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**APPLICATION OF THE CITY OF SAN ANTONIO TO AMEND ITS
CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE
SCENIC LOOP 138-KV TRANSMISSION LINE IN BEXAR COUNTY** §
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**BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS**

**DIRECT TESTIMONY
OF
ROBERT BERNSEN**

FEBRUARY 22, 2021

Q. PLEASE STATE YOUR NAME AND ADDRESS.

A. My name is Robert Bernsen. My address and residence is 25623 Dull Knife Trail, San Antonio, TX. 78255.

Q. HAVE YOU TESTIFIED IN A MATTER SUCH AS THIS BEFORE?

A. No, I have not.

Q. ON WHOSE BEHALF ARE YOU TESTIFYING IN THIS PROCEEDING?

A. I am testifying on behalf of myself, my wife (Leslie Bernsen) and family.

Q. DID YOU FILE A MOTION TO INTERVENE IN THIS MATTER?

A. Yes, a motion to intervene was filed on September 8, 2020.

Q. WHAT IS YOUR EDUCATIONAL AND OCCUPATIONAL BACKGROUND?

A. I received a Bachelor in Business Administration degree with a concentration in Computer Information Systems from Texas A & M Kingsville, Systems Center San Antonio in 2006. I have worked in various sales positions, owned and sold a computer parts business before working and retiring from USAA in 2019. My wife received her Bachelor of Science degree in Education in 1982 from Corpus Christi State University and her Master Degree in Education from Our Lady of the Lake in 1990. She worked 32 years in the field of special education and retired in 2016 from San Antonio Independent School District in order to provide care to her mother.

Q. WHY DID YOU SEEK TO TESTIFY IN THIS MATTER?

A. As a longtime resident and homeowner, I am testifying to object to routes A, B1, E, G1, H, and X1, which all include Segment 17.

Q. CAN YOU TELL ME WHERE YOUR HOME IS LOCATED?

A. According to the Environmental Analysis Evaluation Criteria Table that CPS provided, our home and water well are within 300 ft. of the proposed Segment 17. Our home is habitable structure #39 on CPS's Habitable Structure Map, Sheet 7.

Q. ARE YOU SUBMITTING ANY EXHIBITS WITH THIS TESTIMONY?

A. Yes, I have one exhibit attached to my testimony.

Q. WHAT CONCERN DO YOU HAVE WITH TRANSMISSION LINES RUNNING WITHIN 300 FT. OF HABITABLE STRUCTURES?

A. The proposed Segment 17 runs directly behind my property where our home and water well are located. Both our home and water well, which is our main and only source of water are within the 300 ft. threshold from where the high powered electrical transmission line would be located. When we purchased this property in the 1990's, it was with the intent to raise our family and live in a home free of transmission towers and power lines. We looked at many other properties but choose our current property because it was free of electrical lines. We have raised our children, foster children and have our grandchildren who visit frequently (pre-covid) as they love our home and appreciate all the hard work we have put in to it over the years to make this our lifetime home.

More recently, we were planning to build a guest house at the back of our property (15ft. from the property line) for my daughter, her husband and their 2 year old daughter to live in so that my daughter could help with the care of my 92 year old mother-in-law who resides with us. We have already invested time and monies into this project. However, once we received the letter from CPS of the possible transmission lines on segment 17, we put a hold on building due to our strong beliefs in the potential risk of harmful electromagnetic fields, EMFs.

With that said, it is of utmost importance that my home and the other approximate 20 directly impacted homes and the existing water wells that fall within the 300 ft. threshold on segment 17 remain free of these high powered transmission lines. These 20 some homes run consecutively on Dull Knife Trail with the exception of one or two lots without a current habitable structure.

Q. DO YOU KNOW OF ANY OTHER HOMES THAT MIGHT BE BUILT ON SEGMENT 17 THAT ARE NOT ON THE MAPS PROVIDED BY CPS?

A. It has come to my attention that an additional 19 habitable structures will be built along segment 17 that appear to be within the 300 ft. threshold (see Exhibit A). If the attached exhibit holds true, there will be many more additional homes built in three later phases that may also be within 300 ft. of Segment 17.

Q. WHAT ARE YOUR CONCERNS WITH THE POSSIBLE RISK OF ELECTRICAL AND MAGNETIC FIELDS?

A. As you are aware, there is much debate on the real and or perceived medical concerns in regard to the higher rates of children who live in close proximity to high powered electrical lines developing leukemia and or other central nervous system medical concerns. Not to belabor the point, however noteworthy to mention, Lauren Pankratz, M.D. in her direct testimony (filing #518) cited several case studies on this issue. In reviewing many of the filings in this docket, (Comments, Motions to Intervene, Statement of Position and Direct Testimonies) the issue of EMFs is a concern shared by many.

Q. TO FURTHER ADDRESS THE ISSUE OF PERCEIVED AND OR REAL MEDICAL CONCERNS, ARE THERE ANY SCHOOLS OR HIGH DENSITY AREAS OF HOMES THAT WOULD BE IMPACTED BY ANY OF THE ROUTES?

A. Yes. Because of the real and or perceived medical concerns, especially in regard to children, I oppose any of the routes that include segments 17, 20, 31, 33, 34, 35, 36, 41, and 42a, as they are in close proximity to McAndrew Elementary School, NISD's proposed middle school and Scenic Crest Subdivision. Scenic Crest, (see Exhibit A) is a new high density single family residential subdivision that is currently under construction and will comprise of approximately 400 homes. I'm sure many school aged children will be living there. Those children who also attend the above mentioned school(s) could be theoretically exposed 24/7 to the potential risks of electromagnetic fields (EMFs). It would not only be the children that attend those schools that fall into the 24/7 category of being exposed to the potential risks on EMFs, as more and more people are working from home and with virtual learning and home schooling, the numbers could increase dramatically. As per the Direct Testimony of Jacob Villarreal on behalf of NISD (filing #495), he too addresses this concern and potential risk of EMFs. It seems prudent that the decision makers in this docket heavily consider this factor.

Q. DOES THE COMMISSION HAVE A DUTY TO APPLY "PRUDENT AVOIDANCE" IN THEIR DECISION MAKING?

A. It is my understanding that Commission Substantive Rule 25.01 defines prudent avoidance as "the limiting of exposures to electric and magnetic fields that can be avoided with reasonable investments of money and effort". This rule alone indicates that the commission does see a need to limit exposure to electric and magnetic fields. For this reason, I urge the commission to exclude routes A, B1, E, G1, H and X1 from consideration as there are other routes that meet the criteria of reasonable investment and effort.

Q. IS THE TOTAL LENGTH (MILEAGE) OF ALTERNATIVE ROUTES A CONSIDERATION BY THE COMMISSION?

A. Yes. According to CPS's Environmental Analysis Evaluation Criteria Table, the length of the route is the first item listed on the above referenced table. Of course this impacts both cost and the amount of land that is needed to complete the project. Keeping this in mind, I ask the Commission to exclude the following routes based too on their longer lengths and higher cost as there are other routes that are by far shorter and less costly.

- Route A - 6.66 miles and \$54, 695,384
- Route B1 - 6.19 miles and \$50,551,923
- Route E - 6.62 miles and \$54,505,460
- Route G1 - 6.2 miles and \$51,216,234
- Route H - 6.32 miles and \$53,632,915
- Route X1 - 5.34 miles and \$45,496,087

Q. ARE THE TOTAL NUMBER OF HABITABLE STRUCTURES A FACTOR IN DECISION MAKING BY THE COMMISSION?

A. Yes. According to the Environmental Analysis Evaluation Criteria Table, the number of habitable structures is the second listed criteria item of the 48 items listed. With saying that, it is our understanding that this too is given high priority. The routes that we oppose have some of the highest number of habitable structures, as listed below:

- Route A has 69 habitable structures
- Route B1 has 61 habitable structures
- Route E has 60 habitable structures
- Route G1 has 52 habitable structures
- Route H has 61 habitable structures
- Route X1 has 40 habitable structures

These numbers however, do not reflect the new homes that are platted to be built in the Scenic Crest Subdivision (see Exhibit 1). Route A, E, H & X1 would have an additional 19 homes in the very near future on Segment 17 and many more as the new phases are opened. It appears that Route B1 & G1 could possibly surround two sides of the Scenic Crest Subdivision (segments 17 & 31) which would impact more homes and families. Scenic Crest will be a high density subdivision that is platted for 393 homes with lot sizes of 45-50 ft. x 120 ft.

Q. IS THERE A HISTORICAL VALUE AND BASIS FOR CONSIDERING ONE ROUTE OVER ANOTHER?

A. Yes. Although the Scenic and Serene Hills neighborhood may not be considered historic, it has been in existence for over 50 years and it has been my home for approximately the last 22 years. However, the area of the proposed substations and many of the transmission line routes do impact what is recorded as a historical area. According to the direct Testimony of Jason E. Buntz, on behalf of The San Antonio Rose Palace, Inc. and Strait Promotions, Inc., he cites numerous historical facts and describes the significance and impact of the Scenic Loop-Boerne Stage-Toutant-Beauregard Historic Corridor. His testimony outlines and highlights the importance of this corridor. It is quite impressive! It would be such a shame to destroy and erase a part of this history by choosing routes that would dramatically alter the historic resources and historical values. We must preserve this rich heritage as much as possible and highly consider route R1.

Q. ARE THERE OTHER ROUTES THAT YOU WOULD LIKE THE COMMISSION TO CONSIDER?

A. There are several routes that have less of an impact on the number of habitable structures, total number of people/families, total length, land usage, cost, potential EMF risks (especially to children), and historic value. Below is a listing of those proposed routes based on data provided by CPS:

Route N1 has 11 habitable structures (\$46,803,781)

Route P has 12 habitable structures (\$43,408,742)

Route Q1 has 6 habitable structures (\$45,890,914)

Route R1 has 7 habitable structures (\$43,522,858)

Route U1 has 6 habitable structures (\$50,562,563)

The above listed routes with the exception of N1 (Substation 5) are connected to Substation 6. It is important to note that all of the routes associated to Substation 6 also have the very least impact on the historic preservation of the Scenic Loop-Boerne Stage-Toutant-Beauregard Historic Corridor, as per the testimony of Jason E. Buntz whom I referenced in a previous answer.

Q. DO YOU HAVE ANY CLOSING REMARKS?

A. I understand that there are a multitude of factors that must be considered in making a final decision and that no matter where the substation is built and transmission lines erected, there will be groups of unhappy people. Undeniable,

any loss of home and/or land valuation definitely weighs on all stakeholders as we too will have that additional loss. However, there is a difference between homeowners that are directly impacted by the location of a route (within 300 ft.) compared to those who may be affected due to an aesthetic factor (i.e., entrance to their subdivision). As I read through multiple filings of Comments, Motions to Intervene, Statement of Position and Direct Testimony many listed the loss of property value or loss of aesthetic value as their primary reason for opposing a particular route or segment. I implore decision makers to give much credence to the human element and use “Prudent Avoidance” as there are reasonable alternative routes (N1, P, Q1, R1 and U1) that significantly limit the number of home owners that are directly impacted. It would be irresponsible to build a new substation and erect high powered transmission lines in areas where it is known to directly impact higher number of people/families when reasonable alternative routes are available. I pray that this commission will use “Prudent Avoidance.”

Q. DOES THIS CONCLUDE YOUR DIRECT TESTIMONY?

A. Yes, thank you.

EXHIBIT 1

