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

**ANAQUA SPRINGS HOMEOWNERS’ ASSOCIATION AND
BRAD JAUER/BVJ PROPERTIES, LLC OBJECTIONS, MOTIONS TO STRIKE
PORTIONS OF INTERVENOR DIRECT, AND MOTION TO REQUIRE THE
DESIGNATION OF SPOKESPEOPLE**

Anaqua Springs Homeowners’ Association (“Anaqua Springs HOA”) and Brad Jauer/BVJ Properties, LLC (“Jauer”) file the following objections to intervenor direct testimony. This pleading is organized by party, and in an effort to conserve resources is completed in chart form below.

Anaqua Springs and Jauer move to strike all of the testimony from the witnesses in Clearwater Ranch. No witnesses appear to have been given authority by the board of the Clearwater Ranch Property Owners’ Association. Many of these owners testify about ecological damage to their properties, yet their properties are not crossed by any of the proposed segments. Many of them also do not have a habitable structure within 300 feet of any of the proposed segments. In many respects, the 22 pieces of testimony are identical in their responses to questions. It is cumulative, repetitive, and unnecessarily burdens the record. It is unworkable in the context of the time allotted for the hearing on the merits to manage at least 22 witnesses for one party, which can also be seen in the chart below that it was practically unworkable to address each objectionable piece of testimony. Clearwater Ranch POA is, however, entitled to present its case. Therefore, Anaqua Springs and Jauer respectfully request that the Administrative Law Judges (“ALJs”) strike the as-filed testimonies and order Clearwater Ranch POA to select between one

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and three spokespeople to act on behalf of the organization and refile its testimony within a reasonable period of time.¹ Anaqua Springs and Jauer will then withdraw all objections to Clearwater Ranch POA testimony listed below and refile objections promptly after Clearwater Ranch POA refiles its testimony.

However, in the event the ALJs determine not to grant the relief requested, the specific objections to portions of the testimonies are detailed in the chart.

PARTY	WITNESS	LOCATION	OBJECTION
Chandlers	Brian Andrews	Page 12, lines 17- 20 “From . . . proceedings.”	Legal conclusion as to the policy of the Commission. Improper opinion testimony. Mr. Andrews is not an expert on Commission policy.
Bexar Ranch	Mark Turnbough	Page 14, lines 17-20, the entire sentence beginning with “The study area appears to have been defined . . .”	Speculation
		Page 17, line 6 Page 18, line 15 <i>incorrect habitable structure count for Route Z1</i>	Assumes facts not in evidence ²
		Page 20, lines 15 to 17: “In the context . . . open space.”	Legal conclusion
		Page 21, line 6: “Segment 43 and” “fragment[s] parcel F-006 for [its] entire length.” Page 21, lines 7-10: “Approximately. . . east/west line.” Page 21, lines 10 to 13: “Inspection . . . compatible ROW.”	Improper foundation, conclusory, and vague Segment 43 doesn’t “fragment” F-006 for its “entire length,” even according to Turnbough in his own assessment which follows in the same paragraph. The foundation for the conclusory statement that “[a]pproximately 30 percent of Segment 43

¹ Other subdivisions in this docket have limited the number of their witnesses so as not to burden the record. Anaqua Springs has filed the testimony of four witnesses. Save Huntress Lane Area Association has filed two pieces of testimony, one from an expert witness, and one from three combined witnesses.

² The precise number of habitable structures on any given route is a number that can be precisely determined. The objecting parties want to ensure this number is corrected in the record in this case, but believe that the parties can reach an agreement as to the number of habitable structures per route.

PARTY	WITNESS	LOCATION	OBJECTION
			<p>runs parallel . . .” and the subsequent reference to “70 percent” is unclear and not provided.</p> <p>Continuation of issues addressed above.</p>
		<p>Page 23, line 20- page 24, l. 2 “general agreement among experts who participated” “there were two strongly supported hypotheses” “there is modeled evidence”</p>	<p>Hearsay, assumes facts not in evidence</p>
	<p>Michael Bitter</p>	<p>Page 19, lines 10-15 “The clearing . . . Morales Springs” Page 20, lines 5-6 “but it will . . . issues” Page 20, lines 7-9 “Rain . . . case”</p>	<p>Improper expert testimony. Mr. Bitter’s qualifications do not demonstrate that he can testify about erosion.</p>
		<p>Page 9, line 11 “It . . . sanctuary”</p>	<p>Assumes facts not in evidence. There is no indication that Bexar Ranch has been designated as a wildlife sanctuary</p>
		<p>Page 23, lines 7-15 “Those routes . . . dangerous”</p>	<p>Speculation and improper opinion testimony. Mr. Bitter cannot know CPS’s motivation. He cannot testify regarding whether CPS will be able to construct on the ranch.</p>
		<p>Page 25, lines 9-13 “This is exactly . . . objectives”</p>	<p>Speculation</p>
		<p>Page 26, line 21- page 27 line 2 “Bexar . . . lines”</p>	<p>Assumes facts not in evidence. Bexar Ranch does not currently have a CPS transmission line on its property.</p>
	<p>Sarah Bitter</p>	<p>Page 19 line 9-18 “As a . . . ranch”</p>	<p>Speculation. Ms. Bitter cannot know what CPS engineering requirements will be.</p>
		<p>Page 21, lines 3-6 “Further . . . etc.” Page 21 lines 18-19 “as well . . . access”</p>	<p>Improper opinion testimony. Ms. Bitter is not qualified to testify as to the ecological impacts to water quality.</p>

PARTY	WITNESS	LOCATION	OBJECTION
			She cannot testify about engineering and construction challenges
	Stephen Bitter	Entire testimony	Cumulative and lack of foundation. Mr. Bitter's testimony simply adopts the other Bexar Ranch witnesses' testimony and does not indicate his interest in Bexar Ranch
	Vince Terracina	Entire testimony	Cumulative and lack of foundation. Mr. Terracina's testimony simply adopts the other Bexar Ranch witnesses' testimony and does not indicate his interest in Bexar Ranch.
Save Huntress Lane Area Association	Harold Hughes	<p>Page 6, Answer to Question, "WHICH SEGMENTS WOULD IMPACT THE SAVE HUNTRESS LANE AREA ASSOCIATION MEMBERS?"</p> <p>In his use of the term "members" throughout the Answer (e.g., "members' property")</p>	<p>Vague, assumes facts not in evidence, legal conclusion.</p> <p>Mr. Hughes appears to include all of the landowners within The Canyons POA and the Altair Subdivision POA as members of the SHLAA, which was clarified not to be the case by SHLAA in its Response to Order No. 6 and First Supplement to Its Motion to Intervene. SHLAA represents only those "members" that it has designated in writing in this matter.</p>
		Page 23, Answer to Question, "WHY IS THAT?", second sentence beginning with "I this this was amply demonstrated by the fact . . ." reference to 5 new habitable structures	<p>Assumes facts not in evidence.</p> <p>According to the CPS's Amended Application, Cover Pleading, Pages 5 & 6, only 2 of the 5 are new construction, which does not support the conclusion that "this area is undergoing rapid development and it is difficult to pin down the number of habitable structures at a particular point in time."</p>
Clearwater Ranch	Michael Stevens on behalf of Kuestermann	Entire testimony	Lack of personal knowledge, lack of authority and hearsay.

PARTY	WITNESS	LOCATION	OBJECTION
			<p>According to the testimony, Mr. Stevens is the owner of <i>another</i> property within Clearwater Ranch (“24618 Clearwater Run”), and he is <i>not</i> “familiar with this area of Bexar County, Texas” (Page 4, Lines 7, 34-36). Thus, Mr. Stevens has no personal knowledge of the statements made in his testimony; he provides no evidence of his authority to testify on behalf of the Kuestermanns, and he provides no evidence of any legal relationship whereby such authority exists (e.g., TRCE 601); and provides no reason why the Kuestermanns are unavailable to provide their own testimony (e.g., TRE 804).</p> <p>Regarding Mr. Stevens testifying on behalf of Clearwater Ranch POA, Texas “Property Owners Associations” (POAs) and “Homeowners Associations” (HOAs)³ are administered by and act through their board of directors or trustees,⁴ which the witness is not. Moreover, the witness presents no evidence that the POA board approved the stated positions. Therefore, the statements are inadmissible.</p>
	Michael and Shawn Stevens	Entire testimony; not an intervenor	

PARTY	WITNESS	LOCATION	OBJECTION
		Pg. 4, line 13 “No. We are testifying on behalf of Clearwater Ranch POA, which we fully support.”	<p>Relevance; By their own admission, the Stevens are not Intervenors. Assumes facts not in evidence, lack of foundation and legal conclusion.</p> <p>Hearsay and lack of authority. Regarding the Stevens testifying on behalf of Clearwater Ranch POA, Texas “Property Owners Associations” (POAs) and “Homeowners Associations” (HOAs)³ are administered by and act through their board of directors or trustees,⁴ which the witness is not. Moreover, the witness presents no evidence that the POA board approved the stated positions. Therefore, the statements are inadmissible.</p>
		Pg. 5, lines 12-15 “; (c) voice...and AA1.”	Relevance, assumes facts not in evidence, lack of foundation and legal conclusion. The Stevens are not Intervenors by their own admission,
		Pg. 5, line 22 to pg. 6 line 2 “In general...Hill Country.”	<p>Hearsay and lack of authority. Regarding the Stevens testifying on behalf of Clearwater Ranch POA, Texas “Property Owners Associations” (POAs) and “Homeowners Associations” (HOAs)³ are administered by and act through their board of directors or trustees,⁴ which the witness is not. Moreover, the witness presents no evidence that the POA board approved the stated positions. Therefore, the statements are inadmissible.</p>

PARTY	WITNESS	LOCATION	OBJECTION
		Pg. 6, lines 32-33 "If the line...destroyed."	Speculation and improper expert testimony. The Stevens' qualifications do not demonstrate that either of them can testify about the impact of transmission lines on local flora and fauna.
		Pg. 8, line 2 " , this would...border" Pg. 8, lines 10-12 "Segment 32...of the property."	Speculation and improper expert testimony. The Stevens' qualifications do not demonstrate that either of them can testify about whether a transmission line would destroy all the trees along the border or impact the value of their property.
		Pg. 9, line 2 "Also...our property."	Cumulative and speculative
		Pg. 9, lines 32-35	Speculation and improper expert testimony. The Stevens' qualifications do not demonstrate that either of them can testify about whether a transmission line would destroy the wildlife on their property.
		Pg. 9, lines 32-35 "We oppose..." Whole answer	Relevance, lack of foundation for a party position. Mr. and Mrs. Stevens are Intervenors by their own admission.

PARTY	WITNESS	LOCATION	OBJECTION
	Joe Acuna/Villa Strangiato, LLC.	Pg. 4, lines 13-14 "Yes." and "...myself, Intervenor Joe R. Acuna/Villa Strangiato, LLC, and..." Pg. 5, lines 9-12 "; (c) voice...and AA1"	Assumes facts not in evidence, lack of foundation and legal conclusion. Neither Mr. Acuna nor Villa Strangiato, LLC are Intervenor. Purchasing property from an Intervenor (even if notice is waived) without seeking to intervene pursuant to 16 TAC § 22.52(a)(3)(E) does not make one an Intervenor.
		Pg. 5, lines 15-34 "In general...Hill Country."	Hearsay and lack of authority. Texas "Property Owners Associations" (POAs) and "Homeowners Associations" (HOAs) ³ are administered by and act through their board of directors or trustees, ⁴ which the witness is not. Moreover, the witness presents no evidence that the POA board approved the stated positions. Therefore, the statements are inadmissible.
		Pg. 6, line 15 "within... segment 37."	Lack of foundation, speculative and assumes facts not in evidence.
		Pg. 8, lines 11-12 "within...door."	Lack of foundation, speculative and assumes facts not in evidence.
		Pg. 8, line 18 "It would...values."	Speculation and improper expert testimony. Mr. Acuna's qualifications do not demonstrate that he can testify about the impact of transmission lines on property values.
		Pg. 8, line 24 "and...aesthetics."	Speculation and improper expert testimony. Mr. Acuna's qualifications do not demonstrate that he can testify about the impact of transmission lines on property values.

PARTY	WITNESS	LOCATION	OBJECTION
		Pg. 8, line 32; “, approximately...away.”	Lack of foundation, speculative, and assumes facts not in evidence. (note: this measurement is even contradictory to the measurements above).
		Pg. 9, lines 2-3	Speculative and assumes facts not in evidence. It is rank speculation that the native trees entirely surrounding and covering his property would be removed.
		Pg. 9, line 12 “Also...property.”	Cumulative and speculative
		Pg. 9, line 14-15 “, and our fencing...CPS.”	Speculative; assumes facts not in evidence
		Pg. 9, lines 22-26 “Because...near them.”	Cumulative, speculative and improper expert testimony. Mr. Acuna’s qualifications do not demonstrate that he can testify about EMFs and the impact of transmission lines on property values.
		Pg. 9, line 35 to pg. 10, line 3 “We would...dollars.”	Speculative, assumes facts not in evidence, and improper expert testimony. Mr. Acuna’s qualifications do not demonstrate that he can testify about the impact of transmission lines on property values and engineering constraints.
		Pg. 10, lines 13-16 “We oppose...” Entire answer	Lack of foundation for a party position. Neither Mr. Acuna nor Villa Strangiato, LLC are Intervenor. Purchasing property from an Intervenor (even if notice is waived) without seeking to intervene pursuant to 16 TAC § 22.52(a)(3)(E) does not make one an Intervenor.
	Lonnie W. Arbuthnot	Pg. 5, lines 13-32 “In general...Hill Country.”	Hearsay and lack of authority. Texas “Property Owners Associations” (POAs) and “Homeowners Associations” (HOAs) ³

PARTY	WITNESS	LOCATION	OBJECTION
			are administered by and act through their board of directors or trustees, ⁴ which the witness is not. Moreover, the witness presents no evidence that the POA board approved the stated positions. Therefore, the statements are inadmissible.
		Pg. 6, line 12 “Heritage Oaks,”	Speculative; lack of requisite expertise to identify trees
		Pg. 6, line 20 “: including protected...the creek.”	Speculative; lack of requisite expertise to testify on protected species
		Pg. 7, lines 36-37 “It would destroy...thousands of dollars.”	Speculative;
		Pg. 8, line 15 “Also...property.”	Cumulative and speculative
		Pg. 8, lines 25-29 “Because...near them.”	Cumulative, speculative and improper expert testimony. Mr. Arbuthnot’s qualifications do not demonstrate that he can testify about EMFs and the impact of transmission lines on property values.
		pg. 8, line 37 to pg. 9, line 4 “The economic...exemption.”	Speculative;
	Jeffrey B. Audley and Darrell R. Cooper	Pg. 5, line 29 to pg. 6 line 7 “In general...Hill Country.”	Hearsay and lack of authority. Texas “Property Owners Associations” (POAs) and “Homeowners Associations” (HOAs) ³ are administered by and act through their board of directors or trustees, ⁴ which the witness is not. Moreover, the witness presents no evidence that the POA board approved the stated positions. Therefore, the statements are inadmissible.

PARTY	WITNESS	LOCATION	OBJECTION
		Pg. 8, lines 15-17 “This would...devastating.”	Speculative; lack of requisite expertise to testify on ecological impacts
		Pg. 9, line 5 “Also...property.”	Cumulative and speculative
		Pg. 9, lines 13-17 “Because...near them.”	Cumulative, speculative and improper expert testimony. Neither Mr. Audley’s nor Mr. Cooper’s qualifications demonstrate that he can testify about EMFs and the impact of transmission lines on property values.
	Byron and Gina Eckhart	Pg. 5, line 24 to pg. 6 line 4 “In general...Hill Country.”	Hearsay and lack of authority. Texas “Property Owners Associations” (POAs) and “Homeowners Associations” (HOAs) ³ are administered by and act through their board of directors or trustees, ⁴ which the witness is not. Moreover, the witness presents no evidence that the POA board approved the stated positions. Therefore, the statements are inadmissible.
		Pg. 6, lines 18-19 “providing cover for endangered species songbirds”	Speculative; lack of requisite expertise to testify on endangered species
		Pg. 8, lines 1-3 “The EMF...areas.”	Speculative; lack of requisite expertise to testify on effects on bee colonies.
		Pg. 8, lines 18-19 “The land...impacted.”	Speculative; lack of requisite expertise to testify on land values
		Pg. 8, line 26 “Also...property.”	Cumulative and speculative
		Pg. 8, line 34 to pg. 9, line 2 “Because...near them.”	Cumulative, speculative and improper expert testimony. The Eckhart’s qualifications do not demonstrate that either of them can testify about EMFs and the impact of transmission lines on property values.

PARTY	WITNESS	LOCATION	OBJECTION
	Carlos J. and Christina Garcia	Pg. 5, line 22 to pg. 6 line 2 “In general...Hill Country.”	Hearsay and lack of authority. Texas “Property Owners Associations” (POAs) and “Homeowners Associations” (HOAs) ³ are administered by and act through their board of directors or trustees, ⁴ which the witness is not. Moreover, the witness presents no evidence that the POA board approved the stated positions. Therefore, the statements are inadmissible.
		Pg. 7, line 39, pg. 8, line 1 “This segment...the property.”	Speculative
		Pg. 8, lines 8-9 “Segments...be ruined.”	Speculative; lack of requisite expertise to testify on ecological impacts
		Pg. 8, line 34 “Also...property.”	Cumulative and speculative
		Pg. 9, lines 6-10 “Because...property value.”	Cumulative, speculative and improper expert testimony. The Garcia’s qualifications do not demonstrate that either of them can testify about EMFs and the impact of transmission lines on property values.
		Pg. 9, line 27 “and away from where the children play”	Facts not in evidence. Assumes facts not in evidence. Where the children play outdoors is at most 280 feet from the proposed line. See Cleveland RFI 1-10.
	Max and Meg Garoutte	Pg. 5, line 26 to Pg. 6, line 4 “In general...Hill Country.”	Hearsay and lack of authority. Texas “Property Owners Associations” (POAs) and “Homeowners Associations” (HOAs) ³ are administered by and act through their board of directors or trustees, ⁴ which the witness is not. Moreover, the witness presents no evidence that the POA board approved the stated positions. Therefore, the statements are inadmissible.

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		Pg. 8, lines 28-33 "Many...homes."	Speculation, assumes facts not in evidence, and hearsay.
		Pg. 9, lines 5-10 "Negative...United States."	Speculation, assumes facts not in evidence, and improper expert testimony. The Garouttes' qualifications do not demonstrate that either of them can testify about the impact of transmission lines on the environment, EMFs or Endangered Species.
		Pg. 9, lines 12-14 "Clearcutting...subdivision."	Hearsay.
		Pg. 9, lines 17-18 "Most of...exemptions."	Speculation, assumes facts not in evidence and hearsay.
		Pg. 9, lines 23-25 "We anticipate...subdivision."	Speculative and improper expert testimony. The Garouttes' qualifications do not demonstrate that either of them can testify about EMFs and their impact on wildlife.
		Pg. 9, line 27 "Harmful...colonies." Pg. 9, line 29, pg. 10, lines 1-6 "These neighbors...bees."	Speculation, hearsay and improper expert testimony. The Garouttes' qualifications do not demonstrate that either of them can testify about the impact on honeybees.
		Pg. 10, lines 8-20 "Health...lines."	Hearsay, speculation, and improper expert testimony. The Garouttes' qualifications do not demonstrate that either of them can testify about EMFs or their impacts.
		Pg. 10, lines 22-28, pg. 11, lines 1-2 "Diminished...value."	Speculation, hearsay and improper expert testimony. The Garouttes' qualifications do not demonstrate that either of them can testify about the impact of transmission lines on property values.
		Pg. 11, lines 4-9 "Discriminatory...corridor."	Speculation, and assumes facts not in evidence.

PARTY	WITNESS	LOCATION	OBJECTION
		Pg. 12, line 2 “Also...our property.”	Cumulative and speculative
		Pg. 12, lines 11-15 “Because...near them.”	Cumulative, speculative and improper expert testimony. The Garouttes’ qualifications do not demonstrate that they can testify about EMFs and the impact of transmission lines on property values.
		Pg. 12, lines 24-26 “The residents...neighborhood.”	Speculation, assumes facts not in evidence, and hearsay.
		Pg. 12, lines 28-29 “Clearwater...security.”	Speculation, assumes facts not in evidence, and hearsay.
	Gume Garza	Pg. 4, line 13 “Yes.” and “...myself, Gume Garza and...” Pg. 5, lines 7-10 “; (c) voice...and AA1.”	Assumes facts not in evidence, lack of foundation and legal conclusion. Mr. Gume Garza is not an Intervenor. Purchasing property from an Intervenor (even if notice is waived) without seeking to intervene pursuant to 16 TAC § 22.52(a)(3)(E) does not make one an Intervenor.
		Pg. 5, lines 13-32 “In general...Hill Country.”	Hearsay and lack of authority. Texas “Property Owners Associations” (POAs) and “Homeowners Associations” (HOAs) ³ are administered by and act through their board of directors or trustees, ⁴ which the witness is not. Moreover, the witness presents no evidence that the POA board approved the stated positions. Therefore, the statements are inadmissible.
		Pg. 8, line 13 “Also...our property.”	Cumulative and speculative
		Pg. 8, lines 21-25 “Because...near them.”	Cumulative, speculative, and improper expert testimony. Mr. Garza’s qualifications do not demonstrate that he can

PARTY	WITNESS	LOCATION	OBJECTION
		Pg. 9, lines 8-11 "We oppose..." whole answer	testify about EMFs and the impact of transmission lines on property values. Lack of foundation for a party position. Mr. Gume Garza is not an Intervenor. Purchasing property from an Intervenor (even if notice is waived) without seeking to intervene pursuant to 16 TAC § 22.52(a)(3)(E) does not make one an Intervenor.
	Robert Gume Garza/Laredo Sol Investments	Pg. 4, lines 13-14 "Yes." and "...myself, Robert G. Garza/Laredo Sol Investments, LLC, and..." Pg. 5, lines 7-10 "(c) voice...and AA1."	Assumes facts not in evidence, lack of foundation and legal conclusion. Neither Mr. Gume Garza nor Laredo Sol Investments are Intervenor. Purchasing property from an Intervenor (even if notice is waived) without seeking to intervene pursuant to 16 TAC § 22.52(a)(3)(E) does not make one an Intervenor.
		Pg. 5, lines 13-32 "In general...Hill Country."	Hearsay and lack of authority. Texas "Property Owners Associations" (POAs) and "Homeowners Associations" (HOAs) ³ are administered by and act through their board of directors or trustees, ⁴ which the witness is not. Moreover, the witness presents no evidence that the POA board approved the stated positions. Therefore, the statements are inadmissible.
		Pg. 8, line 13 "Also...our property."	Cumulative and speculative
		Pg. 8, lines 21-25 "Because...near them."	Cumulative, speculative and improper expert testimony. Mr. Garza's qualifications do not demonstrate that he can

PARTY	WITNESS	LOCATION	OBJECTION
		Pg. 9, lines 8-11 "I oppose..." whole answer	testify about EMFs and the impact of transmission lines on property values. Lack of foundation for a party position. Neither Mr. Gume Garza nor Laredo Sol Investments are Intervenors. Purchasing property from an Intervenor (even if notice is waived) without seeking to intervene pursuant to 16 TAC § 22.52(a)(3)(E) does not make one an Intervenor.
	Carlos and Rosa Guzman/CRG Properties	Pg. 4, lines 14-15 "Yes." and "...ourselves, Carlos & Rosa Guzman/CGR Properties, LLC and..." Pg. 5, lines 16-19 "(c) voice...and AA1"	Assumes facts not in evidence, lack of foundation and legal conclusion. Neither the Guzman's nor CRG Properties are Intervenors. Purchasing property from an Intervenor (even if notice is waived) without seeking to intervene pursuant to 16 TAC § 22.52(a)(3)(E) does not make one an Intervenor.
		Pg. 5, lines 22 to pg. 6, line 5 "In general...Hill Country."	Hearsay and lack of authority. Texas "Property Owners Associations" (POAs) and "Homeowners Associations" (HOAs) ³ are administered by and act through their board of directors or trustees, ⁴ which the witness is not. Moreover, the witness presents no evidence that the POA board approved the stated positions. Therefore, the statements are inadmissible.
		Pg. 6, lines 34-35 "If the line...be destroyed."	Speculative; improper opinion testimony. Witness does not have the qualifications to testify about this matter. ...

PARTY	WITNESS	LOCATION	OBJECTION
		Pg. 8, lines 5-6 “We believe...the property.”	Speculative; lack of requisite expertise to testify about environmental impacts
		Pg. 8, line 27 “Also...our property.”	Cumulative and speculative
		Pg. 8, lines 35 to pg. 9, line 2 “Because...near them.”	Cumulative, speculative and improper expert testimony. The Guzman’s qualifications do not demonstrate that either of them can testify about EMFs and the impact of transmission lines on property values.
		Pg. 9, lines 9-10 “, which would be destroyed by installation of the lines”	Speculative; lack of requisite expertise to testify on ecological “destruction”
		Pg. 9, lines 20-23 “We oppose...” Whole answer	Lack of foundation for a party position. Neither the Guzmans nor CRG Properties are Intervenors. Purchasing property from an Intervenor (even if notice is waived) without seeking to intervene pursuant to 16 TAC § 22.52(a)(3)(E) does not make one an Intervenor.
	Gregory Hamon	Entire testimony	Mr. Hamon testifies about the impacts of the line to his property. His property is not crossed by the proposed transmission line.
		Pg. 5, lines 22 to pg. 6, line 2 “In general...Hill Country.”	Hearsay and lack of authority. Texas “Property Owners Associations” (POAs) and “Homeowners Associations” (HOAs) ³ are administered by and act through their board of directors or trustees, ⁴ which the witness is not. Moreover, the witness presents no evidence that the POA board approved

PARTY	WITNESS	LOCATION	OBJECTION
			the stated positions. Therefore, the statements are inadmissible.
		Pg. 8, lines 7-10 "A transmission...over \$2,000,000."	Speculative the witness lacks the expertise to testify regarding requirements for how much of the land would need to be cleared. Assumes facts not in evidence. Mr. Hamon's property is not crossed by the proposed transmission line. There will be no damage to his property.
		Pg. 8, lines 22-24 "Destruction of...recoverable."	Assumes facts not in evidence. Mr. Hamon's property will not be crossed by the transmission line.
		Pg. 8, line 31 "Also...our property."	Cumulative and speculative
		Pg. 9, lines 2-6 "Because...near them."	Cumulative, speculative and improper expert testimony. Mr. Hamon's qualifications do not demonstrate that he can testify about EMFs and the impact of transmission lines on property values.
		Pg. 9, lines 13-15 "Placing this...area."	Speculative; lacks requisite expertise to testify on property value or environmental/ecological impacts. Assumes facts not in evidence and relevance. Mr. Hamon's property will not be crossed by the transmission line.

PARTY	WITNESS	LOCATION	OBJECTION
	Russell and Brook Harris	Entire testimony	Relevance. Lack of foundation. The Harris' are not crossed by any of the proposed segments and do not have a habitable structure within 300 feet of the line.
		Pg. 5, lines 24 to pg. 6, line 3 "In general...Hill Country."	Hearsay and lack of authority. Texas "Property Owners Associations" (POAs) and "Homeowners Associations" (HOAs) ³ are administered by and act through their board of directors or trustees, ⁴ which the witness is not. Moreover, the witness presents no evidence that the POA board approved the stated positions. Therefore, the statements are inadmissible.
		Pg. 8, lines 6-7 "This would...in and out."	Speculative; lack of requisite expertise to testify on effects of line construction
		Pg. 8, lines 15-18 "...and destroying...the property."	Speculative; lack of requisite expertise to testify on environmental harm Relevance. Assumes facts not in evidence. Segment 37 does not cross their property.
		Pg. 9, lines 31-32 "Total destruction...destroyed." Pg. 9, Line 33 "...and to see...destroyed,..."	Speculative; lack of requisite expertise to testify on property value and environmental harm; Facts not in evidence
		Pg. 10, line 3 "Also...our property."	Cumulative and speculative

PARTY	WITNESS	LOCATION	OBJECTION
		Pg. 10, lines 4-5 “If I have...too great.”	Speculative;
		Pg. 10, lines 12-16 “Because...near them.”	Cumulative, speculative and improper expert testimony. The Harris’s qualifications do not demonstrate that he can testify about EMFs and the impact of transmission lines on property values.
		Pg. 10, lines 23-24 “...knowing all... be underground”	Hearsay
		Pg. 10, lines 24-25 “The price...attribute.”	Hearsay Facts not in evidence Speculative
		Pg. 10, lines 27-29 “...and that fact...to service.”	Hearsay Facts not in evidence Speculative
	Samer and Elizabeth Ibrahim	Pg. 5, lines 23-35, pg. 6, lines 1-3 “In general...Hill Country.”	Hearsay and lack of authority. Texas “Property Owners Associations” (POAs) and “Homeowners Associations” (HOAs) ³ are administered by and act through their board of directors or trustees, ⁴ which the witness is not. Moreover, the witness presents no evidence that the POA board approved the stated positions. Therefore, the statements are inadmissible.
		Pg. 7, line 38 “..., this would destroy all our trees along the border”	Speculative; lack of requisite expertise to testify on impact of installation of line
		Pg. 7, line 40 “The lines would destroy the habitat of wildlife we currently have.”	Speculative;
		Pg. 8, lines 6-7 “This would...property.”	Speculative; lack of requisite expertise to testify on environmental impacts
		Pg. 8, line 21 “Our property...”	Cumulative, speculative and improper expert testimony. Neither Mr. nor Mrs. Ibrahim’s qualifications demonstrate that he/she can testify about the

PARTY	WITNESS	LOCATION	OBJECTION
			impact of transmission lines on property values.
		Pg. 8, line 29 "Also...our property."	Cumulative and speculative
		Pg. 8, lines 37-38, pg. 9, lines 1-3 "Because...near them."	Cumulative, speculative and improper expert testimony. Neither Mr. nor Mrs. Ibrahim's qualifications demonstrate that he/she can testify about EMFs and the impact of transmission lines on property values.
	Casey and Molly Keck	Entire testimony	Relevance the Kecks' property is not crossed by a transmission line and they do not have a habitable structure within 300 feet.
		Pg. 5, lines 24-36, pg. 6, lines 1-3 "In general...Hill Country."	Hearsay and lack of authority. Texas "Property Owners Associations" (POAs) and "Homeowners Associations" (HOAs) ³ are administered by and act through their board of directors or trustees, ⁴ which the witness is not. Moreover, the witness presents no evidence that the POA board approved the stated positions. Therefore, the statements are inadmissible.
		Pg. 8, lines 11-13 "It would affect...forage on."	Speculative; lack of requisite expertise to testify on ecological harm
		Pg. 8, line 36 "Also...our property."	Cumulative and speculative
		Pg. 9, lines 9-13 "Because...near them."	Cumulative, speculative, and improper expert testimony. Neither Mr. nor Mrs. Keck's qualifications demonstrate that he/she can testify about EMFs and the impact of transmission lines on property values.
		Pg. 9, line 34 " , and away from where the children play"	Assumes facts not in evidence. Where the

PARTY	WITNESS	LOCATION	OBJECTION
			children play outdoors is at most 280 feet from the proposed line. See Cleveland RFI 1-10.
	Alejandro Medina	Entire testimony; not an intervenor	Relevance, speculative and hearsay. –by own admission is not an intervenor, p 4, line 13
		Pg. 5, lines 17-32: “In general...Hill Country.”	Hearsay and lack of authority. Texas “Property Owners Associations” (POAs) and “Homeowners Associations” (HOAs) ² are administered by and act through their board of directors or trustees, ³ which the witness is not. Moreover, the witness presents no evidence that the POA board approved the stated positions. Therefore, the statements are inadmissible.
		Pg. 6, lines 19-20 “There is...in the area.”	Improper expert testimony. Mr. Medina’s qualifications do not demonstrate that he can testify about potential for wildlife studies.
		Page 7, line 39-41: “Segment 37. . . to be removed.” Pg. 8. lines 12-13	Improper expert testimony: Mr. Medina’s qualifications do not demonstrate that he can testify as to whether a transmission will destroy future uses of property or destroy an ecological preserve, harm wildlife. require the removal of countless trees, destroy ecosystems, etc. Speculation, as to need for removal of countless trees or that anything would be destroyed.
		Pg. 8, lines 28-32 “Because...near them.”	Cumulative, speculative and improper expert testimony. Mr. Medina’s qualifications do not demonstrate that he can testify about EMFs and the impact of

PARTY	WITNESS	LOCATION	OBJECTION
			transmission lines on property values.
		Pg. 9, lines 1-2: "Yes, Clearwater Ranch . . . with nature."	Speculation, lack of foundation and hearsay
		Pg. 9, lines 12-15 "We oppose..." Whole answer	Relevance, lack of foundation for a party position. Neither Mr. Medina is not an Intervenor by his own admission.
	Peter and Melanie Morawiec	Pg. 4, line 13 "Yes," and "...ourselves, Peter and Melanie Morawiec, and..." Pg. 5, lines 10-13 "(c) voice...and AA1"	Assumes facts not in evidence, lack of foundation and legal conclusion. Neither Mr. nor Mrs. Morawiec are Intervenor. Purchasing property from an Intervenor (even if notice is waived) without seeking to intervene pursuant to 16 TAC § 22.52(a)(3)(E) does not make one an Intervenor.
		Pg. 5, lines 20-33, pg. 6 lines 1-2 "In general...Hill Country."	Hearsay and lack of authority. Texas "Property Owners Associations" (POAs) and "Homeowners Associations" (HOAs) ³ are administered by and act through their board of directors or trustees, ⁴ which the witness is not. Moreover, the witness presents no evidence that the POA board approved the stated positions. Therefore, the statements are inadmissible.
		Pg. 7, lines 37-38 "This will...our property."	Speculative; lack of requisite expertise to testify on impact to property value
		Pg. 8, line 2 "The lines...natural waterway."	Speculative; lack of requisite expertise to testify on ecological damage
		Pg. 8, line 3 "...causing further damage to wildlife"	Speculative; lack of requisite expertise to testify on impact to wildlife

PARTY	WITNESS	LOCATION	OBJECTION
		Pg. 8, lines 4-5 “...and selling the property...reduced value”	Speculative; lack of requisite expertise to testify on impact to property value
		Pg. 8, lines 17-19 “The lines...be ruined.”	Speculative; lack of requisite expertise to testify on ecological damage
		Pg. 8, line 26 “Also...our property.”	Cumulative and speculative
		Pg. 8, lines 34-36, pg. 9, lines 1-2 “Because...near them.”	Cumulative, speculative and improper expert testimony. Neither Mr. nor Mrs. Morawiec’s qualifications demonstrate that he/she can testify about EMFs and the impact of transmission lines on property values.
		Pg. 9, lines 22-25 “We oppose...” Whole answer	Lack of foundation for a party position. Neither Mr. nor Mrs. Morawiec are Intervenors. Purchasing property from an Intervenor (even if notice is waived) without seeking to intervene pursuant to 16 TAC § 22.52(a)(3)(E) does not make one an Intervenor.
	Kurt and Brenda Ohrmundt	Pg. 5, lines 28-36, pg. 6, lines 1-7 “In general...Hill Country.”	Hearsay and lack of authority. Texas “Property Owners Associations” (POAs) and “Homeowners Associations” (HOAs) ³ are administered by and act through their board of directors or trustees, ⁴ which the witness is not. Moreover, the witness presents no evidence that the POA board approved the stated positions. Therefore, the statements are inadmissible.
		Pg. 7, lines 37-38 “The proposed...wildlife.”	Speculative; lack of requisite expertise to testify on wildlife habitat

PARTY	WITNESS	LOCATION	OBJECTION
		Pg. 9, lines 22-25 “The lines...property.”	Speculative; lack of requisite expertise to testify on home value
		Pg. 10, lines 16-21 “Because...the wildlife.”	Cumulative, speculative and improper expert testimony. Neither Mr. nor Mrs. Ohrmundt’s qualifications demonstrate that he/she can testify about EMFs and the impact of transmission lines on property values.
		Pg. 10, lines 28-29 “, which would be destroyed by installation...neighborhood”	Speculative; lack of requisite expertise to testify on the installation of the line; Facts not in evidence
		Pg. 11, lines 5-6 “..., and away from where the children play”	Assumes facts not in evidence. Where the children play outdoors is at most 280 feet from the proposed line. See Cleveland RFI 1-10.
	Kurt and Adrianna Rohlmeier	Pg. 5, lines 23-35, pg. 6, lines 1-3 “In general...Hill Country.”	Hearsay and lack of authority. Texas “Property Owners Associations” (POAs) and “Homeowners Associations” (HOAs) ³ are administered by and act through their board of directors or trustees, ⁴ which the witness is not. Moreover, the witness presents no evidence that the POA board approved the stated positions. Therefore, the statements are inadmissible.
		Pg. 6, lines 20-21 “The proposed...route.”	Speculative;
		Pg. 8, lines 8-9 “...would eliminate...Sundance Ranch”	Speculative;
		Pg. 8, line 10 “...that provide security for local wildlife”	Speculative; lacks requisite expertise to testify on local wildlife

PARTY	WITNESS	LOCATION	OBJECTION
		Pg. 8, lines 16-17 “Proposed Segment...Sundance Ranch.”	Speculative; lacks requisite expertise to testify on local wildlife
		Pg. 8, lines 35-36 “The biggest...power lines.”	Speculative; lacks requisite expertise to testify on future home value/ how it would appear.
		Pg. 9, line 6 “Also...our property.”	Cumulative and speculative
		Pg. 9, lines 14-18 “Because...near them.”	Cumulative, speculative and improper expert testimony. Neither Mr. nor Mrs. Rohlmeier’s qualifications demonstrate that he/ she can testify about EMFs and the impact of transmission lines on property values.
		Pg. 10, lines 2-3 “, and away from where the children play”	Assumes facts not in evidence. Where the children play outdoors is at most 280 feet from the proposed line. See Cleveland RFI 1-10.
	Paolo Salvatore/Clear Run LLC	Pg. 5, lines 21 to pg. 6, line 2 “In general...Hill Country.”	Hearsay and lack of authority. Texas “Property Owners Associations” (POAs) and “Homeowners Associations” (HOAs) ³ are administered by and act through their board of directors or trustees, ⁴ which the witness is not. Moreover, the witness presents no evidence that the POA board approved the stated positions. Therefore, the statements are inadmissible.
		Pg. 6, line 17 “...heritage...”	Speculative; lacks requisite expertise to testify to identity of heritage oaks
		Pg. 6, line 29 “...including heritage oak trees”	Speculative; lacks requisite expertise to testify to identity of heritage oaks

PARTY	WITNESS	LOCATION	OBJECTION
		Pg. 6, lines 30-31 "If Segment 37...wildlife."	Speculative; lacks requisite expertise to testify on potential impact to trees and wildlife
		Pg. 7, lines 21-22 "...that our neighborhood...area"	Speculative;
		Pg. 8, lines 2-3 "...which would cause...habitat"	Speculative; lacks requisite expertise to testify to potential environmental harm
		Pg. 8, lines 15-16 "... , destroy several...It would...property."	Speculative; lacks requisite expertise to testify to potential environmental harm or property values.
		Pg. 8, line 23 "Also...our property."	Cumulative and speculative
		Pg. 8, lines 31-35 "Because...near them."	Cumulative, speculative and improper expert testimony. Mr. Salvatore's qualifications do not demonstrate that he can testify about EMFs and the impact of transmission lines on property values.
		Pg. 9, lines 5-6 "... , these lines...my property"	Speculative;
	Michael and Rosalinda Sivilli	Pg. 5, lines 32 to pg. 6, line 9 "In general...Hill Country."	Hearsay and lack of authority. Texas "Property Owners Associations" (POAs) and "Homeowners Associations" (HOAs) ³ are administered by and act through their board of directors or trustees, ⁴ which the witness is not. Moreover, the witness presents no evidence that the POA board approved the stated positions. Therefore, the statements are inadmissible.
		Pg. 6, lines 33-34 "... , but also serves as a wildlife refuge for endangered species"	Speculative; lacks requisite expertise to testify on endangered species;
		Pg. 7, lines 7-9 "The proposed...maintain."	Speculative;

PARTY	WITNESS	LOCATION	OBJECTION
		Pg. 8, lines 18-19 "This line...the line."	Speculative; lacks requisite expertise to testify about potential ecological impacts. Assumes facts not in evidence right of way width is not 200 feet.
		Pg. 8, lines 26-32 "Segment 26a...health impact."	Speculative; lacks requisite expertise to testify on necessary installation requirements, environmental harm, endangered species, wildlife habitats, property value, and potential buyers' future opinions.
		Pg. 9, lines 11-13 "Having...pristine beauty."	Lack of personal knowledge Speculative
		Pg. 9, lines 23-24 "This would...in general."	Cumulative, speculative and improper expert testimony. Neither Mr. nor Mrs. Sivilli's qualifications demonstrate that he/she can testify to the impact of transmission lines on property values.
		Pg. 9, lines 31-34, pg. 10, lines 1-4 "Because...for them."	Cumulative, speculative and improper expert testimony. Neither Mr. nor Mrs. Sivilli's qualifications demonstrate that he/she can testify about EMFs and the impact of transmission lines on property values.
	Francis and Mariana Van Wisse	Pg. 5, lines 21-34, pg. 6, lines 1-2 "In general...Hill Country."	Hearsay and lack of authority. Texas "Property Owners Associations" (POAs) and "Homeowners Associations" (HOAs) ³ are administered by and act through their board of directors or trustees, ⁴ which the witness is not. Moreover, the witness presents no evidence that the POA board approved the stated positions. Therefore, the statements are inadmissible.

PARTY	WITNESS	LOCATION	OBJECTION
		<p>Page 6, line 38: "My well is within the 100 ft boundary of the proposed construction line..."</p> <p>Page 8, line 1: "As mentioned earlier my barn, coop, well, and garden would be within the 100ft boundary."</p>	<p>Lack of foundation, speculative and assumes facts not in evidence.</p> <p>The witnesses provide no evidence as to how the asserted distance was determined or to what specific boundary they are referring.</p>
		<p>Pg. 7, lines 40-41</p> <p>"destroy the value of our property and..."</p>	<p>Speculative; lacks requisite expertise to testify on future property values</p>
		<p>Pg. 7, lines 41-42</p> <p>"Segment 25 would destroy a hundred trees in this area."</p>	<p>Speculative;</p>
		<p>Pg. 8, line 9</p> <p>"It would destroy the value of the home."</p>	<p>Speculative; lacks requisite expertise to testify on future property values</p>
		<p>Pg. 8, lines 11-12</p> <p>"..., but we would...developing minds"</p>	<p>Speculative; Facts not in evidence</p>
		<p>Pg. 8, line 25</p> <p>"Also...our property."</p>	<p>Cumulative and speculative</p>
		<p>Pg. 9, lines 7-11</p> <p>"Because...near them."</p>	<p>Cumulative, speculative and improper expert testimony. Neither Mr. nor Mrs. Van Wisse's qualifications demonstrate that he/she can testify about EMFs and the impact of transmission lines on property values.</p>
		<p>Pg. 9, lines 26-27</p> <p>"..., and away from where the children play"</p>	<p>Assumes facts not in evidence. Where the children play outdoors is at most 280 feet from the proposed line. See Cleveland RFI 1-10.</p>

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of March 2021, notice of the filing of this document was provided to all parties of record via the PUC Interchange in accordance with SOAH Order No. 3.

Wendy K. L. Harvel
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