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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 PETER AND MELANIE MORAWIEC
ON BEHALF OF CLEARWATER RANCH POA

Intervenor, Peter and Melanie Morawiec on Behalf of Clearwater Ranch POA (“Clearwater Ranch”) files this Direct Testimony, which is attached. Peter and Melanie Morawiec are the substitute Intervenors for Alejandro Medina, 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

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EXHIBIT A MAP OF PROPERTY 4, 7, 8, 10

1
2
3
4 **I. INTRODUCTION**

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

7 ANSWER: Peter and Melanie Morawiec, 25152 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, Peter and Melanie Morawiec, 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: Peter is a graduate of the University of Illinois with a BA in Russian Language and
27 International Business. Peter is currently working for Assurant as a manager and consultant.
28 Melanie received her Master of Nursing from Texas A&M Corpus Christi and is currently working
29 as a Health Care Provider in San Antonio.
30
31

32 QUESTION: WHERE IS YOUR PROPERTY LOCATED?
33

34 ANSWER: 25153 Clearwater Creek, San Antonio, TX 78255. Lot 18B. **See Exhibit A.**
35
36

37 QUESTION: HOW LONG HAVE YOU OWNED THE PROPERTY?
38

39 ANSWER: We bought the property 6 months ago from Alejandro Medina of HMAM, LTD.
40
41

42 QUESTION: ARE YOU FAMILIAR WITH THIS AREA OF BEXAR COUNTY, TEXAS?
43

1 ANSWER: Yes.
2
3

4 **I. PURPOSE AND SCOPE OF TESTIMONY**
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6

7 QUESTION: WHAT IS THE PURPOSE AND SCOPE OF YOUR TESTIMONY?
8

9 ANSWER: The purpose of our testimony is to (a) describe our property; (b) describe the expected
10 impact of the proposed transmission line on our property; (c) voice our opposition against The City
11 of San Antonio, acting by and through the City Public Service Board (“CPS Energy”), using
12 Segments 25, 26a, 32, 37, 38, 39, and 43 and Routes F1, K, L, N1, P, Q1, R1, T1, U1, BB, and CC
13 which utilize these Segments; and (d) voice our support for Routes Z1 and AA1.
14

15
16 QUESTION: WHAT IS CLEARWATER RANCH POA’S CONCERNS ABOUT THE
17 PROPOSED TRANSMISSION LINE USING CPS ENERGY’S SEGMENTS 25, 26a, 37, 38, 39
18 AND 43 AND ROUTES F1, K, L, N1, P, Q1, R1, T1, U1, BB, AND CC?
19

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

1 utterly destroy the protections that we have established and destroy this portion of undeveloped
2 Hill Country.

3
4
5 **III. DESCRIPTION OF PROPERTY AND THE LINE'S IMPACT**
6

7
8 QUESTION: ARE THERE ANY HABITABLE STRUCTURES ON THE PROPERTY?
9

10 ANSWER: Not currently, however we have sold our current home and are about to start
11 construction on our new home on this property.

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

16
17 ANSWER: Our lot has many trees, mostly mature oaks and mountain cedar with a spring fed
18 stream that runs through the middle. There is a small pond that stays pretty full toward the middle
19 of the property that attracts many deer, birds, and other wildlife.

20
21
22 QUESTION: PLEASE DESCRIBE YOUR PROPERTY'S CURRENT USES.

23
24 ANSWER: This will be our final home. We plan on raising honeybees and developing a bird
25 sanctuary.

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: Yes. We have dredged the stream to clear out base that washed in from The Canyons.
32 The stream runs clear and maintains a trickle during drought.

33
34
35 QUESTION: ARE THERE ANY WATER WELL SITES ON THE PROPERTY? IF SO,
36 DESCRIBE THE GENERAL LOCATION.

37
38 ANSWER: No, but we have started the process of installing a well.
39
40

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

3
4 ANSWER: No.

5
6
7 QUESTION: ARE THERE ANY PIPELINE EASEMENTS ON THE PROPERTY? IF SO,
8 DESCRIBE THE GENERAL LOCATION.

9
10 ANSWER: No.

11
12
13 QUESTION: PLEASE DESCRIBE ANY PLANNED FUTURE USES OF YOUR PROPERTY
14 IF THOSE USES ARE DIFFERENT FROM THE CURRENT USES PREVIOUSLY
15 DESCRIBED.

16
17 ANSWER: This will be our permanent home.

18
19
20 QUESTION: DO ANY EXISTING TRANSMISSION OR DISTRIBUTION LINES CROSS
21 YOUR PROPERTY? IF SO, PLEASE DESCRIBE HOW AND WHERE THEY CROSS THE
22 PROPERTY.

23
24 ANSWER: Not that we know of.

25
26
27 QUESTION: ARE THERE CURRENT PLANS FOR OTHER UTILITY FEATURES ON
28 YOUR PROPERTY? IF SO, PLEASE DESCRIBE HOW AND WHERE THEY CROSS THE
29 PROPERTY.

30
31 ANSWER: Yes. We are currently in the process of establishing a plan with CPS.

32
33
34 QUESTION: WOULD THE LINKS THAT MIGHT IMPACT YOUR PROPERTY RUN
35 ALONG ANY BOUNDARY LINES OF YOUR PROPERTY?

36
37 ANSWER: Yes, Segment 26a would run along and inside the western border of our property. This
38 would have severe negative impact to the value of our property. **See Exhibit A.**

39
40
41 QUESTION: HOW WOULD A 138-KV ELECTRIC TRANSMISSION LINE IMPACT YOUR
42 PROPERTY AND ITS OPERATIONS?

1
2 ANSWER: The lines would cut across our stream causing damage to the natural waterway. Trees
3 would have to be removed causing further damage to wildlife. We would no longer wish to live in
4 that area having our pristine views impacted and selling the property would be financially
5 devastating due to reduced value.

6
7
8 QUESTION: WOULD YOU HAVE TO REGULARLY DRIVE UNDER THE
9 TRANSMISSION LINE IF INSTALLED ON YOUR PROPERTY.

10
11 ANSWER: No.

12
13
14 QUESTION: DESCRIBE THE AESTHETIC IMPACT TO YOUR PROPERTY IF CPS
15 ENERGY BUILDS A 138-KV TRANSMISSION LINE ON YOUR PROPERTY.

16
17 ANSWER: We would have visible powerlines on the south and west sides of our property. The
18 lines that would run directly along the west side of property would cross directly over a natural
19 spring fed waterfall and would likely be ruined. **See Exhibit A.**

20
21
22 QUESTION: IF THE TRANSMISSION LINE IS BUILT ON YOUR PROPERTY, DO YOU
23 HAVE ANY CONCERNS ABOUT CPS ENERGY HAVING ACCESS TO YOUR PROPERTY?

24
25 ANSWER: Yes, we have the general concerns of landowners who are required to give third parties
26 access to their property. Also, this would materially affect the use of our property. We hope that
27 CPS will respect our property.

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

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

1 property and the possible devaluation of our property value. In addition, the buzzing sounds
2 emanating from high-voltage transmission lines would be bothersome for people living near them.
3 We have small children and do not want to expose them to these lines.

4
5
6 QUESTION: IS THERE ANYTHING ELSE YOU WOULD LIKE THE ADMINISTRATIVE
7 LAW JUDGE AND THE PUBLIC UTILITY COMMISSION TO CONSIDER IN THIS
8 PROCEEDING?

9
10 ANSWER: Power lines running through Clearwater Ranch would not only be devastating to the
11 natural beauty and wildlife, it would also be financially devastating to not only our family, but
12 every family in Clearwater Ranch.

13
14
15 **IV. CONCLUSION AND RECOMMENDATIONS**
16

17
18 QUESTION: HOW WOULD YOU SUMMARIZE YOUR POSITION IN THIS PROCEEDING
19 REGARDING CPS ENERGY'S PROPOSED ALTERNATIVE ROUTES F,1 K, L, N1, P, Q1,
20 R1, T1, U1, BB, AND CC AND CPS ENERGY'S PREFERRED ROUTES Z1 AND AA1?

21
22 ANSWER: We oppose CPS Energy's Alternative Routes F1, K, L, N1, P, Q1, R1, T1, U1, BB,
23 and CC and any Route using Segments 25, 26a, 32, 37, 38, 39, and 43. We support CPS Energy's
24 Routes Z1 and AA1 as the route(s) that best meet(s) the overall community values and PURA §
25 37.056(c)(4) and P.U.C. SUBST. R. 25.101(b)(3)(B).

26
27
28 QUESTION: DOES THIS CONCLUDE YOUR TESTIMONY?

29
30 ANSWER: Yes.



MORAWIEC PETER JOHN - Lot 18B
 +/- 11.0000 Acres - Bexar County

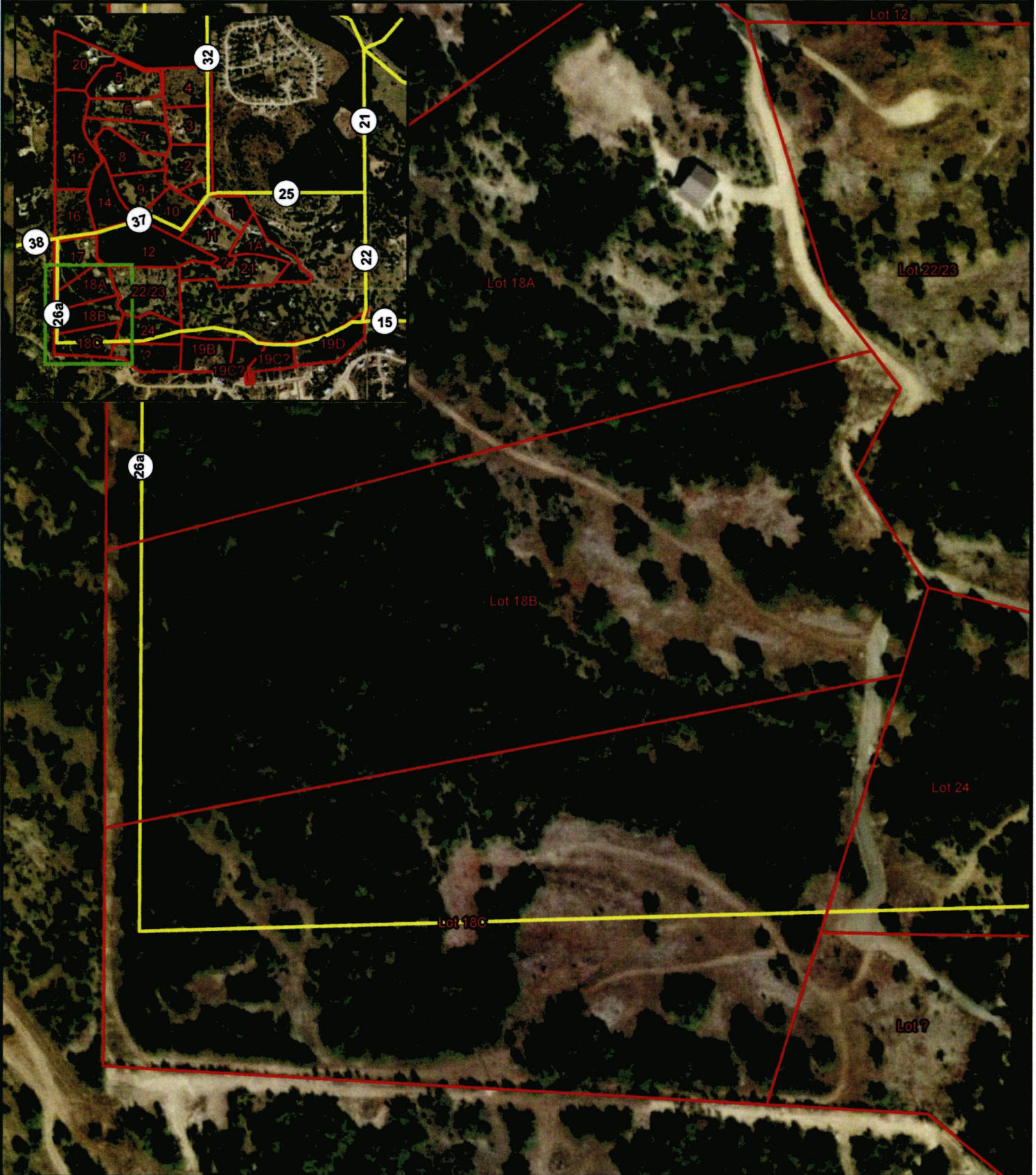


EXHIBIT A

- Lot
- Route

