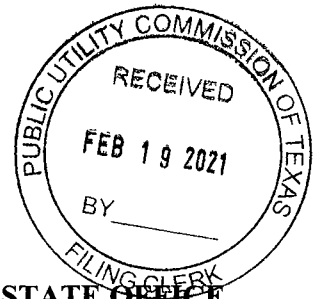


Control Number: 51023



Item Number: 544

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 JEFFREY B. AUDLEY AND DARRELL R. COOPER**  
**ON BEHALF OF CLEARWATER RANCH POA**

Intervenors, Jeffrey B. Audley and Darrell R. Cooper, 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,

BRAUN & GRESHAM, PLLC

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Dripping Springs, Texas 78620  
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/s/Patrick L. Reznik \_\_\_\_\_  
Patrick L. Reznik  
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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  
2  
3  
4 **I. INTRODUCTION**

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

7 ANSWER: Jeffrey B. Audley and Darrell R. Cooper, 25 Burnham Glen, San Antonio, TX 78257.  
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, Jeffrey B. Audley and Darrell R.  
14 Cooper, and 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: Jeffrey is a graduate of the University of Wisconsin Madison with a degree in  
27 pharmacy. He spent 25 years as a healthcare executive, specializing in multi-site operations  
28 management. After retiring from healthcare, Jeffrey now works as a Luxury Travel Advisor.  
29 Darrell is a graduate of the University of Illinois at Chicago, with a Doctor of Pharmacy degree.  
30 Darrell has spent the majority of his career focused on Oncology pharmacy, and currently holds a  
31 certification as a Board Certified Oncology Pharmacist (BCOP). He is currently employed by the  
32 UT Health San Antonio MD Anderson Cancer Center.  
33

34  
35 QUESTION: WHERE IS YOUR PROPERTY LOCATED?  
36

37 ANSWER: Our property is located at 10712 Clearwater Meadow, San Antonio, TX 78255. Lot  
38 24. **See Exhibit A.**  
39

1  
2 QUESTION: HOW LONG HAVE YOU OWNED THE PROPERTY?

3  
4 ANSWER: We have owned the property for 14 years.  
5

6  
7 QUESTION: ARE YOU FAMILIAR WITH THIS AREA OF BEXAR COUNTY, TEXAS?

8  
9 ANSWER: Yes, we have lived and/or worked in Bexar County from 1990 – 2008 and from 2012  
10 – current.

11  
12  
13 **II. PURPOSE AND SCOPE OF TESTIMONY**  
14

15  
16 QUESTION: WHAT IS THE PURPOSE AND SCOPE OF YOUR TESTIMONY?

17  
18 ANSWER: The purpose of our testimony is to (a) describe our property; (b) describe the expected  
19 impact of the proposed transmission line on our property; (c) voice our opposition against The City  
20 of San Antonio Acting by and Through the City Public Service Board (“CPS Energy”) using  
21 Segments 25, 26a, 32, 37, 38, 39, and 43 and Routes F1, K, L, N1, P, Q1, R1, T1, U1, BB, and CC  
22 which utilize these Segments; and (d) voice our support for Routes Z1 and AA1.

23  
24  
25 QUESTION: WHAT IS CLEARWATER RANCH POA’S CONCERNS ABOUT THE  
26 PROPOSED TRANSMISSION LINE USING CPS ENERGY’S SEGMENTS 25, 26a, 37, 38, 39  
27 AND 43 AND ROUTES F1, K, L, N1, P, Q1, R1, T1, U1, BB, AND CC?  
28

29 ANSWER: In general, Clearwater Ranch is opposed to the construction of CPS Energy’s  
30 transmission line through their community because of the following: (1) a 138-kV transmission  
31 line will severely depreciate the value of the Clearwater Ranch properties; (2) a 138-kV  
32 transmission line will severely detract from the scenic beauty and aesthetic values of the  
33 Clearwater Ranch properties and area; (3) a 138-kV transmission line would negatively impact  
34 community, economic, and historical values and the character, ecology, and biology of Clearwater  
35 Ranch’s properties and area; (4) the Clearwater Ranch residents and visitors will have to drive  
36 under or near a 138-kV transmission line on a regular basis; (5) for transmission lines crossing a  
37 Clearwater Ranch property, they would be required to give third parties access to their properties,

1 which limits the privacy and control over our properties; (6) Clearwater Ranch has general  
2 concerns about any buzzing of the 138 kV transmission line and general health and safety concerns  
3 and concerns about living and being close to a 138 kV transmission line; and, (7) we have gone to  
4 great lengths to preserve native Texas Hill Country and have established guarantees to preserve  
5 the natural native flora and fauna of the Texas Hill Country. A 138 kV transmission line would  
6 utterly destroy the protections that we have established and destroy this portion of undeveloped  
7 Hill Country.

8  
9  
10 **III. DESCRIPTION OF PROPERTY AND THE LINE'S IMPACT**  
11

12  
13 QUESTION: ARE THERE ANY HABITABLE STRUCTURES ON THE PROPERTY?  
14

15 ANSWER: No.  
16  
17

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

21 ANSWER: Our property is approximately 11 acres comprised of level terrain north of the creek  
22 to steep draws and slopes on the south. It contains a seasonal tributary of the Leon Creek. The  
23 property contains two major habitats including Oak-Juniper woodland and riparian woodland.  
24 Trees observed are Ashe Juniper, Texas Oak, Live Oak, Persimmon, Mountain Laurel,  
25 Kidneywood, Escarpment black cherry and Redbud.  
26

27  
28 QUESTION: PLEASE DESCRIBE YOUR PROPERTY'S CURRENT USES.  
29

30 ANSWER: Our property is currently being managed to benefit native wildlife and sustaining  
31 habitat including restoration to a healthy community associations of Edwards Plateau woody and  
32 grassland species.  
33

34  
35 QUESTION: HAVE YOU OR YOUR FAMILY UNDERTAKEN ANY EFFORTS TO  
36 RESTORE THE LAND OR THE ENVIRONMENTAL QUALITY OF THE PROPERTY?  
37

1 ANSWER: We are managing the property to restore this land for increased biodiversity for the  
2 passive and aesthetic enjoyment afforded by the property. This healthy habitat will be managed  
3 primarily for the benefit of songbirds, small mammals, and wild turkey.

4  
5 QUESTION: ARE THERE ANY WATER WELL SITES ON THE PROPERTY? IF SO,  
6 DESCRIBE THE GENERAL LOCATION.

7  
8 ANSWER: No.

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

13  
14 ANSWER: No.

15  
16  
17 QUESTION: ARE THERE ANY PIPELINE EASEMENTS ON THE PROPERTY? IF SO,  
18 DESCRIBE THE GENERAL LOCATION.

19  
20 ANSWER: No.

21  
22  
23 QUESTION: PLEASE DESCRIBE ANY PLANNED FUTURE USES OF YOUR PROPERTY  
24 IF THOSE USES ARE DIFFERENT FROM THE CURRENT USES PREVIOUSLY  
25 DESCRIBED.

26  
27 ANSWER: Planned future use would be to build a single-family dwelling on this property as a  
28 primary residence.

29  
30  
31 QUESTION: DO ANY EXISTING TRANSMISSION OR DISTRIBUTION LINES CROSS  
32 YOUR PROPERTY? IF SO, PLEASE DESCRIBE HOW AND WHERE THEY CROSS THE  
33 PROPERTY.

34  
35 ANSWER: No.

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

41



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: Yes. Segment 26a runs along a portion of the southern boundary of our property, in  
8 the southwest corner. Segment 26a then turns a bit and continues to bisect the remainder of the  
9 property. **See Exhibit A.**

10  
11  
12 QUESTION: HOW WOULD A 138-KV ELECTRIC TRANSMISSION LINE IMPACT YOUR  
13 PROPERTY AND ITS OPERATIONS?

14  
15 ANSWER: Segment 26a would require the removal of many trees from our property. This would  
16 destroy much of the wildlife habitat and natural beauty of the property. The impact would be  
17 devastating. **See Exhibit A.**

18  
19  
20 QUESTION: WOULD YOU HAVE TO REGULARLY DRIVE UNDER THE  
21 TRANSMISSION LINE IF INSTALLED ON YOUR PROPERTY.

22  
23 ANSWER: We would not have to drive under segment 26a. However, I believe we would have  
24 to drive under Segment 37 to gain access to our property. Additionally, either of these lines would  
25 be visible from our property and would significantly detract from the natural beauty of the  
26 property.

27  
28  
29 QUESTION: DESCRIBE THE AESTHETIC IMPACT TO YOUR PROPERTY IF CPS  
30 ENERGY BUILDS A 138-KV TRANSMISSION LINE ON YOUR PROPERTY.

31  
32 ANSWER: Our property is heavily treed and would be significantly impacted by a 138-KV  
33 transmission line. As mentioned, Segment 26a would be directly on our property. Segment 37  
34 would be visible as you drive to and from our property. **See Exhibit A.**

1 QUESTION: IF THE TRANSMISSION LINE IS BUILT ON YOUR PROPERTY, DO YOU  
2 HAVE ANY CONCERNS ABOUT CPS ENERGY HAVING ACCESS TO YOUR PROPERTY?  
3

4 ANSWER: Yes, we have the general concerns of landowners who are required to give third parties  
5 access to their property. Also, this would materially affect the use of our property. I hope that CPS  
6 will respect our property.  
7

8  
9 QUESTION: IF THE TRANSMISSION LINE IS BUILT ON YOUR PROPERTY, DO YOU  
10 HAVE ANY OTHER CONCERNS?  
11

12 ANSWER: We have general safety and health concerns for living around transmission lines and  
13 EMF issues. Because potential buyers may be aware of medical studies available on the Internet  
14 arguing, correctly or not, a connection between high-powered transmission lines causing health  
15 problems and possible cancer, we are concerned about a negative stigma being attached to our  
16 property and the possible devaluation of our property value. In addition, the buzzing sounds  
17 emanating from high-voltage transmission lines would be bothersome for people living near them.  
18

19  
20 QUESTION: IS THERE ANYTHING ELSE YOU WOULD LIKE THE ADMINISTRATIVE  
21 LAW JUDGE AND THE PUBLIC UTILITY COMMISSION TO CONSIDER IN THIS  
22 PROCEEDING?  
23

24 ANSWER: Yes. We specifically purchased this property for the natural beauty afforded this land  
25 by the numerous trees, wildlife, and water that is part of this property. These would all be  
26 significantly impacted and detract from the original intent of our purchase.  
27

28  
29 **IV. CONCLUSION AND RECOMMENDATIONS**  
30  
31

32 QUESTION: HOW WOULD YOU SUMMARIZE YOUR POSITION IN THIS PROCEEDING  
33 REGARDING CPS ENERGY'S PROPOSED ALTERNATIVE ROUTES F1, K, L, N1, P1, Q1,  
34 R1, T1, U1, BB, AND CC AND CPS ENERGY'S PREFERRED ROUTES Z1 AND AA1?  
35

36 ANSWER: We oppose CPS Energy's Alternative Routes F1, K, L, N1, P, Q1, R1, T1, U1, BB, and CC  
37 and any Route using Segments 25, 26a, 32, 37, 38, 39, and 43. We support CPS Energy's Routes Z1 and

1 AA1 as the route(s) that best meet(s) the overall community values and PURA § 37.056(c)(4) and P.U.C.  
2 SUBST. R. 25.101(b)(3)(B).

3

4 QUESTION: DOES THIS CONCLUDE YOUR TESTIMONY?

5

6 ANSWER: Yes.



# AUDLEY JEFFREY B & DARRELL R COOPER - Lot 24 +/- 11.0980 Acres - Bexar County

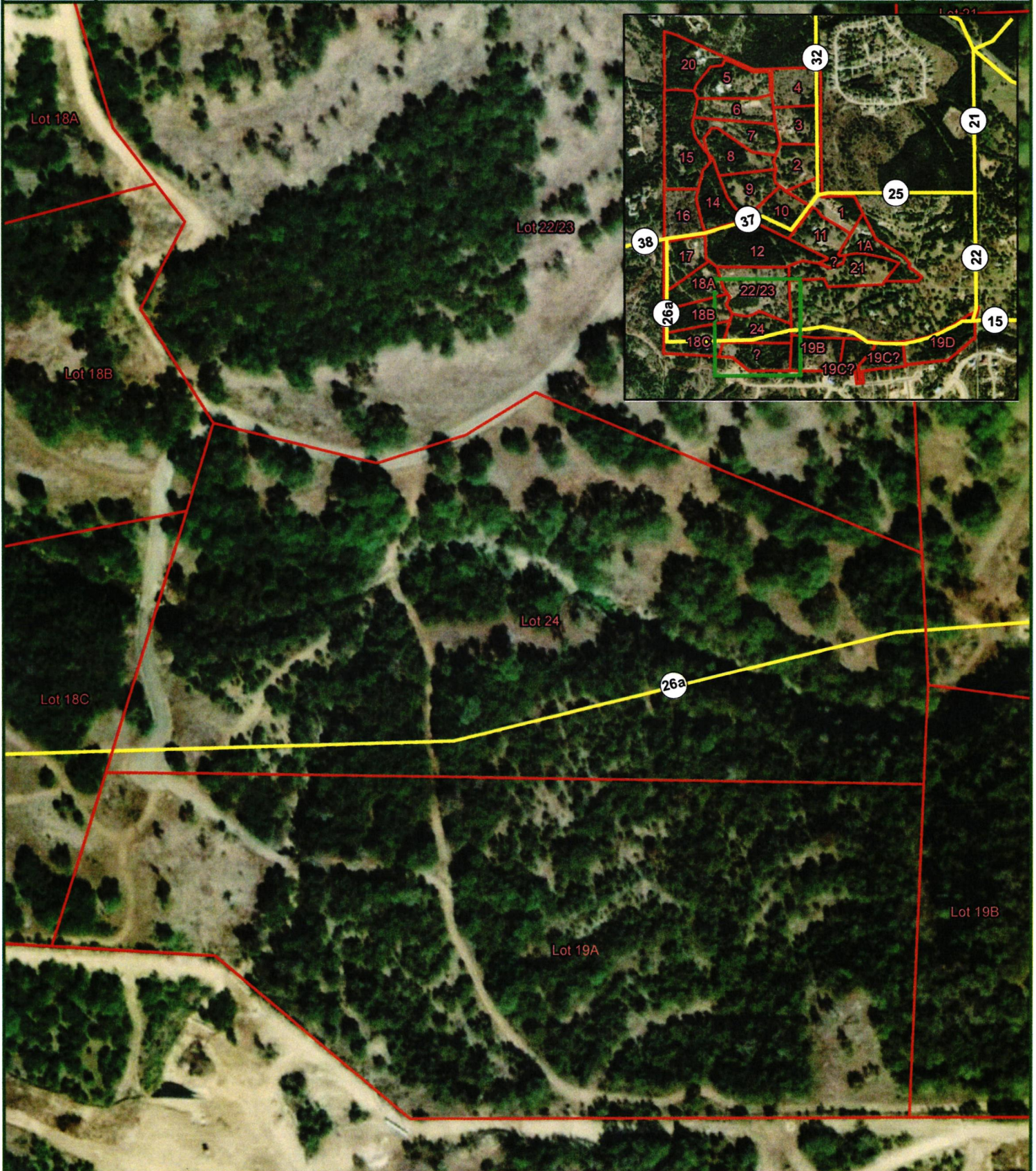





EXHIBIT A

 Lot  
 Route

Feet  
0 30 60 120  
  
N 