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

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

DIRECT TESTIMONY AND EXHIBITS

OF

JACOB VILLARREAL

ON BEHALF OF

NORTH SIDE INDEPENDENT SCHOOL DISTRICT

February 17, 2021

495

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DIRECT TESTIMONY AND EXHIBITS OF JACOB VILLARREAL

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Exhibit 1: Portion of Map provided by CPS identifying NISD property and segments within 300 feet of NISD property

Exhibit 2: Plan document of improvements on the NISD property

Exhibit 3: Overlay of Exhibit 1 and 2

1 **I. INTRODUCTION**

2 **Q. Please state your name and address.**

3 A. Jacob Daniel Villarreal

4 **Q. Have you ever testified in a public utility commission matter before this one?**

5 A. No

6 **Q. Please tell us about yourself, your background, education, and training.**

7 A. I have a bachelor's degree in civil engineering, and I am a licensed engineer through the
8 state of Texas.

9 **Q. Are you currently employed by Northside ISD?**

10 A. I am. I am the Executive Director of Construction and Engineering for Northside ISD.

11 **Q. Are you providing this testimony on behalf of Northside ISD?**

12 A. Yes

13 **Q. As the District's Executive Director of Construction and Engineering, what are your**
14 **responsibilities at Northside ISD?**

15 A. I currently oversee multiple departments to include facilities construction, engineering
16 services and energy management. My departments are responsible for bond program and
17 non-bond initiatives related projects design and constructed throughout the district. I also
18 assist in the land acquisition for future schools to include land entitlements and review of
19 development agreements.

20 **Q. Can you please describe for us the Northside ISD?**

21 A. Northside ISD is a public k-12 educational district in Bexar county, San Antonio, Texas
22 that serves approximately 106,000 students with a staff of approximately 15,000. The District
23 consists of 138 facilities and encompasses approximately 350 square miles. The student

1 population is diverse and includes general education, special education, and students with
2 special needs. Students' ages range from three to eighteen.

3 **Q. What is the purpose of your testimony in this proceeding?**

4 **A.** To stress the district's concerns related to the construction and installation of
5 transmission lines in close proximity to the existing McAndrew elementary school and the
6 adverse impact on the middle school tract adjacent to the elementary school.

7 **II. DESCRIPTION OF IMPACTED PROPERTY**

8 **Q. Exhibit No. 1 is map that was provided by CPS in this proceeding which lists the**
9 **properties that may be impacted by the various proposed routes of the transmission line.**

10 **Can you please identify on this map the Northside ISD property that will by the proposed**
11 **CPS transmission line?**

12 **A.** McAndrew Elementary School is labeled as Tract b-001 and the middle school property is
13 labeled Tract b-002.

14 **Q. Are there any improvements on the properties?**

15 **A.** Yes. McAndrew Elementary School is located on Tract b-001. The elementary school is
16 constructed with a brick-and-mortar building, exterior playgrounds, water quality ponds,
17 wastewater treatment plant and associated parking lots and pick-up/drop-off lanes. This is part
18 of our dual campus model; therefore, construction improvements have been made to support
19 both the elementary school and the middle school properties.

20 **Q. When did the district purchase the land for the elementary and middle schools?**

21 **A.** The purchase took place in 2010 which was part of a bond program presented and approved
22 by the voters of the district.

1 **Q. In planning and purchasing these properties, was this part of the dual campus model**
2 **used by the District?**

3 **A.** Yes.

4 **Q. Why is the dual campus model important part of the planning of NISD?**

5 **A.** Dual or combo sites are typically purchased to secure land to support school district growth.
6 Typically, there is a real estate cost savings to the district in purchasing two sites through a
7 single purchase. Shared infrastructure costs substantiate a cost savings, too. There are also
8 benefits to students and parents as it allows the students at the elementary school to be familiar
9 with the middle school they will be attending. There are many benefits to the District, students
10 and the community. This model provides parents and students the ability to stay in the same
11 area for both elementary and middle school. It allows for the sharing of facilities, which is a
12 cost savings to the District and thus the taxpayers. There are savings in transportation,
13 maintenance, and infrastructure. The proximity of the schools allows for the use of other
14 resources to be used interchangeably, such as custodial support and campus security.

15 **Q. Are there any plans or drawings of the improvements to the properties?**

16 **A.** Yes, Exhibit No. 2 is the rendering of the design of the elementary school and the middle
17 school. Exhibit No. 2 shows where the elementary school is along with other improvements
18 such as the wastewater treatment plant. It also shows a location for the middle school, along
19 with the athletic fields which include a baseball field, football field, and other improvements.

20 **Q. Please describe the Elementary School.**

21 **A.** The elementary school is a traditional k-5th grade model designed to house 640 students.
22 The student is population is diverse and inclusive. It includes general education, special
23 education, and students with special needs. Students' ages range from three to eleven. The

1 campus consists of a brick and mortar building with exterior playgrounds, associated parking
2 lots, and drop off lanes. The outside education area of the school includes existing playground
3 equipment, such as, swings, playscapes and critter panels, field area and a blacktop. The field
4 area of the campus includes raised planter beds and baseball backstops. The blacktop includes
5 foursquare courts and basketball courts.

6 **Q. When the Elementary School was built, was there also money expended and**
7 **improvements done to serve the middle school?**

8 A. Yes, the driveway was built to accommodate traffic for both the Middle School and the
9 Elementary School due to limited frontage to Toutant Beauregard street. A traffic impact study
10 was conducted, and site improvements were built based generated traffic for the elementary
11 school and middle school, including the turning lane on Toutant Beauregard. The current
12 wastewater treatment plant was designed and constructed to support sewage for both the
13 elementary and middle school, and the agreement with San Antonio Water System includes
14 both the elementary and middle schools. The water quality ponds were designed to treat some
15 of the future runoff of both properties. Electric infrastructure was also constructed to
16 accommodate the middle school. The bus loop was designed and constructed to accommodate
17 a future extension to serve as the middle school bus loop.

18 **III. IMPACT OF THE PROPOSED SEGMENTS ON THE NISD PROPERTY**

19 **Q. Have you had the opportunity to review the possible routes presented by CPS in its**
20 **application that is the subject of this proceeding?**

21 A. Yes.

22 **Q. Looking back at Exhibit No. 1 will you please identify the segments that affect the**
23 **Northside ISD properties?**

1 A. Segments 33, 34, 35, 41, and 42a.

2 **Q. Where are Segments 33 and 34 with regards to the NISD properties?**

3 A. Segments 33 and 34 are both on NISD property on the map appear to connect with one
4 another on NISD property very near the driveway entrance to the school. This is the entrance
5 where buses and parents enter the property to pick up and drop off their kids. Segment 33 then
6 runs north on NISD property cutting off the northwestern corner of the property.

7 **Q. What are the NISD's concerns about Segments 33 and 34 or any route that utilizes**
8 **those segments?**

9 A. Having a line constructed at or so near the entrance to the school is a big concern. The
10 concern is the proximity to the school and our students, parents, and staff. There are the health
11 and safety concerns when dealing with children that you know are going to be coming and
12 going and taking part in activities on the property. Having the easement take up the portion
13 near the entrance and taking up the entire corner of the property would hinder that portion of
14 the property.

15 **Q. What about Segment 35, where is it in relation to the NISD property?**

16 A. Segment 35 runs along the main road in front of the school. While the line appears to be
17 across the road, it still appears to be very near the school and playground. In fact, the
18 information provided by CPS is that Segment 35 is less than 300 feet from the school building.
19 There are the same concerns regarding the proximity to the school, or staff, students and
20 parents.

21 **Q. Where is Segment 41 in relationship to the Northside ISD property?**

22 A. Segment 41 appears to be on the north side of tract b-002 which is the middle school tract,
23 and just North of tract b-001, the elementary school tract, and angles to the southeast and

1 connects with junction of Segments 33 and 34 at or near the northeast corner of the elementary
2 school property.

3 **Q. Does it appear to you that segment 41, if used, would adversely impact the NISD**
4 **properties? And if so, how?**

5 **A.** In looking at the portion of the CPS map, which is Exhibit 1, and comparing it to Exhibit
6 2, which shows location of the middle school, Segment 41 appears to go right over top of the
7 middle school building site, or at least very near it. The proximity of the transmission lines
8 and easement would prevent or restrict improvements in the area including the school and
9 athletic fields. Segment 41 does not follow the property lines and bisects the northeast corner
10 of the NISD property. There are also the same concerns as with the other lines on or near the
11 school property, relating to health and safety of the students and staff.

12 **Q. What is Exhibit 3?**

13 **A.** Exhibit 3 takes Exhibit 2 and location of Segment 41 based on the information Exhibit 1
14 and overlays the two documents. The pink line is Segment 41. The middle school and other
15 planned improvements are outlined in blue. You can see the pink line crosses over or very
16 near the middle school, athletic facilities, and parking lot. It does not follow the property line
17 and appears to be located at or inside where we would construct perimeter fencing.

18 **Q. What about Segment 42a in relationship to Northside ISD property?**

19 **A.** Segment 42a is located on the westside of tract b-001, the elementary school tract.

20 **Q. What are the concerns if a line is constructed using Segment 42a?**

21 **A.** As with the other proposed segments on or near the school property, due to the unknown
22 concerns of electromagnetic frequencies, there are safety concerns especially for at-risk
23 children who are taught in our schools. In addition, while the documents may show that

1 proposed 42a is more than 300 feet from the school building, it is not more than 300 feet from
2 the playgrounds and outdoor education areas for the school. It is also closer to the water
3 treatment plant and the school's drain field which is believed to be very near or right under
4 proposed Segment 42a. The proximity of 42a is concerning to both the elementary school and
5 middle school properties.

6 **Q. What is your understanding of how far away from the school property CPS is**
7 **proposing to construct Segment 42a?**

8 **A.** Approximately 150 feet

9 **Q. Have you ever been on the property in the area where Segment 42a is proposed to be**
10 **constructed?**

11 **A.** Yes.

12 **Q. Based on what you saw in this area, is there any reason why you believe that**
13 **construction of the line has to be so close to the school property?**

14 **A.** No.

15 **Q. Why not?**

16 **A.** Due to the potential risk of emfs, the construction of segment 42a is on the playground side
17 of the campus where children play and learn throughout the day. The measure taken by CPS
18 was to the closest corner of the building, not to the outdoor areas where the children will also
19 be. If the line is constructed in this area it should be as far away from the school property as
20 possible, including the playground, outdoor learning areas, and other improvements on the
21 property.

22 **IV. CONCLUSION**

23 **Q. Please summarize your position.**

1 A. The Northside Independent School District opposes the routes that would use Segments
2 33, 34, 35, 41, and 42a or any route that utilizes those segments. As part of a 2010 school bond
3 package Northside ISD purchased the two tracts of land impacted by these segments. A lot of
4 planning goes into determining growth, planning, and purchasing of property for a school
5 district. These tracts are part of a dual campus model that includes both an elementary school
6 and middle school. There are many benefits to this model as discussed, and the elementary
7 school is up and running to be followed by the middle school and athletic facilities. In
8 purchasing the properties and constructing the elementary school, money has already been
9 spent and improvements made in service to and development the middle school property.
10 Construction of a transmission line using Segment 41 would greatly impact if not prevent the
11 construction of the middle school and other improvements, as well as bisecting a portion of the
12 property. Segments 33 and 34 directly impact the District's property as they appear to be
13 constructed on the property at or near the driveway entrance for the properties.

14 Segment 42a does not seem to take into account the outdoor recreation area of the school. The
15 proposed segment less than 300 feet from the playground outdoor education areas, and other
16 improvements on the property. Segment 35, while not on the property, is in close proximity
17 of the school and less than 300 feet from the building and the outdoor areas including the
18 playground. All of the routes and segments that pass near or on the property of the school
19 district are also concerning as they will pose as an attractive nuisance and as a safety concern
20 for students, and there is a concern regarding the health effects relating to the closeness of the
21 lines.

22 **Q. Does this conclude your direct testimony?**

23 A. Yes.



NISD Exhibit No. 1

