



Control Number: 51023



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Addendum StartPage: 0



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 CONVENIENCE § OF
AND NECESSITY FOR THE PROPOSED §
SCENIC LOOP 138-KV TRANSMISSION §
LINE IN BEXAR COUNTY § ADMINISTRATIVE HEARINGS

DIRECT TESTIMONY OF JOE R. ACUNA/VILLA STRANGIATO, LLC
ON BEHALF OF CLEARWATER RANCH POA

Intervenor, Joe R. Acuña/Villa Strangiato, LLC on behalf of Clearwater Ranch POA (“Clearwater Ranch”) files this Direct Testimony, which is attached. Joe R. Acuña/Villa Strangiato, LLC is the substitute Intervenor for Anton Shadrock, the previous owner of the property and Intervenor in this case. Clearwater Ranch stipulates that this Direct Testimony can be treated by all parties as if the answers were filed under oath.

Respectfully submitted,

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ATTORNEYS FOR CLEARWATER RANCH

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on February 19, 2021, in accordance with Public Utility Commission Procedural Rule 22.74.

/s/Patrick L. Reznik

Patrick L. Reznik

TABLE OF CONTENTS

I. INTRODUCTION4

II. PURPOSE AND SCOPE OF TESTIMONY5

III. DESCRIPTION OF PROPERTY AND THE LINE’S IMPACT6

IV. CONCLUSION AND RECOMMENDATIONS 10

EXHIBIT A MAP OF PROPERTY4, 11

1
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3
4 **I. INTRODUCTION**

5 QUESTION: PLEASE STATE YOUR NAME AND CURRENT ADDRESS FOR THE
6 RECORD.

7 ANSWER: Joe R. Acuña, 5301 Casa Bella, San Antonio, TX 78249.
8
9

10 QUESTION: ARE YOU AN INTERVENOR IN SOAH DOCKET NO. 473-21-0247 AND PUC
11 DOCKET NO. 51023 AND ON WHOSE BEHALF ARE YOU TESTIFYING?
12

13 ANSWER: Yes. I am testifying on behalf of myself, Intervenor Joe R. Acuña/Villa Strangiato,
14 LLC, and Clearwater Ranch POA, which I fully support.
15
16

17 QUESTION: HAVE YOU EVER TESTIFIED IN A PUBLIC UTILITY COMMISSION OF
18 TEXAS (“PUC” OR “COMMISSION”) PROCEEDING?
19

20 ANSWER: No.
21
22

23 QUESTION: BRIEFLY DESCRIBE YOUR OCCUPATION, EDUCATIONAL AND WORK
24 HISTORIES.
25

26 ANSWER: I am self-employed, and am the owner, operator, President and CEO of my own
27 company for the past 28 years.
28
29

30 QUESTION: WHERE IS YOUR PROPERTY LOCATED?
31

32 ANSWER: 25115 Clearwater Creek, San Antonio, TX 78255. Lot 14. **See Exhibit A.**
33
34

35 QUESTION: HOW LONG HAVE YOU OWNED THE PROPERTY?
36

37 ANSWER: I have owned the property for 7 months. I purchased it from prior Intervenor Anton
38 Shadrock.
39
40

41 QUESTION: ARE YOU FAMILIAR WITH THIS AREA OF BEXAR COUNTY, TEXAS?
42

43 ANSWER: Yes, I have lived and worked in Bexar County for my entire life.

1
2
3 **II. PURPOSE AND SCOPE OF TESTIMONY**
4
5

6 QUESTION: WHAT IS THE PURPOSE AND SCOPE OF YOUR TESTIMONY?
7

8 ANSWER: The purpose of our testimony is to (a) describe my property; (b) describe the expected
9 impact of the proposed transmission line on my property; (c) voice my opposition against The City
10 of San Antonio, acting by and through the City Public Service Board (“CPS Energy”) using
11 Segments 25, 26a, 32, 37, 38, 39, and 43 and Routes F1, K, L, N1, P, Q1, R1, T1, U1, BB, and CC
12 which utilize these Segments; and (d) voice our support for Routes Z1 and AA1.
13

14
15 QUESTION: WHAT IS CLEARWATER RANCH POA’S CONCERNS ABOUT THE
16 PROPOSED TRANSMISSION LINE USING CPS ENERGY’S SEGMENTS 25, 26a, 37, 38, 39
17 AND 43 AND ROUTES F1, K, L, N1, P, Q1, R1, T1, U1, BB, AND CC?
18

19 ANSWER: In general, Clearwater Ranch is opposed to the construction of CPS Energy’s
20 transmission line through their community because of the following: (1) a 138-kV transmission
21 line will severely depreciate the value of the Clearwater Ranch properties; (2) a 138-kV
22 transmission line will severely detract from the scenic beauty and aesthetic values of the
23 Clearwater Ranch properties and area; (3) a 138-kV transmission line would negatively impact
24 community, economic, and historical values and the character, ecology, and biology of Clearwater
25 Ranch’s properties and area; (4) the Clearwater Ranch residents and visitors will have to drive
26 under or near a 138-kV transmission line on a regular basis; (5) for transmission lines crossing a
27 Clearwater Ranch property, they would be required to give third parties access to their properties,
28 which limits the privacy and control over our properties; (6) Clearwater Ranch has general
29 concerns about any buzzing of the 138 kV transmission line and general health and safety concerns
30 and concerns about living and being close to a 138 kV transmission line; and, (7) we have gone to
31 great lengths to preserve native Texas Hill Country and have established guarantees to preserve
32 the natural native flora and fauna of the Texas Hill Country. A 138 kV transmission line would
33 utterly destroy the protections that we have established and destroy this portion of undeveloped
34 Hill Country.

1
2
3 **III. DESCRIPTION OF PROPERTY AND THE LINE'S IMPACT**
4
5

6 QUESTION: ARE THERE ANY HABITABLE STRUCTURES ON THE PROPERTY?
7

8 ANSWER: I am in the process of building my home now. It is within 100 feet Segment 37, which
9 runs along my property's southern border.
10

11
12 QUESTION: PLEASE DESCRIBE YOUR PROPERTY'S TERRAIN AND ITS
13 ECOLOGICAL OR BIOLOGICAL FEATURES.
14

15 ANSWER: My property has a hilltop building site within fifty feet of proposed Segment 37. There
16 is also a steep hillside of at least a 70-degree drop where Segment 37 would go, and the adjacent
17 lot has a canyon that drops 450 feet to Leon Creek. The property also includes many steep inclines
18 and ravines, karst formations and caves, a flood plain, many species of native oaks and elm trees,
19 as well as native grass and pasture areas. My intent is to keep the surrounding area as natural as
20 possible, while constructing my retirement home.
21

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

25 ANSWER: I am in the process of fencing the property and building my home.
26
27

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

31 ANSWER: I have cleaned up along several portions of the Leon Creek waterway to help mitigate
32 any future flooding issues. The creek is full of trees, brush, and boulders that cause damming up
33 during rains. I am planting additional native trees, and have restored natural grasses on the
34 property. I have installed additional native grasses along the low water crossing for Leon Creek
35 and the hillside in order to help with erosion control, and I have seeded native grasses for grazing.
36

37
38 QUESTION: ARE THERE ANY WATER WELL SITES ON THE PROPERTY? IF SO,
39 DESCRIBE THE GENERAL LOCATION.

1
2 ANSWER: Yes, there is a well being installed now in the center of the property.

3
4
5 QUESTION: ARE THERE ANY GAS WELLS ON THE PROPERTY? IF SO, DESCRIBE
6 THE GENERAL LOCATION.

7
8 ANSWER: No. A propane tank will be put in.

9
10
11 QUESTION: ARE THERE ANY PIPELINE EASEMENTS ON THE PROPERTY? IF SO,
12 DESCRIBE THE GENERAL LOCATION.

13
14 ANSWER: No.

15
16
17 QUESTION: PLEASE DESCRIBE ANY PLANNED FUTURE USES OF YOUR PROPERTY
18 IF THOSE USES ARE DIFFERENT FROM THE CURRENT USES PREVIOUSLY
19 DESCRIBED.

20
21 ANSWER: This is to be my permanent retirement home with my wife. We will live here, raise
22 farm animals with grazing land that has already been seeded, and also raise our grandchildren.

23
24
25 QUESTION: DO ANY EXISTING TRANSMISSION OR DISTRIBUTION LINES CROSS
26 YOUR PROPERTY? IF SO, PLEASE DESCRIBE HOW AND WHERE THEY CROSS THE
27 PROPERTY.

28
29 ANSWER: Yes, there are green electrical boxes located at the corner of the property, which would
30 run under proposed Segment 37. CPS is installing underground service lines at the southern border
31 of my property, for my home that is under construction. I am having this electrical line buried at
32 an additional expense in order to help preserve the natural beauty of the area. The electrical line
33 that attaches to this one and directly services my home is also underground, so that the pristine
34 beauty of the surrounding hillsides will be maintained.

35
36
37 QUESTION: ARE THERE CURRENT PLANS FOR OTHER UTILITY FEATURES ON
38 YOUR PROPERTY? IF SO, PLEASE DESCRIBE HOW AND WHERE THEY CROSS THE
39 PROPERTY.

1 ANSWER: No.
2
3

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

7 ANSWER: Segment 37 runs along the southern border of my property, which would destroy all
8 of the trees in this area for 100 feet. These trees provide security and natural beauty to this lot, and
9 also have many environmental benefits for the area, including habitat for native wildlife, as well
10 as erosion control leading down towards Leon Creek. Clearing for the power lines would mean
11 clearing 100 feet for access, and my home would now be staring at barren land within 50-100 feet
12 of the front door.
13

14
15 QUESTION: HOW WOULD A 138-KV ELECTRIC TRANSMISSION LINE IMPACT YOUR
16 PROPERTY AND ITS OPERATIONS?
17

18 ANSWER: It would devastate the current property values. My property is completely surrounded
19 by old growth native trees, which would be removed, exposing the property and our home to open,
20 barren land, and views of the towers from the front door, removing aesthetic value from my
21 property. My home is close to the southern end of the property, and I am concerned about the
22 health and safety of my family living so close to transmission lines. It would also expose my home
23 to any contractors or subcontractors who may need to access the lines. Additionally, Segment 37
24 passes along the southern edge of my property, and would further devalue the property and general
25 aesthetics.
26

27
28 QUESTION: WOULD YOU HAVE TO REGULARLY DRIVE UNDER THE
29 TRANSMISSION LINE IF INSTALLED ON YOUR PROPERTY.
30

31 ANSWER: No, however, when I drive on the property, the proposed line would be directly in
32 front of my home, approximately 100-150 feet away.
33

34
35 QUESTION: DESCRIBE THE AESTHETIC IMPACT TO YOUR PROPERTY IF CPS
36 ENERGY BUILDS A 138-KV TRANSMISSION LINE ON YOUR PROPERTY.

1
2 ANSWER: My property is entirely surrounded and covered by native trees, which would be
3 removed, and would expose the property and my home to outsiders. Segment 37 passes through
4 the southern edge of my property, and would further devalue the property, as well as the general
5 aesthetics.

6
7
8 QUESTION: IF THE TRANSMISSION LINE IS BUILT ON YOUR PROPERTY, DO YOU
9 HAVE ANY CONCERNS ABOUT CPS ENERGY HAVING ACCESS TO YOUR PROPERTY?

10
11 ANSWER: Yes, we have the general concerns of landowners who are required to give third parties
12 access to their property. Also, this would materially affect the use of our property. I hope that CPS
13 will respect my property. We moved out of the city to get away from people and live in the peace
14 and serenity of our land. We are fencing it all for that reason, and our fencing would also be
15 damaged if Segment 37 is used by CPS.

16
17
18 QUESTION: IF THE TRANSMISSION LINE IS BUILT ON YOUR PROPERTY, DO YOU
19 HAVE ANY OTHER CONCERNS?

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

27
28
29 QUESTION: IS THERE ANYTHING ELSE YOU WOULD LIKE THE ADMINISTRATIVE
30 LAW JUDGE AND THE PUBLIC UTILITY COMMISSION TO CONSIDER IN THIS
31 PROCEEDING?

32
33 ANSWER: Yes. I bought this property for its natural beauty and seclusion, as well as for the
34 natural wildlife habitats and rock formations that are there. Installing lines in this location would
35 destroy this natural beauty, which would not be recovered. We would lose 50% of the land value

1 in order to sell the property. It is very costly for CPS to run the towers down a steep embankment,
2 then through a ravine, down another drop into the creek, then back up an embankment, up a small
3 cliff, and up onto the next lot. CPS should be cost-efficient with taxpayer dollars.

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

8
9 QUESTION: HOW WOULD YOU SUMMARIZE YOUR POSITION IN THIS PROCEEDING
10 REGARDING CPS ENERGY'S PROPOSED ALTERNATIVE ROUTES F1, K, L, N1, P, Q1,
11 R1, T1, U1, BB, AND CC AND CPS ENERGY'S PREFERRED ROUTES Z1 AND AA1?
12

13 ANSWER: We oppose CPS Energy's Alternative Routes F1, K, L, N1, P, Q1, R1, T1, U1, BB,
14 and CC and any Route using Segments 25, 26a, 32, 37, 38, 39, and 43. We support CPS Energy's
15 Routes Z1 and AA1 as the route(s) that best meet(s) the overall community values and PURA §
16 37.056(c)(4) and P.U.C. SUBST. R. 25.101(b)(3)(B).

17
18 QUESTION: DOES THIS CONCLUDE YOUR TESTIMONY?
19

20 ANSWER: Yes.



VILLA STRANGIATO LLC - Lot 14
+/- 12.0000 Acres - Bexar County



EXHIBIT A

Lot
 Route

Feet
 0 30 60 120