segment will forever disrupt the recreational activities enjoyed by the members of HCR.

12.2 It follows no property line or public roadway and fragments intact land, which goes against TPWD's statement in its Recommendation Letter to the PUC that "the State's long-term interests are best served when new utility lines and pipelines are sited where possible in or adjacent to existing utility corridors, roads, or rail lines instead of fragmenting intact lands."

12.3 It will disrupt wildlife

12.4 It will disrupt red harvester ants.

12.5 It will disrupt the nesting area of the Golden Cheeked Warbler.

12.6 It is part of Route AA1, G1 and J1, which includes Segment 42a, which is close to Dr. Sara McAndrew Elementary School

13. I also object to the actions of the developers of Pecan Springs and CPS Energy in the process of proposing segments, moving segments and donating right of way in Segments 42a, 46, 46a and 49a. These actions are based on protecting their financial interests, specifically saving CPS Energy expenses and enriching the developers of Pecan Springs, to the detriment of surrounding landowners. The Pecan Springs Developers have donated flood plain and other undevelopable property to CPS Energy and by doing so, are protecting their investment in the Pecan Springs and Anaqua Springs areas. This action funnels several routes into a 40+ year old recreational area. The actions of CPS Energy in readily agreeing to such routes reveals that it doesn't adequately consider other factors it should when proposing segments, including the environment, aesthetics, and whether segments follow roads and property lines.

14. Finally, before it even reaches HCR, the new proposed Segment 49a travels in a north-south direction directly to the east of my home, which will disrupt the sweeping views to the east from my lots and other lots on the eastern edge of HCR (eight lots in total).

WHEREFORE, I respectfully request that the Administrative Law Judges avoid selecting routes AA1, G1, J1 and EE as these routes include Segment 49a.

Respectfully submitted this 23<sup>rd</sup> day of January, 2021

/s/ Jesse C. Delee  
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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing has been filed with the Commission and served on all other parties via the PUC interchange on this 23<sup>rd</sup> day of January 2021 pursuant to SOAH Order Number 3 issued in this docket.

/s/Jesse C. Delee

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Jesse C. Delee