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APPLICATION OF THE CITY OF §
 SAN ANTONIO, ACTING BY AND §
 THROUGH THE CITY PUBLIC §
 SERVICE BOARD (CPS ENERGY) TO § BEFORE THE STATE OFFICE
 AMEND ITS CERTIFICATE OF §
 CONVENIENCE AND NECESSITY § OF
 FOR THE PROPOSED SCENIC LOOP §
 138-KV TRANSMISSION LINE §
 PROJECT IN BEXAR COUNTY, § ADMINISTRATIVE HEARINGS
 TEXAS §

**THE SAN ANTONIO ROSE PALACE, INC. AND STRAIT PROMOTIONS, INC.
 (INTERVENORS) RESPONSE TO CITY PUBLIC SERVICE BOARD
 OBJECTIONS TO WITNESS TESTIMONY**

The San Antonio Rose Palace, Inc. and Strait Promotions, Inc., ("Rose Palace") files this Response to the City Public Service Board's ("CPS Energy") Objections to testimony of Intervenor's witness Jason Buntz. Objections to the witnesses' testimony were filed on March 8, 2021, after 3:00 p.m. This Response is being filed on March 16, 2021. CPS Energy has agreed to waive any objections it may have to timeliness for this Response. Considering the Objections were filed after 3:00 p.m., this response may be considered timely even without CPS's waiver. Therefore, this response is timely filed.

Sponsoring Party	Witness Page-Line	Basis for Objection	Response to Objection
San Antonio Rose Palace/Strait Promotions	Jason Buntz Interchange Filing No. 515 10-27-28	CPS Energy objects to, and moves to strike, "CPS Energy and Power Engineers dismissed the importance of the Scenic Loop - Boerne Stage - Toutant Beauregard Historic Corridor" as it	Mr. Buntz is not making a legal conclusion and is testifying as an expert. Moreover, as an expert pursuant to Tex. R. Evid. 703, Mr. Buntz may base his opinion on facts or data in the case that he has been made aware of, reviews, or

Sponsoring Party	Witness Page-Line	Basis for Objection	Response to Objection
		<p>mischaracterizes the record and is speculative. Thus, this testimony is not admissible pursuant to Tex. R. Evid. 602.</p>	<p>has personally observed. In this case, the objected-to sentence is based on Mr. Buntz' review of CPS Energy's application, the EA, and supporting documents. After the objected-to sentence, Mr. Buntz provides factual support for his conclusion that CPS Energy dismissed the importance off the historic corridor.</p>
<p>San Antonio Rose Palace/Strait Promotions</p>	<p>Jason Buntz Interchange Filing No. 515 17-5-7</p>	<p>CPS Energy objects to, and moves to strike, "CPS Energy and Power Engineers establish a methodology that they claim they will follow in their evaluation and then proceed to completely ignore that methodology." This testimony mischaracterizes the record and is speculative. Mr. Buntz cannot testify to the motives or actions of CPS Energy or POWER Engineers in conducting their analysis, and his testimony is not supported by the record. Thus, this testimony is not admissible pursuant to Tex. R. Evid. 602.</p>	<p>Here, Mr. Buntz does not testify as to the motives of CPS Energy or POWER Engineers. To the extent this objection relies on that conclusion, the objection is without a basis in Mr. Buntz's testimony. Further, Mr. Buntz's testimony discusses in detail the community values, and lack thereof, that Power Engineers included in the EA. Here, Mr. Buntz is testifying about specific resources in the study area that he, in his expert opinion, believe should have been included in the community values and historic resources section of the EA. Such testimony is permissible under Tex. R. Evid. 703.</p>

Sponsoring Party	Witness Page-Line	Basis for Objection	Response to Objection
San Antonio Rose Palace/Strait Promotions	Jason Buntz Interchange Filing No. 515 18-30-32	CPS Energy objects to, and moves to strike, "The reader is to apparently infer that because there are no National Monuments in the study area, and one would not be able to see the transmission line from Interstate 10, that there are no Community Values present in the study area for the project to impact." This testimony mischaracterizes the record and is speculative. Mr. Buntz cannot testify to the motives or actions of CPS Energy or POWER Engineers in conducting their analysis, and his testimony is not supported by the record, which demonstrates that CPS Energy and POWER Engineers documented a wide array of community values. Thus, this testimony is not admissible pursuant to Tex. R. Evid. 602.	Similarly, here, Mr. Buntz's objected-to testimony is not regarding any motive that he seeks to attribute to CPS Energy. Instead, Mr. Buntz, in his capacity as an expert witness, is evaluating the degree to which CPS Energy and POWER Engineers considered Community Values. Mr. Buntz has identified specific Community Values that CPS Energy and POWER Engineers did not identify or discuss in the EA, such as the Community Values contributed to the study area by the Rose Palace. As an expert pursuant to Tex. R. Evid. 703, Mr. Buntz may base his opinion on facts or data in the case that he has been made aware of, reviews, or has personally observed.

Respectfully submitted,

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/s/ Luke E. Kraus

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Certificate of Service

I hereby certify that on this 16th 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.

/s/ Luke E. Kraus

Luke E. Kraus