



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 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 IN BEXAR COUNTY § **BEFORE THE STATE OFFICE**
§
§
§
§ **OF**
§
§ **ADMINISTRATIVE HEARINGS**

**DIRECT TESTIMONY OF MICHAEL AND ROSALINDA SIVILLI
ON BEHALF OF CLEARWATER RANCH POA**

Intervenors, Michael & Rosalinda Sivilli on Behalf of Clearwater Ranch POA (“Clearwater Ranch”) files this Direct Testimony, which is attached. 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

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1 **I. INTRODUCTION**

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

6
7 ANSWER: Michael & Rosalinda Sivilli, 25126 Clearwater Creek, San Antonio, TX 78255.
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. We are testifying on behalf of ourselves, Michael & Rosalinda Sivilli and
14 Clearwater Ranch POA, which we 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: Michael is a graduate of Park University, with a Bachelor’s Degree in Computer
27 Science. He has been an employee of Forcepoint LLC for 6 years, working as a contractor for the
28 US Air Force at Lackland AFB, TX. He served in the US Air Force for 20 years in overseas
29 deployments, assignments all over the world, including the White House Communications
30 Agency. He retired as a Master Sergeant. Rosalinda is a retired US Air Force civil servant, having
31 served for 35 years in Program Management, Cyber Security management, and national-level
32 positions with the US Air Force, Headquarters DoD Investigator General’s Office, and
33 Headquarters NASA in Washington, DC. She now performs the duties of babysitting grandma,
34 which is much more fun than her previous positions.
35

36
37 QUESTION: WHERE IS YOUR PROPERTY LOCATED?
38

1 ANSWER: Our property is located at 25126 Clearwater Creek, San Antonio, TX 78255. Lot 18A.

2 **See Exhibit A.**

3
4
5 QUESTION: HOW LONG HAVE YOU OWNED THE PROPERTY?

6
7 ANSWER: We have owned the property for 3 years.

8
9
10 QUESTION: ARE YOU FAMILIAR WITH THIS AREA OF BEXAR COUNTY, TEXAS?

11
12 ANSWER: Yes, Rosalinda was born and raised in San Antonio Texas, and Michael has lived in
13 San Antonio for more than 25 years.

14
15
16 **II. PURPOSE AND SCOPE OF TESTIMONY**

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

20
21 ANSWER: The purpose of our testimony is to (a) describe our property; (b) describe the expected
22 impact of the proposed transmission line on our property; (c) voice our opposition against The City
23 of San Antonio, acting by and through the City Public Service Board (“CPS Energy”), using
24 Segments 25, 26a, 32, 37, 38, 39, and 43 and Routes F1, K, L, N1, P, Q1, R, I T1, U1, BB, and CC
25 which utilize these Segments; and (d) voice our support for Routes Z1 and AA1.

26
27
28 QUESTION: WHAT IS CLEARWATER RANCH POA’S CONCERNS ABOUT THE
29 PROPOSED TRANSMISSION LINE USING CPS ENERGY’S SEGMENTS 25, 26a, 37, 38, 39
30 AND 43 AND ROUTES F1, K, L, N1, P, Q1, R1, T1, U1, BB, AND CC?

31
32 ANSWER: Clearwater Ranch is opposed to the construction of CPS Energy’s transmission line
33 through our community because of the following: (1) a 138-kV transmission line will severely
34 depreciate the value of the Clearwater Ranch properties; (2) a 138-kV transmission line will
35 severely detract from the scenic beauty and aesthetic values of the Clearwater Ranch properties
36 and area; (3) a 138-kV transmission line would negatively impact community, economic, and
37 historical values and the character, ecology, and biology of Clearwater Ranch’s properties and
38 area; (4) the Clearwater Ranch residents and visitors will have to drive under or near a 138-kV

1 transmission line on a regular basis; (5) for transmission lines crossing a Clearwater Ranch
2 property, they would be required to give third parties access to their properties, which limits the
3 privacy, control and safety over our properties; and (6) Clearwater Ranch has general concerns
4 about any buzzing of the 138 kV transmission line and general health and safety concerns
5 associated with being in close proximity to a 138 kV transmission line; and, (7) we have gone to
6 great lengths to preserve native Texas Hill Country and have established guarantees to preserve
7 the natural native flora and fauna of the Texas Hill Country. A 138 kV transmission line would
8 utterly destroy the protections that we have established and destroy this portion of undeveloped
9 Hill Country.

10
11
12 **III. DESCRIPTION OF PROPERTY AND THE LINE'S IMPACT**
13

14
15 QUESTION: ARE THERE ANY HABITABLE STRUCTURES ON THE PROPERTY?
16

17 ANSWER: Yes, our new home is the only habitable structure on the property.
18

19
20 QUESTION: PLEASE DESCRIBE YOUR PROPERTY'S TERRAIN AND ITS
21 ECOLOGICAL OR BIOLOGICAL FEATURES.
22

23 ANSWER: Our property is 11 acres, one of which is fully developed as residential property. We
24 also have a barn on the developed area for storage, work and wildlife management. The remaining
25 10 acres is intentionally undeveloped in order to sustain the native plants and wildlife. The terrain
26 is hilly, and heavily wooded throughout most of the 11 acres with junipers/mountain cedar, oak
27 and other indigenous trees and underbrush, providing protection and habitats to local birds and
28 wildlife.

29
30
31 QUESTION: PLEASE DESCRIBE YOUR PROPERTY'S CURRENT USES.
32

33 ANSWER: Its use is primarily residential as our final home, but also serves as a wildlife refuge
34 for endangered species. As a residence, our daughters, who live nearby with our grandchildren,
35 love to come over to enjoy the beauty of the land. We also enjoy gardening, bird watching, and
36 the natural esthetics the property offers.

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

ANSWER: Yes, we've planted numerous trees, bushes, plants and grasses, and provide houses and feeders for the many birds (including hummingbirds and native turkeys). The proposed line threatens the sustainability of wildlife habitats, which the residents here have worked hard to maintain. We also plan to raise small farm animals, and to build a greenhouse for fruits and vegetables.

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

ANSWER: Yes, we have a well on the eastern side of the property.

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

ANSWER: No, but we have an underground propane tank for the furnace and gas range.

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

ANSWER: No, our water and propane lines are near the house, and run from the well site and propane tank directly to the house. No lines protrude toward the edges of the property.

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

ANSWER: In addition to its current use as our primary home, we are in the planning stages of building a second, smaller house for our daughter, who received a kidney transplant, and frequently requires medical and childcare assistance.

1
2 QUESTION: DO ANY EXISTING TRANSMISSION OR DISTRIBUTION LINES CROSS
3 YOUR PROPERTY? IF SO, PLEASE DESCRIBE HOW AND WHERE THEY CROSS THE
4 PROPERTY.

5
6 ANSWER: No.

7
8
9 QUESTION: ARE THERE CURRENT PLANS FOR OTHER UTILITY FEATURES ON
10 YOUR PROPERTY? IF SO, PLEASE DESCRIBE HOW AND WHERE THEY CROSS THE
11 PROPERTY.

12
13 ANSWER: No.

14
15 QUESTION: WOULD THE LINKS THAT MIGHT IMPACT YOUR PROPERTY RUN
16 ALONG ANY BOUNDARY LINES OF YOUR PROPERTY?

17
18 ANSWER: Yes, proposed Segment 26a runs along the western-most edge of our property. This
19 line would destroy many trees and wildlife living in the 100-foot swath on each side of the line.
20 That line also crosses a creek, used by the local birds and wildlife. **See Exhibit A.**

21
22
23 QUESTION: HOW WOULD A 138-KV ELECTRIC TRANSMISSION LINE IMPACT YOUR
24 PROPERTY AND ITS OPERATIONS?

25
26 ANSWER: Segment 26a would require removal of all the trees along our western edge, destroying
27 the natural beauty that is so integral to the value and benefit of the property, and causing
28 environmental harm by destroying the habitat of the endangered birds and wildlife that reside on
29 the property. The value of the property will also be negatively impacted, since some studies state
30 that there are potential health risks associated with living in close proximity to high power lines.
31 If we were to sell in the future, potential buyers would be hesitant due to the appearance and
32 possible health impact.

33
34
35 QUESTION: WOULD YOU HAVE TO REGULARLY DRIVE UNDER THE
36 TRANSMISSION LINE IF INSTALLED ON YOUR PROPERTY.
37

1 ANSWER: Not the lines on our property, but we would have to drive directly underneath Segment
2 37 on our adjacent neighbor's property in order to go to and from our house.

3
4
5 QUESTION: DESCRIBE THE AESTHETIC IMPACT TO YOUR PROPERTY IF CPS
6 ENERGY BUILDS A 138-KV TRANSMISSION LINE ON YOUR PROPERTY.
7

8 ANSWER: The primary reasons we bought and built in this community was for the beauty of the
9 land, the privacy, the peace and quiet, and the incredible views. I spent 20 years in the military in
10 stressful jobs and deployments, and paid hundreds of thousands of dollars for this property
11 specifically for those reasons, and for close access to medical facilities and employment. Having
12 transmission lines through these properties, like the ones proposed, will all but negate the reasons
13 why all the people of this community have worked so hard to maintain its pristine beauty. If line
14 26 were to be carved out along our property line, it would create a massive, grotesque scar on this
15 formerly undisturbed landscape that will never be recovered.

16
17
18 QUESTION: IF THE TRANSMISSION LINE IS BUILT ON YOUR PROPERTY, DO YOU
19 HAVE ANY CONCERNS ABOUT CPS ENERGY HAVING ACCESS TO YOUR PROPERTY?
20

21 ANSWER: Yes -- this is privately owned land that we bought because we expected to have privacy
22 and peace of mind. We care about the safety and security of our home, and do not like people we
23 don't know having unfettered access to our property. This would also negatively affect the value
24 of the land and the property in general.

25
26
27 QUESTION: IF THE TRANSMISSION LINE IS BUILT ON YOUR PROPERTY, DO YOU
28 HAVE ANY OTHER CONCERNS?
29

30 ANSWER: We have general safety and health concerns for living around transmission lines and
31 EMF issues. Because potential buyers may be aware of medical studies available on the Internet
32 arguing, correctly or not, a connection between high-powered transmission lines causing health
33 problems and possible cancer, we are concerned about a negative stigma being attached to our
34 property and the possible devaluation of our property value. In addition, the buzzing sounds

1 emanating from high-voltage transmission lines would be bothersome for people and wildlife
2 living near them. With the encroaching development of subdivisions all around us, this absolutely
3 impacts the native habitats for the wildlife here. This area acts as a sanctuary for these animals,
4 and installing these lines will likely be dangerous for them.

5
6
7 QUESTION: IS THERE ANYTHING ELSE YOU WOULD LIKE THE ADMINISTRATIVE
8 LAW JUDGE AND THE PUBLIC UTILITY COMMISSION TO CONSIDER IN THIS
9 PROCEEDING?

10
11 ANSWER: Yes: Having lived along Scenic Loop for over 15 years, we are witnessing destruction
12 through development of all the formerly untouched properties in this area. Please consider that
13 undeveloped areas are becoming more and more rare in and around San Antonio, and in particular,
14 along Scenic Loop. This little community has managed to keep a beautiful terrain nearly pristine
15 at a very high cost to all the residents here, who maintain all our own infrastructure. We love this
16 area for the beauty and sanctuary it provides us, and to the lush wildlife we live alongside. We
17 provide shelter, feed and water to these animals voluntarily because we genuinely care for them,
18 and know how important it is to conserve the balance of the natural environment. We love San
19 Antonio, and want to live here; this is one of the last areas with large properties where these birds
20 and animals can roam and live freely. Lastly, this is not just for us; it is for our kids and our
21 extended families to enjoy.

22
23
24 **IV. CONCLUSION AND RECOMMENDATIONS**

25
26
27 QUESTION: HOW WOULD YOU SUMMARIZE YOUR POSITION IN THIS PROCEEDING
28 REGARDING CPS ENERGY'S PROPOSED ALTERNATIVE ROUTES F1, K, L, N1, P, Q1,
29 R1, T1, U1, BB, AND CC AND CPS ENERGY'S PREFERRED ROUTES Z1 AND AA1?

30
31 ANSWER: We oppose CPS Energy's Alternative Routes F1, K, L, N1, P, Q1, R1, T1, U1, BB,
32 and CC and any Route using Segments 25, 26a, 32, 37, 38, 39, and 43. We support CPS Energy's
33 Routes Z1 and AA1 as the route(s) that best meet(s) the overall community values and PURA §
34 37.056(c)(4) and P.U.C. SUBST. R. 25.101(b)(3)(B).

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QUESTION: DOES THIS CONCLUDE YOUR TESTIMONY?

ANSWER: Yes.



SIVILLI MICHAEL A & ROSALINDA R - Lot 18A

+/- 11.0000 Acres - Bexar County

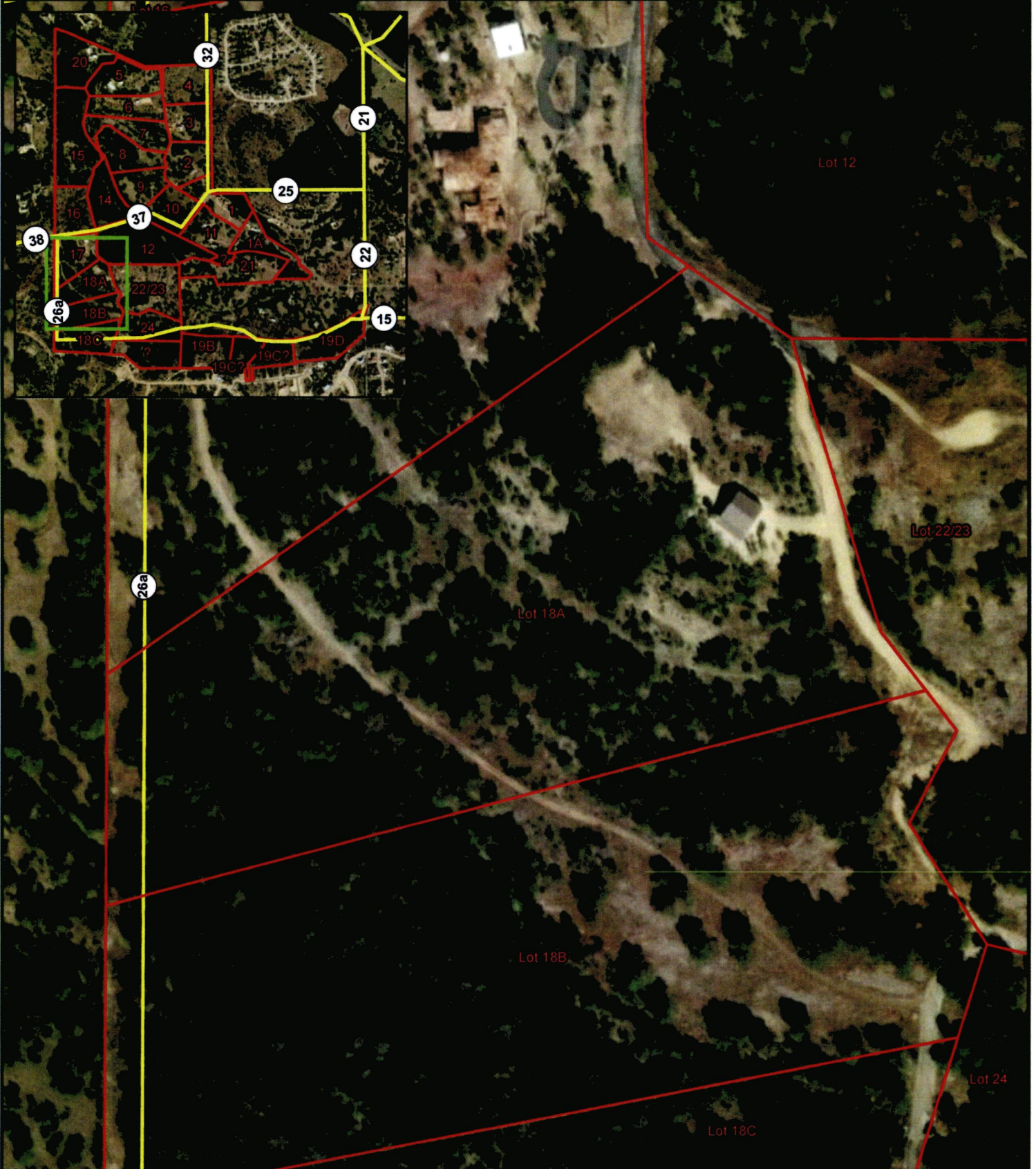


EXHIBIT A

-  Lot
-  Route

