



Control Number: 51023



Item Number: 656

Addendum StartPage: 0

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 § BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS §

ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO CPS ENERGY'S FIRST REQUEST FOR INFORMATION

Anaqua Springs Homeowners' Association ("Anaqua Springs HOA") files this Response to the aforementioned requests for information.

I. WRITTEN RESPONSES

Attached hereto and incorporated herein by reference are Anaqua Springs HOA's written responses to the aforementioned requests for information. Each such response is set forth on or attached to a separate page upon which the request has been restated. Such responses are also made without waiver of Anaqua Springs HOA's right to contest the admissibility of any such matters upon hearing. Anaqua Springs HOA hereby stipulates that its responses may be treated by all parties exactly as if they were filed under oath.

Respectfully submitted,

By: Wendy K. L. Harvel
Ann M. Coffin
State Bar No. 00787941
Wendy K. L. Harvel
State Bar No. 00796719
C. Glenn Adkins
State Bar No. 24103097
Coffin Renner LLP
1011 West 31st Street
Austin, TX 78705
(512) 879-0900
(512) 879-0912 (fax)
ann.coffin@crtxlaw.com
wendy.harvel@crtxlaw.com
glenn.adkins@crtxlaw.com

**ATTORNEYS FOR ANAQUA SPRINGS
HOMEOWNERS' ASSOCIATION**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been filed with the Commission and served on all other parties via the PUC Interchange on this 19th day of March 2021, pursuant to SOAH Order No. 3 issued in this docket.

Wendy K. L. Harvel
Wendy K. L. Harvel

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ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-1

Identify all witnesses who are providing testimony on behalf of Anaqua Springs HOA as fact witnesses.

Response:

Steve Cichowski
Sunil Dwivedi
Lauren Pankratz

Preparer: Counsel for Anaqua Springs HOA
Sponsor: Steve Cichowski – President of Anaqua Springs HOA

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ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-2

Identify all witnesses who are providing testimony on behalf of Anaqua Springs HOA as an expert pursuant to the Texas Rules of Evidence 702 who is qualified by knowledge, skill, experience, training, or education regarding the subject of their testimony. For all experts identified, provide the specific subject area the witness is qualified to provide expert testimony and a detailed explanation of the basis for the qualification.

Response:

Mark Anderson

Mr. Anderson's qualifications and areas of expertise are set forth in his prefiled testimony.

Preparer: Counsel for Anaqua Springs HOA

Sponsor: Mark Anderson

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ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-3

For all witnesses identified as "expert witnesses" in response to Question 1.2, provide:

- a. the expert's name, address, and telephone number;**
- b. the facts known by the expert that relate to or form the basis of the expert's mental impressions and opinions formed or made in connection with this docket;**
- c. the expert's mental impressions and opinions formed or made in connection with this docket, and any methods used to derive them;**
- d. any bias of the witness;**
- e. all documents, tangible things, reports, models, or data compilations that have been provided to, reviewed by, or prepared by or for the expert in anticipation of the expert's testimony in this docket;**
- f. a listing of all proceedings in which the expert provided testimony;**
- g. the expert's current resume and bibliography.**

Response:

1.3 a-c, f, and g are contained in the direct testimony of Mark Anderson.

1.3 d. Mr. Anderson has no known biases.

1.3 e. Documents responsive to this request are voluminous, as noted on the attached voluminous index, and are only being provided electronically. See CPS Energy RFI 1-3e Attachment. Pursuant to discussions with counsel for CPS and agreements among the parties, drafts of testimony are not discoverable, and nothing filed or available on the interchange or on CPS's Sharepoint site is being produced. Publicly available documents referenced in Mr. Anderson's testimony are also not being produced.

Preparer: Mark Anderson and counsel for Anaqua Springs HOA and Jauer
Sponsor: Mark Anderson

VOLUMINOUS INDEX

File Name	Page Count
CPS Energy RFI 1-3e Attachment	
Emails	1-292
Picture of lot 2 lots south of substation	293
2021 SAWS Budget	294-555
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ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-4

Identify all consulting experts whose mental impressions or opinions have been reviewed by an expert testifying on behalf of Anaqua Springs HOA. For each consulting expert identified, provide the expert's name and address.

Response:

None.

Preparer: Counsel for Anaqua Springs HOA

Sponsor: Counsel for Anaqua Springs HOA

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ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-5

Identify all proceedings before any regulatory body or court where any expert witness for Anaqua Springs HOA provided consulting services to a utility applicant in the identification of possible transmission line routes. As applicable, identify the proceeding by docket number and provide a copy of any testimony and report that relied on the witness's consulting services. For any proceedings identified, fully describe the specific nature of the consultation provided.

Response:

That proceeding is identified in Mr. Anderson's direct testimony and responsive documents are being produced electronically.

Preparer: Mark Anderson
Sponsor: Mark Anderson

SOAH DOCKET NO. 473-21-0247
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ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-6

For each site reconnaissance visit performed by an expert witness for Anaqua Springs HOA in this proceeding:

- a. Identify the date and approximate time spent on each visit.**
- b. Provide all field notes taken during the visit.**
- c. Identify all persons in attendance with the witness during the visits.**
- d. Generally describe the areas visited and identify any private property that was accessed during such visits.**

Response:

There were no reconnaissance visits performed by any expert witness due to the COVID-19 pandemic.

Preparer: Counsel for Anaqua Springs HOA
Sponsor: Mark Anderson

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ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-7

Can the Commission approve CPS Energy's Application on Route RI Modified if CPS Energy does not amend its application to include Segments 38a and 43a as identified and described in the testimony of Mr. Mark D. Anderson?

Response:

Pursuant to discussions among counsel, CPS Energy has agreed to withdraw this RFI.

Preparer: Counsel for Anaqua Springs HOA
Sponsor: Counsel for Anaqua Springs HOA

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ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-8

Refer to page 15, lines 21-23 of the direct testimony of Mr. Steve Cichowski. Can the Commission approve CPS Energy's Application on Segment 36 if it is moved across the street onto the Barrera family if CPS Energy does not amend its application to make such a modification and if the modification is opposed by the Barrera family?

Response:

There is no statute or Commission rule that expressly prohibits the Commission from considering a modification raised by a landowner in a transmission line routing proceeding.

Preparer: Steve Cichowski – President of Anaqua Springs HOA
Sponsor: Steve Cichowski – President of Anaqua Springs HOA

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CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-9

Identify and provide all communications between a representative of Anaqua Springs HOA and the NISD regarding the Project.

Response:

See CPS Energy RFI 1-9 Attachment. A representative of Anaqua Springs HOA attended an NISD school board meeting on or about November 17, 2020 and spoke. At the NISD school board meeting the Anaqua Springs representative presented a route map to the board. A letter from Anaqua Springs HOA was sent to NISD in October 2020. The President of Anaqua Springs HOA also sent to emails to the NISD Trustee for the region that includes Anaqua Springs. The letter and emails are attached.

Preparer: Steve Cichowski – President of Anaqua Springs HOA
Sponsor: Steve Cichowski – President of Anaqua Springs HOA

Stephanie Tanner

From: Steve Cichowski <steve@cichowskilaw.com>
Sent: Thursday, September 3, 2020 4:50 PM
To: karen.freeman@nisd.net
Cc: 'Kristina Stroud'
Subject: CPS Toutant Beauregard Transmission Project
Attachments: Fig_2_4_Constraints.pdf

Importance: High

Dear Ms. Freeman,

I am the President of the Anaqua Springs Ranch Homeowners Association. I understand that you recently spoke to our Vice-President Kristina about the proposed 130 foot tall transmission towers CPS has recommended be constructed down Toutant Beauregard and behind MacAndrews Elementary. It is my understanding that the Superintendent was under the impression that these towers and associated 138 kv power lines would be nowhere near the school. Nothing could be further from the truth. Attached is the route map submitted by CPS to the Public Utilities Commission. The recommended route includes segment 42 which runs directly behind the school. Other suggested routes completely encircle the school.

We believe this to be a terrible location. Although the studies of the effect of Electromagnetic Radiation on the human body are inconclusive, there is a substantial body of evidence that it does have a significant effect on still developing tissue such as is found in elementary school age children. I would not want my grandchildren to be the subjects in finding out who was right, and many of the parents at MacAndrews have expressed a similar concern. In addition the mere presence of these towers invites the curious and still developing mind to explore such a wonder without the constraints of more mature minds.

We are attempting to develop a coalition of interested parties to join together to oppose this route. We are being joined in this effort by homeowners in Anaqua Springs and Sundance Ranch as well as better known property owners such as Tony Parker and George Strait. This project has been submitted to the PUC, but there is still time to change this route. Kristina tells me that you and the Superintendent intend to voice your concerns to CPS. With all due respects, "your concerns" alone will be ineffective. What needs to be done is for the Northside ISD to file a formal intervention in the proceeding and become an actual party to the administrative process. It is only by being a party that NISD will actually have a say in the Commission's decision. Otherwise your concerns will become a footnote in the final report.

Because of the manner in which “Notice” of this proceeding was given very few people were aware of the recommended route until recently. I urge you to have NISD’s attorney file an Intervention in this case. The deadline is September 8, 2020. Fortunately it takes less than 10 minutes to file an Intervention. Even beyond the deadline, the PUC has frequently allowed interested parties to join.

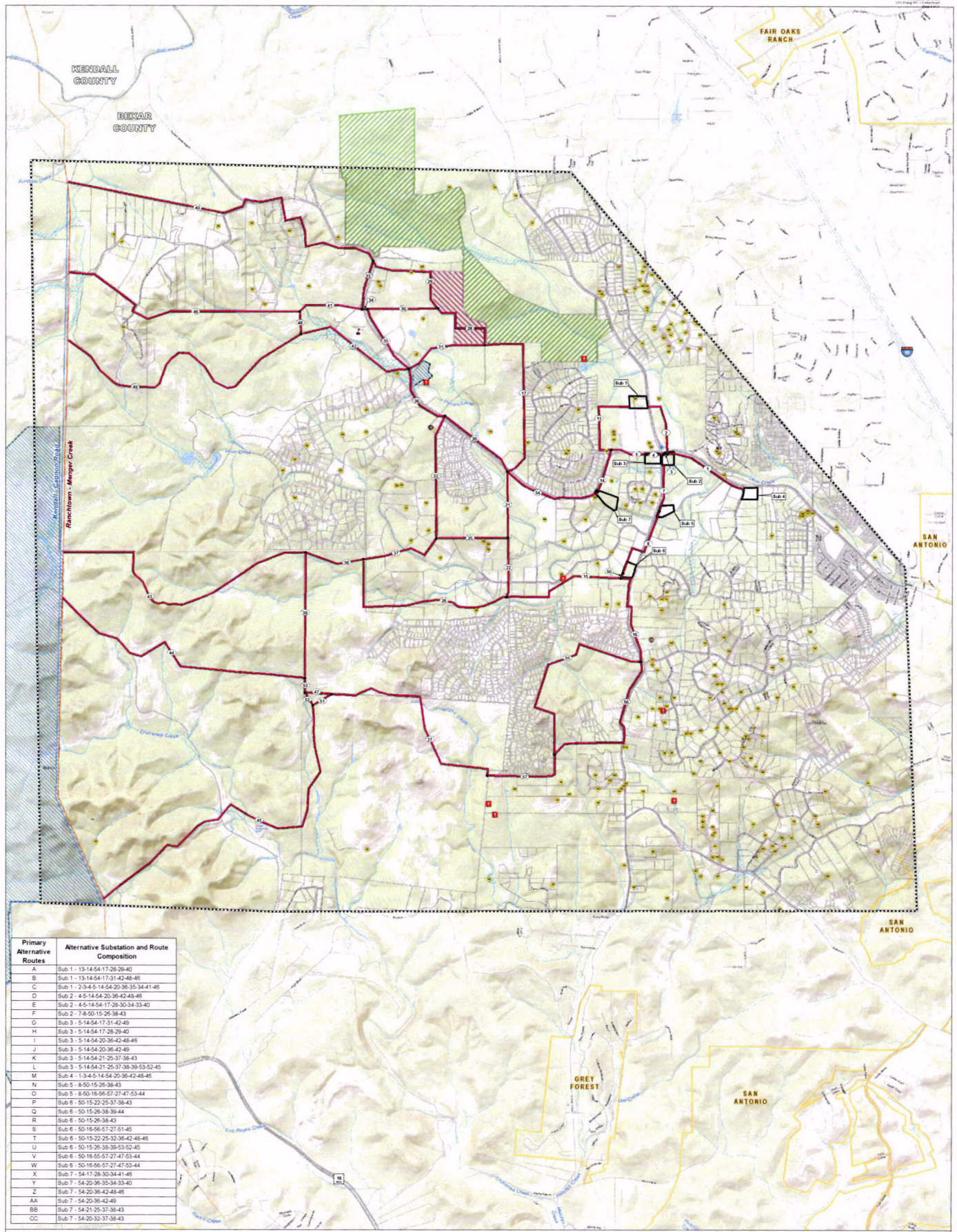
I again urge you and the Superintendant to submit this matter to NISD’s attorney for filing an Intervention on behalf of NISD and the welfare of children you serve.

Sincerely,

Steve Cichowski
Cichowski Law Firm, P.C.
Board Certified - Personal Injury Trial Law
Texas Board of Legal Specialization
10500 Heritage Blvd., Suite 102
San Antonio, Texas 78216
210-223-5299 direct
210-870-1521 fax

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Primary Alternative Routes	Alternative Substation and Route Composition
A	Sub 1 - 13-14-54-17-26-29-40
B	Sub 1 - 13-14-54-17-31-42-48-49
C	Sub 1 - 23-42-14-54-20-35-34-41-49
D	Sub 2 - 4-5-14-54-20-30-42-48-49
E	Sub 2 - 4-5-14-54-17-28-30-34-33-40
F	Sub 2 - 7-8-50-15-26-38-43
G	Sub 3 - 5-14-54-17-31-42-49
H	Sub 3 - 5-14-54-17-28-29-40
I	Sub 3 - 5-14-54-20-36-42-48-49
J	Sub 3 - 5-14-54-20-36-42-49
K	Sub 3 - 5-14-54-21-25-37-38-43
L	Sub 3 - 5-14-54-21-25-37-38-39-53-52-45
M	Sub 4 - 13-34-5-14-54-20-38-42-48-49
N	Sub 5 - 8-50-15-26-38-43
O	Sub 5 - 8-50-16-56-57-27-47-53-44
P	Sub 6 - 50-15-22-25-37-38-43
Q	Sub 6 - 50-15-26-38-39-44
R	Sub 6 - 50-15-26-38-43
S	Sub 6 - 50-15-56-57-27-51-45
T	Sub 6 - 50-15-22-25-32-36-42-48-49
U	Sub 6 - 50-15-26-38-39-53-52-45
V	Sub 6 - 50-16-55-57-27-47-53-44
W	Sub 6 - 50-16-56-57-27-47-53-44
X	Sub 7 - 54-17-28-30-34-41-49
Y	Sub 7 - 54-20-36-35-34-33-40
Z	Sub 7 - 54-20-36-42-48-49
AA	Sub 7 - 54-20-36-42-49
BB	Sub 7 - 54-21-25-37-38-43
CC	Sub 7 - 54-20-32-37-38-43

Legend

Project Components

- Study Area Boundary
- Primary Alternative Segment, Node, and Label
- Proposed Substation Site

Land Use Features

- School
- Water Well (GWDB-SORDB)
- Communication Tower (FCC)
- Cemetery (USGS)
- Official Texas Historical Marker (THC)
- National Register of Historic Places (THC)
- Conservation Easement (NCED)
- Proposed Conservation Easement

Existing Utility Features

- 138 kV Transmission Line
- 345 kV Transmission Line

Transportation Features

- Interstate Highway
- State Highway
- Local Road

Hydrologic Features

- River / Stream (NHD)
- NWI Wetland
- Floodplain (FEMA)

Administrative Features

- City Limits
- Parcel Boundary
- County Boundary

1 inch = 1,000 feet

Project Location

SCENIC LOOP 138 kV TRANSMISSION LINE AND SUBSTATION PROJECT

Figure 2-4
 Primary Alternative Routing Segments With Environmental and Land Use Constraints

Scale: 0 1,000 2,000 3,000 4,000 Feet

Stephanie Tanner

From: Steve Cichowski <steve@cichowskilaw.com>
Sent: Tuesday, October 27, 2020 4:51 PM
To: karen.freeman@nisd.net
Cc: 'Kristina Stroud'
Subject: CPS Transmission Lines at MacAndrews Elementary
Attachments: NISD Letter.pdf; Proposed change in Floodplain.pdf

Karen,

I wanted to keep you in the loop on the above. I put the attached letter and attachment in the mail today to Dr. Woods. We are concerned that NISD has not yet retained counsel in the PUC proceeding and I am urging Dr. Woods to do so. Deals are being struck that will adversely affect the school, and the only way to know about them and thus contest them is to have counsel experienced in these proceedings. If you have any questions, please feel free to contact me or Kristina Stroud.

Thank-you

Steve Cichowski
Cichowski Law Firm, P.C.
Board Certified - Personal Injury Trial Law
Texas Board of Legal Specialization
10500 Heritage Blvd., Suite 102
San Antonio, Texas 78216
210-223-5299 direct
210-870-1521 fax

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ANAQUA SPRINGS RANCH HOMEOWNER'S ASSOCIATION
C/O First Service Residential
3424 Paesanos Parkway, Suite 100 | Shavano Park, TX 78231

October 27, 2020

Dr. Bryan Woods, Superintendent
Northside Independent School District
5900 Evers Road
San Antonio, Texas 78238

Re: Proposed 138kv Transmission Tower Project at MacAndrew Elementary

Dear Dr. Woods,

In the last couple of months, Kristina Stroud has been in contact with N.I.S.D. Trustee, Karen Freeman, regarding the CPS 138kV Transmission Line Project. However, the Anaqua Springs Ranch (ASR) HOA wants to ensure that everyone is fully aware of the serious impact that this project will have on McAndrew Elementary School and all of the children that attend. We also want to stress the need for N.I.S.D. to have skilled legal representation to protect its interest and the interest of its constituents before the Public Utilities Commission in the ongoing proceeding.

The proposed transmission line raises a number of issues that would affect hundreds of homesteads, many of which include children which attend McAndrew. The current "recommended" route for the lines travel straight down Toutant Beauregard. The most egregious segment of the route travels within 300 feet of the Elementary School and would cross through the proposed site of the new Middle School.

While the negative health effects of high voltage power lines are inconclusive at this point, there are studies that indicate a correlation. Attorneys can make a case that the towers and/or lines were responsible for certain illnesses should those occur. Additionally, the towers themselves, located directly adjacent to a playground, offer an irresistible allure for energetic and adventuresome children. If we do not work together now and do our fiduciary duty, we could be held complicit and liable in the event of an accident or illness involving a student.

The ASRHOA has been in contact with CPS for over a year regarding this project. Frankly we have been given inaccurate and evasive answers throughout that time. There

has been little or no transparency and, at a minimum, the appearance of a lot of backdoor dealings. It is our understanding the N.I.S.D. was told that the transmission lines would not go anywhere near the school when in fact this is not true. In fact, we recently became aware of negotiations to move the proposed line *even closer* to the school than was originally proposed. A sketch arising from those discussions is attached. We became aware of this only because the other parties knew we were represented and sought our support for this move through our attorney. Without representation, these negotiations would have never come to light.

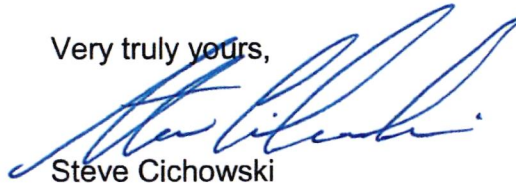
We want to emphatically address the potential health effects on children and be on record as doing so. We strongly urge N.I.S.D. to do the same. We are aware that you have filed an intervention on behalf of N.I.S.D., but that's just the beginning. It is imperative to have an active attorney representing N.I.S.D. that will attend all hearings and be able to follow up on all issues associated with this. We have learned (the hard way!) that CPS does not offer information to parties who do not have legal representation.

The ASR HOA is willing to offer aid and assistance. We have retained a full time attorney who has a great track record. Ms. Wendy Harvel has 18 years of experience as an Administrative Law Judge and the head of the Public Utility Team. We believe your interest in this project aligns with the ASRHOA. Ms. Harvel stands ready to work in conjunction with N.I.S.D.'s attorney to bring additional pressure to bear to convince the PUC that the proposed route is not tenable. But N.I.S.D. must have an attorney to do so. *Again, it is critical that N.I.S.D. have competent legal representation in this matter.*

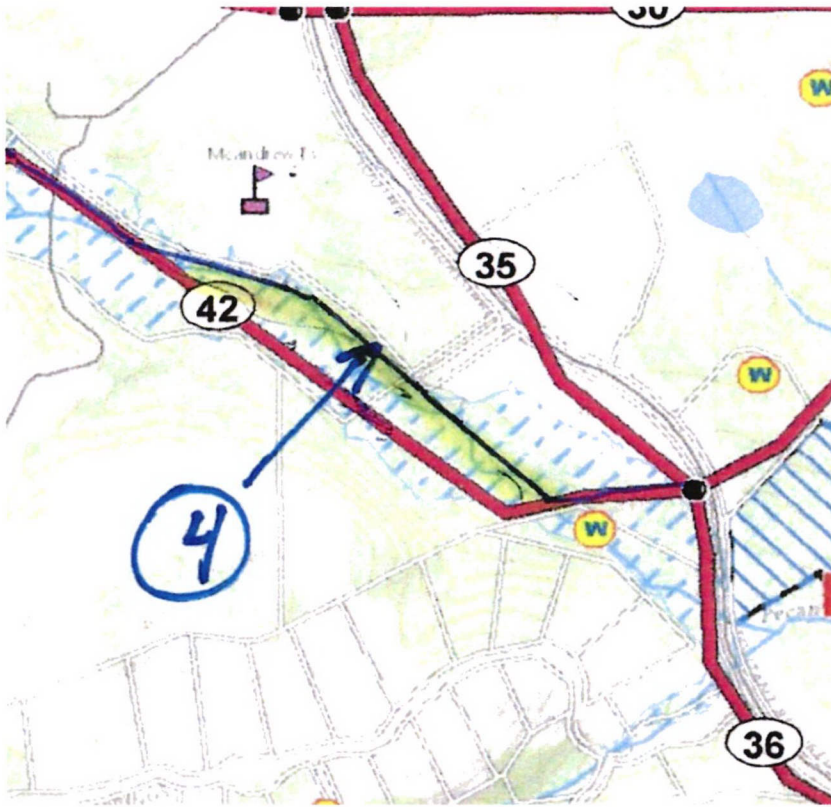
Although few qualified attorneys are yet to be committed to this proceeding, Zack Brady in Lubbock is one of the most knowledgeable and respected attorneys practicing in this field. More importantly, he has not yet appeared for any party. His number is 806-771-1850. I urge you to give him or the attorney of your choice a call and at least discuss retaining someone to protect the interest of the public in this matter.

I would be glad to discuss this matter with you further. If you have any questions regarding the above, I can be reached at (210) 870-1490 or at steve@cichowskilaw.com. We would also welcome a chance to meet with you and discuss a plan for addressing our joint concerns in the PUC proceeding. Please let me know if that can be arranged.

Very truly yours,



Steve Cichowski
President, ASRHOA



CPS Transmission Line Project Update

Flag for follow up.

KS

Kristina Stroud

Tue 10/6/2020 5:55 PM

To: karen.freeman@nisd.net

Good Afternoon Mrs. Freeman,

Early in September I had spoken with you regarding the 138kV transmission line project by CPS. First off, I would like to sincerely thank you on behalf of the parents whom live within Anaqua Springs Ranch and within the other close lying subdivisions for taking action against the 138kV transmission lines that would be built behind Dr. Sarah B. McAndrew Elementary School. Our children's safety and wellbeing are our number one priority and we appreciate you and Dr. Brian Woods taking action by filing an intervention in these proceedings.

Additionally, I would like to update you with some information. The Anaqua Springs Ranch HOA has recently met with their attorney, Ms. Wendy Harvel, regarding the transmission line project. In the past, Ms. Harvel has worked as a Public Utility Commission Judge. She has 18 years of experience as an Administrative Law Judge and the head of the Public Utility Team. Ms. Harvel has been extremely helpful and forthcoming with information regarding the proceedings and what to expect.

Today, Ms. Harvel had inquired on whether Northside Independent School District had retained an attorney to represent them in the following proceedings. She had hoped to make contact with the attorney in order to establish a working relationship that would show a greater force to move the transmission lines away from the Dr. Sara B. McAndrew Elementary School. When I mentioned my previous conversations with you regarding this project, I offered to reach out and inquire as to whether or not NISD has obtained legal representation.

Ms. Harvel has suggested that I forwarded a list of attorneys that have not yet made an appearance representing any party in the Public Utility Commission proceedings in case NISD has not obtained legal representation. I cannot stress it enough how much Ms. Harvel emphasized the importance of hiring legal representation for the proceedings. While all three attorneys that she forwarded

are highly recommended, Mr. Zach Brady is known to be fairly aggressive in his approaches and could make a good impact for NISD in the coming proceedings. I have listed the recommended attorneys below.

Zach Brady (would be aggressive in the case)

806-771-1850

Jason Rammel (represented Leander ISD in a transmission line case)

830-885-2406

Patricia (Trish) Carls (experienced in these types of cases, hard worker)

512-567-0123

Once NISD has obtained legal representation for the transmission line project, Ms. Harvel would be willing to speak and discuss further information. I look forward to your response.

Sincerely,

Kristina Stroud

210-834-6156

CPS Toutant Beauregard Transmission Project

This message was sent with High importance.

SC

Steve Cichowski <steve@cichowskilaw.com>

Thu 9/3/2020 4:51 PM

To: karen.freeman@nisd.net

Cc: 'Kristina Stroud'

Fig_2_4_Constraints.pdf

13 MB

Dear Ms. Freeman,

I am the President of the Anaqua Springs Ranch Homeowners Association. I understand that you recently spoke to our Vice-President Kristina about the proposed 130 foot tall transmission towers CPS has recommended be constructed down Toutant Beauregard and behind MacAndrews Elementary. It is my understanding that the Superintendent was under the impression that these towers and associated 138 kv power lines would be nowhere near the school. Nothing could be further from the truth. Attached is the route map submitted by CPS to the Public Utilities Commission. The recommended route includes segment 42 which runs directly behind the school. Other suggested routes completely encircle the school.

We believe this to be a terrible location. Although the studies of the effect of Electromagnetic Radiation on the human body are inconclusive, there is a substantial body of evidence that it does have a significant effect on still developing tissue such as is found in elementary school age children. I would not want my grandchildren to be the subjects in finding out who was right, and many of the parents at MacAndrews have expressed a similar concern. In addition the mere presence of these towers

invites the curious and still developing mind to explore such a wonder without the constraints of more mature minds.

We are attempting to develop a coalition of interested parties to join together to oppose this route. We are being joined in this effort by homeowners in Anaqua Springs and Sundance Ranch as well as better known property owners such as Tony Parker and George Strait. This project has been submitted to the PUC, but there is still time to change this route. Kristina tells me that you and the Superintendent intend to voice your concerns to CPS. With all due respects, “your concerns” alone will be ineffective. What needs to be done is for the Northside ISD to file a formal intervention in the proceeding and become an actual party to the administrative process. It is only by being a party that NISD will actually have a say in the Commission’s decision. Otherwise your concerns will become a footnote in the final report.

Because of the manner in which “Notice” of this proceeding was given very few people were aware of the recommended route until recently. I urge you to have NISD’s attorney file an Intervention in this case. The deadline is September 8, 2020. Fortunately it takes less than 10 minutes to file an Intervention. Even beyond the deadline, the PUC has frequently allowed interested parties to join.

I again urge you and the Superintendent to submit this matter to NISD’s attorney for filing an Intervention on behalf of NISD and the welfare of children you serve.

Sincerely,

Steve Cichowski

Cichowski Law Firm, P.C.

Board Certified - Personal Injury Trial Law

Texas Board of Legal Specialization

10500 Heritage Blvd., Suite 102

San Antonio, Texas 78216

210-223-5299 direct

210-870-1521 fax



Re: CPS Scenic Loop Transmission Line Project

KF

Karen Freeman <karen.freeman@nisd.net>

Thu 9/3/2020 1:45 PM

To: You

Ms Stroud,

Superintendent Dr. Woods said we will be making our concerns known to CPS.

You take care and be well.

Karen Freeman

On Sep 3, 2020, at 11:59 AM, Kristina Stroud
<Kristina_Marques1699@hotmail.com> wrote:

Karen Freeman,

I'm reaching out to you on behalf of the Board of Directors of Anaqua Springs Ranch and several concerned parents within this community. The Board of Directors of Anaqua Springs Ranch are actively trying to reroute CPS's current primary Route Z. I have attached a copy of the current routes so that you may reference and notate exactly how close Route Z gets to the school.

Route Z would put giant 130-foot-tall high-voltage transmission lines along Toutant Beauregard which would then travel behind Dr. Sara B. McAndrew Elementary School.

Many parents within the community have expressed great concern over this issue and have actively tried to contact the McAndrew Elementary School's PTA and principal DeAnn Upright. Some parents have received a response from the PTA that they noted was cordial and apologetic. However, that response also implied that they would not pass along any information to parents regarding CPS's current plans to install these 130-foot-tall high-voltage towers and transmission lines behind the school.

It is my understanding that the PTA is a non-profit organization (501c3) and are not permitted to lobby for issues. It is not our goal to have the PTA act as a lobbying force to push an agenda, but to uphold the National PTA's mission values of *"Engaging and Empowering Families and Dedicated to Children's Well-Belling"* by keeping the families informed of this ongoing concern.

If the PTA and Principal are committed and dedicated to the educational success, health, and well-being of the children that attend Dr. Sara McAndrew Elementary School, then why are they not reaching out to parents to inform them of the high-voltage towers and transmission lines?

Myself and the many concerned parents who live in this community look forward to your response regarding this issue.

Sincerely,

Kristina Stroud

Vice President of Anaqua Springs Ranch Board of Directors

210-834-6156

<Map with routes.pdf>

CPS is Putting High Powered Transmission Lines Behind the School

This message was sent with High importance.

KS

Kristina Stroud

Tue 9/1/2020 3:40 PM

To: mcandrewpta@gmail.com

Map with routes.pdf

10 MB

Dear McAndrew PTA,

I'm reaching out to you on behalf of the Board of Directors of Anaqua Springs Ranch. We are currently trying to move or reroute CPS's current primary Route Z. I have attached a copy of the current routes so that you may reference and notate exactly how close Route Z gets to the school.

Route Z would put HUGE 130-foot-tall high-powered transmission lines directly in front of the Anaqua Springs Ranch entrance which would then travel behind Dr. Sara B. McAndrew Elementary School. What the Board of Directors are trying to accomplish is to move the route away from both the elementary school and the Anaqua Springs Ranch entrance.

How we are hoping to reroute or move the route away from both Dr. Sara B. McAndrew Elementary School and Anaqua Springs Ranch is by conducting a "habitat exchange". In this particular case, we would be specifically replacing Golden Cheeked Warbler mitigation credits. To do this the US Army and US Air Force would have to agree to let this happen. The next step would be that the Anaqua Springs Ranch Association would

act on the behalf of the US Army and Air Force by identifying and obtaining an equivalent and contiguous amount of land to donate.

The land that is identified and obtained would satisfy the US Fish and Wildlife Service's criteria for a suitable habitat. This would require the completion of a habitat survey to confirm the viability of the donated tract as a Golden Cheeked Warbler habitat.

Once USFWS signs off that the land donation satisfies all of their requirements we can make a "Route Adequacy Challenge" in the PUC proceeding to get a previously submitted segment back on the books. The last step would be to convince the Administrative Law Judge that this selection is the best route.

Unfortunately, the US Army and US Air Force has implied to CPS that they do not want to deal with finding alternative habitat space. Thus, we need someone with more stroke than Richard Trevino, Jr. and Col Isaac Manigault to inform the US Army and US Air Force that the Anaqua Springs Ranch Association is willing to assist and aid them to obtain this land. All they have to say is that we will agree to modify our easement if you do all of the footwork to satisfy the USFWS, TNC, and the State. This would at the very least give us a viable chance to move these high-powered transmission lines away from the elementary school and our entrance.

We are encouraging all families within Anaqua Springs Ranch to reach out to our Federal Representative as well as any military contacts to help facilitate a discussion regarding a "habitat exchange". We are also hoping that you will pass along this information as it is vital that we get this route moved.

If you have any questions regarding the “habitat exchange” or how you can help please do not hesitate to reach out.

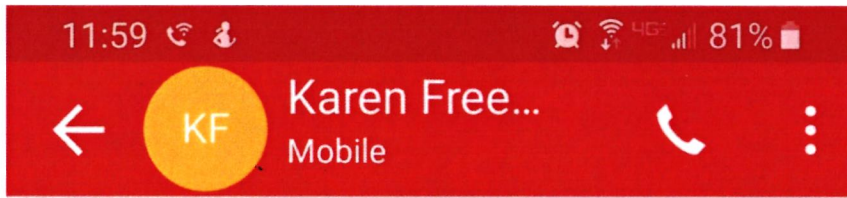
Sincerely,

Kristina Stroud

Kristina Stroud

Vice President of Anaqua Springs Ranch Board of Directors

Kristina_Marques1699@hotmail.com



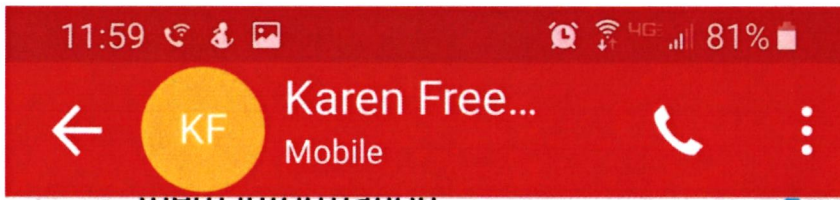
10/16/20 9:59 AM

Got voicemail. In a meeting. What is status?

I wanted to follow up with you to see if you have been able to reach Dr. Woods to discuss NISD obtaining legal representation for the upcoming court appearances. Ms. Harvel, is concerned that he may not be able to attend all the meetings/hearings. She wanted to make sure that he's aware of how important it is that either himself or an attorney is present. She is willing to meet with NISD's legal representation to help them get updated on the project and provide them information.

I heard we were. I will ask again.





them information.

I heard we were. I will ask again.

Thank you for asking, I appreciate it. Would you like me to text or email you Ms. Harvel's information so that you can forward it along to the attorney?

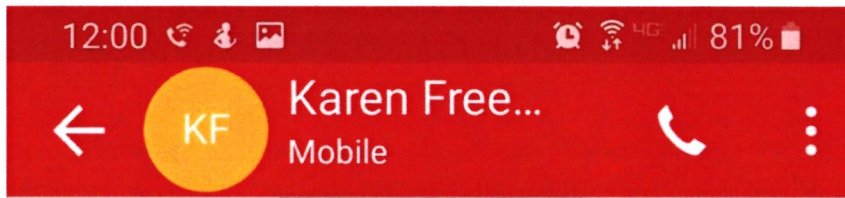
10/16/20 10:18 AM

You can. I will have staff reach out to her

10/16/20 10:28 AM

Wendy's phone number is:
[512-879-0970](tel:512-879-0970)
Thank you for getting back to me. I sincerely appreciate it. If you have any questions or concerns regarding the CPS project please don't hesitate to reach out to me. I hope you have a wonderful day and enjoy your weekend.





You can. I will have staff reach out to her

10/16/20 10:28 AM

Wendy's phone number is:
[512-879-0970](tel:512-879-0970)
Thank you for getting back to me. I sincerely appreciate it. If you have any questions or concerns regarding the CPS project please don't hesitate to reach out to me. I hope you have a wonderful day and enjoy your weekend.

Wendy's phone number is:
[512-879-0970](tel:512-879-0970)
Thank you for getting back to me. I sincerely appreciate it. If you have any questions or concerns regarding the CPS project please don't hesitate to reach out to me. I hope you have a wonderful day and enjoy your weekend.

Sent



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PUC DOCKET NO. 51023
ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

The following questions relate specifically to the testimony of Mr. Mark D. Anderson, who provided testimony on behalf of Anaqua Springs HOA and BVJ:

CPS Energy RFI No. 1-10

Refer to page 6, line 15 of Mr. Anderson's testimony. Identify all transmission line projects in Texas that Mr. Anderson was responsible for "finding the route that, among other things, best addressed community values."

Response:

None in Texas.

Preparer: Mark Anderson
Sponsor: Mark Anderson

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ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-11

Refer to page 5, lines 16 and 17 of Mr. Anderson's testimony. Identify all transmission line projects in Texas where Mr. Anderson had construction responsibility.

Response:

None in Texas.

Preparer: Mark Anderson
Sponsor: Mark Anderson

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ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-12

Refer to page 7, line 17 of Mr. Anderson's testimony. Identify by habitable structure number from the EA the three habitable structures Mr. Anderson believes will be "avoided" by Route RI Modified.

Response:

Habitable structure numbers 134, 201, and an unnumbered habitable structure that is on parcel number F-024 that is not included on CPS's routing maps.

Preparer: Mark Anderson
Sponsor: Mark Anderson

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ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-13

Refer to page 7, line 19 of Mr. Anderson's testimony. Does Mr. Anderson agree that Segments 38a and 43a directly affect the landowners on whom those segments are located differently than Segments 38 and 43 included in CPS Energy's application?

Response:

Yes. Segment 38a would have less impact on Clearwater Ranch POA because it would shorten the length of 26a on their properties. Save Huntress Lane Area Association would be affected differently. Bexar Ranch would have a shorter overall length on its property.

Preparer: Mark Anderson
Sponsor: Mark Anderson

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CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-14

Refer to page 7, line 24 of Mr. Anderson's testimony. Identify all elementary schools owned and operated by the NISD that were constructed immediately adjacent to an existing transmission line ROW.

Response:

Mr. Anderson is unaware of any such schools in NISD constructed immediately adjacent to an existing transmission line ROW.

Preparer: Mark Anderson
Sponsor: Mark Anderson

SOAH DOCKET NO. 473-21-0247
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ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-15

Identify all elementary schools owned and operated by the NISD with sports and recreation areas within 280 feet of an existing transmission line.

Response:

Other than McAndrew Elementary, which CPS has indicated to have athletic fields within 280 feet of Segment 42a (CPS Response to Cleveland RFI 1-10), Mr. Anderson does not have any information or personal knowledge from which to formulate a response relative to other NISD schools.

Preparer: Mark Anderson
Sponsor: Mark Anderson

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CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-16

Refer to page 8, lines 3-4 of Mr. Anderson's testimony. Identify all impacts to the Alamo Area Regional Radio System that Mr. Anderson believes will occur from construction and operation of the Project on a Route ZI.

Response:

Mr. Anderson does not have any information or personal knowledge from which to formulate a response, other than the testimony of Carl G. Huber.

Preparer: Mark Anderson
Sponsor: Mark Anderson

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CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-17

Refer to page 9, line 15 of Mr. Anderson's testimony. Provide all photographs and video recordings Mr. Anderson reviewed.

Response:

See CPS Energy RFI 1-17 Attachment. Pursuant to agreement among counsel, the other photographs and video recordings Mr. Anderson reviewed are being uploaded to a Sharefile site.

Preparer: Counsel for Jauer

Sponsor: Counsel for Jauer



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ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-18

Refer to page 10, line 19 of Mr. Anderson's testimony. Admit or deny that Segment 38a is parallel to a parcel line, not a property line (meaning, the property on both sides of the parcel line are owned by the some entity or person).

Response:

Admit that CPS's intervenor map reflects that the parcels on both sides of the property line are owned by the same entity. Segment 38a parallels a portion of that line.

Preparer: Mark Anderson
Sponsor: Mark Anderson

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CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-19

Identify all cultural or natural features paralleled by Segment 43a as presented in the testimony of Mr. Anderson.

Response:

Segment 43a reduces the impact to habitable structures by routing to the south of homes in Anaqua Springs. It also avoids the crest of the hill on Bexar Ranch, a natural feature, by routing to the south along a lower topographical line than the crest of the hill. The western 2/3 of the change to Segment 43a routes generally along topographic lines. Based on CPS's routing guideline criteria 4(a)(1)(f) and (g), the Segment avoids high ground that would silhouette those poles and lines against the sky and uses terrain as a natural screen.

Preparer: Mark Anderson
Sponsor: Mark Anderson

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CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-20

Refer to page 15, lines 3-5 of Mr. Anderson's testimony. Does Mr. Anderson believe the Commission should consider recently constructed habitable structures differently than habitable structures existing for a longer time. If Mr. Anderson believes they should be considered differently, what does Mr. Anderson consider to be a "recently" constructed habitable structure. Please identify any Commission precedent Mr. Anderson believes supports his response to this question.

Response:

Mr. Anderson does not have an opinion on how the Commission should treat habitable structures. However, Mr. Anderson believes it is important for the Commission and the ALJs to understand that habitable structure no. 198 was constructed within the right of way of segment 26 between the time of the open house and the beginning of the route adequacy hearing when CPS Energy announced its existence, prompting the later modification that moved Segment 26 (now Segment 26a) onto different landowners.

Preparer: Mark Anderson
Sponsor: Mark Anderson

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ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-21

Refer to page 17, lines 17-19 of Mr. Anderson's testimony.

- a. Does Mr. Anderson believe the Commission considers segments in an application individually, or with respect to the total measurable impact of a route in its entirety?
- b. Does Mr. Anderson allege that the habitable structure counts for the routes presented in the Application are not correct?
- c. Describe in detail how POWER's listing of the segments closest to each habitable structure in Tables 4-6 Amended through 4-36 Amended underrepresent the total number of habitable structures presented in Table 4-1 Amended.

Response:

- a. While Mr. Anderson is not qualified to provide a legal opinion as to how the Commission is to consider segments vis-à-vis routes, he understands that each route is composed of individual segments, that a single segment can be included as part of multiple routes, and that the impact of one segment can be significantly more concentrated and dramatic than other segments. An example of this in the present case is Segment 54, which is included in 2/3 of the routes proposed by CPS Energy. Based on his experience, Mr. Anderson believes that this type of information is important and bears on several routing factors, including community values and prudent avoidance.
- b. Yes by at least two.
- c. There is a habitable structure on Segment 54 between habitable structure nos. 93 and 94 that is not included in the Application. There is a habitable structure on parcel No. F-024 that is not included in the Application.

Preparer: Mark Anderson
Sponsor: Mark Anderson

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CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-22

Refer to page 18, lines 3-8 of Mr. Anderson's testimony. Describe in detail Mr. Anderson's experience with respect to the failure mechanisms of transmission line poles due to "a storm."

Response:

After finishing construction and energization on a 345 kV extra high voltage transmission line project in southwest Minnesota Mr. Anderson received a report that one structure failed, and the two adjacent structures had damaged arms as a result of the conductors failing due to arc flash. The cause of the arc flash was due to a phenomenon known as "galloping" when ice builds up the conductor diameter such that it becomes an air foil and high winds ("a storm") can then lift the conductors to the extent they resemble a child's jumping rope as they oscillate the entire span or in multiple waves within the span. The conductors can then come within arc flash range and the resulting arc flash severs the conductors.

In general, hurricanes, tornadoes, and other natural disasters can cause transmission lines and structures to fail.

Preparer: Mark Anderson
Sponsor: Mark Anderson

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CPS Energy RFI No. 1-23

Refer to page 19, lines 6-9 of Mr. Anderson's testimony.

- a. Admit or deny that 11 of the Routes included in the Application do not include Segment 54.
- b. Admit or deny that additional forward progressing routes, not specifically included in the Application, could be created from existing Application segments that do not include Segment 54.
- c. Admit or deny that 16 TAC § 25.101(b)(3)(B) requires utilities to consider route locations that "utilize other existing compatible rights-of-way," including roads and highways.

Response:

- a. Admit that 11/31 routes in the Application do not include Segment 54.
- b. Can neither admit nor deny because Mr. Anderson has not made that evaluation.
- c. Admit that the rule includes the consideration of utilizing compatible rights of way including roads and highways among several other criteria.
Deny the implication in RFI No. 1-23(c) that *only* route locations that "utilize other existing compatible rights-of-way" may be considered.

Preparer: Mark Anderson
Sponsor: Mark Anderson

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CPS Energy RFI No. 1-24

Refer to pages 19-20 of Mr. Anderson's testimony. Describe in detail how the number of habitable structures within 300 feet of a particular segment has relevance to the Commission's consideration of a utility applicant's proposed routes for a project?

Response:

As addressed in the response to CPS Energy RFI 1-21, the degree and concentration of impacts on a particular segment (or any designated area for that matter) is a relevant consideration for any routing criteria or routing factor. Relative to habitable structures, two of the most important are prudent avoidance and community values. The number of habitable structures within 300 feet of a 138 kV line relates directly to the Commission's policy on prudent avoidance. The number of impacted habitable structures on a segment may be so high that using a route that does not include that particular segment would be preferred under the Commission's policy on prudent avoidance. In addition, as in the present case where the community ranked "impact to residences" as the most important factor, the degree and concentration of impacted habitable structures is also the primary community value.

Preparer: Mark Anderson
Sponsor: Mark Anderson

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CPS Energy RFI No. 1-25

Refer to page 21, line 7 of Mr. Anderson's testimony. Describe in detail how Segment 54 is more dangerous to the community due to an increased risk of collisions with the transmission line structures. In responding to this request, describe where Mr. Anderson believes the transmission line structures will be located with respect to the road ROW along Segment 54. Include all supporting data demonstrating the frequency of collisions with transmission line structures located 25 feet or more off of the road ROW.

Response:

Toutant Beauregard Road has a sharp curve near Habitable Structure 81, and large drilled pier concrete foundation bolted to a galvanized steel structure will be projecting from the earth about 2' at or near the property line of parcels A-071 and A-044, just a few feet from the road right-of-way, based on Mr. Anderson's review of Attachment 5 Amended, sheet 8 of 17, CPS Energy's response to Anaqua Springs HOA's RFI 2-10, and Google Earth. There will be another structure about 750' west on or near parcel A-049, also adjacent to road ROW along a curve in the road.

Mr. Anderson does not have any data of the actual frequency of vehicle pole collisions, but CPS's materials presented at the open house (EA bates page 000329) allude to vehicle crashes being at least partially responsible for reliability issues. CPS likely has this data based on repair orders. Placing large steel structures with concrete foundations in such close proximity to the sharpest curves on a busy road is a safety concern.

Preparer: Mark Anderson
Sponsor: Mark Anderson

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CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-26

Refer to page 21, line 10 of Mr. Anderson's testimony. Describe in detail the "relocation risk" Mr. Anderson believes will exist associated with the Commission's approval of a route that utilizes Segment 54. Provide all documents Mr. Anderson relies upon to support his assertions.

Response:

According to a statement of position filed in this case, Toutant Beauregard used to be a gravel road, and is now a two-lane road. Additionally, Mr. Dreiss, according to his testimony, is in the process of developing a large subdivision, which will increase traffic. NISD's testimony indicates it has plans for a new middle school, which will also increase traffic along Toutant Beauregard. Due to flooding concerns, Bexar County has developed and will be constructing flood mitigation along Toutant, which will allow for more traffic during flooding incidents. Lane widening or lane additions are likely in this rapidly developing area.

<https://www.bexar.org/2719/Toutant-Beauregard-LWCs>

Preparer: Mark Anderson
Sponsor: Mark Anderson

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CPS Energy RFI No. 1-27

Identify the basis for, and provide all studies or documents that Mr. Anderson relies on for, his testimony that substations "make noise." Include all data regarding the amount of noise, if any, decibel levels, and other associated sound metrics resulting from a substation's presence.

Response:

Mr. Anderson has been responsible for the energization of over 40 new substations and existing substation modifications. He has been close to and within substation sites with equipment that was being energized and operated. Mr. Anderson's testimony outlines the noises he experienced during these times.

Preparer: Mark Anderson
Sponsor: Mark Anderson

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CPS Energy RFI No. 1-28

Refer to page 22, lines 7-10 of Mr. Anderson's testimony. Describe in detail Mr. Anderson's understanding of the "grounding to protect these homes from induced currents" that will be necessary associated with the Commission's approval of a route that utilizes Segment 54.

Response:

When high voltage transmission lines are routed close to homes, testing to determine whether grounding is necessary is prudent. If the testing shows a risk, then some mitigation measures might be needed. Mr. Anderson is not an expert on the exact mechanisms of grounding.

Preparer: Mark Anderson
Sponsor: Mark Anderson

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CPS Energy RFI No. 1-29

Refer to page 24, lines 14-15 of Mr. Anderson's testimony. Admit or deny that CPS Energy has proposed a three-unit substation in this proceeding.

Response:

Admit.

Preparer: Mark Anderson
Sponsor: Mark Anderson

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CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-30

What is Mr. Anderson's understanding of the area required by CPS Energy for a three unit substation?

Response:

According to the EA, on page 2-1 or Bates 82, "approximately four to six acres is needed to construct the new substation." 420 feet by 420 feet is 176,400 square feet, which is just slightly over 4 acres in size. Six acres is 261,360 square feet, or approximately 511 feet by 511 feet.

Preparer: Mark Anderson
Sponsor: Mark Anderson

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CPS Energy RFI No. 1-31

Refer to page 30, line 15 of Mr. Anderson's testimony. Describe in detail how Mr. Anderson believes CPS Energy highly values Route Z1 over any other route included in CPS Energy's Application in this proceeding.

Response:

This RFI does not accurately reflect Mr. Anderson's testimony. Mr. Anderson's testimony on page 30, line 15 is "the community does not value Route Z1 as highly as CPS does based on the statements of position recently filed that clearly spell out numerous concerns." CPS has declared Z1 to be the route that best addresses the applicable routing factors. But the community does not value Z1 as highly because of its proximity to numerous homes and the school. These matters are addressed in Mr. Anderson's testimony. Additionally, another impacted landowner has raised the issue that Route Z1 travels down a historic road corridor established by statute by the Texas legislature pursuant to a bill authored by a local representative. And, finally, CPS has required Toutant Ranch, curiously in an exchange for rerouting segments on property donated by Toutant Ranch, to support the segments on its property, even though Toutant Ranch would be benefitted most by the middle and southern routes, which miss its property almost completely.

Preparer: Mark Anderson
Sponsor: Mark Anderson

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CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-32

Identify all proceedings in which Mr. Anderson is aware of the Commission approving a route modification to a transmission line that was not included in an application or otherwise consented to by all directly affected landowners.

Response:

Mr. Anderson does not have this information.

Preparer: Mark Anderson

Sponsor: Mark Anderson

SOAH DOCKET NO. 473-21-0247
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ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-33

Identify any additional costs Mr. Anderson considered in his cost calculations for Segments 43a and 38a associated with locating the segments further interior to the property rather than more closely following the property line or other natural or cultural features.

Response:

Pursuant to discussions among counsel, this question was rewritten as follows:

Did Mr. Anderson consider any additional costs of moving Segments 43a and 38a further interior to the property, particularly damages that would need to be paid to the remainder?

No.

Preparer: Mark Anderson
Sponsor: Mark Anderson

SOAH DOCKET NO. 473-21-0247
PUC DOCKET NO. 51023
ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

The following questions relate specifically to the testimony of Lauren Pankratz, M.D., who provided testimony "on behalf of [herself] and Anaqua Springs HOA" (see page 2, line 5 of Dr. Pankratz' direct testimony):

CPS Energy RFI No. 1-34

Is Dr. Pankratz providing testimony as an expert pursuant to the Texas Rules of Evidence 702 who is qualified by knowledge, skill, experience, training, or education regarding electric and magnetic fields?

Response:

No.

Preparer: Lauren Pankratz, M.D.
Sponsor: Lauren Pankratz, M.D.

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PUC DOCKET NO. 51023
ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-35

Is Dr. Pankratz providing testimony in this proceeding as a medical expert pursuant to the Texas Rules of Evidence 702 who is qualified by knowledge, skill, experience, training, or education regarding the potential health effects of electric and magnetic fields?

Response:

No.

Preparer: Lauren Pankratz, M.D.

Sponsor: Lauren Pankratz, M.D.

SOAH DOCKET NO. 473-21-0247
PUC DOCKET NO. 51023
ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-36

Is Dr. Pankratz providing testimony in this proceeding as an expert pursuant to the Texas Rules of Evidence 702 who is qualified by knowledge, skill, experience, training, or education regarding any other issue relevant to this proceeding?

Response:

No.

Preparer: Lauren Pankratz, M.D.

Sponsor: Lauren Pankratz, M.D.

SOAH DOCKET NO. 473-21-0247
PUC DOCKET NO. 51023
ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-37

If your answer is yes with respect to any potential expert qualification:

- a. Identify and provide all documents, tangible things, reports, models, or data compilations that have been provided to, reviewed by, or prepared by or for Dr. Pankratz in anticipation of her testimony in this docket.**
- b. Identify and provide all workpapers, draft analyses, evaluations, notes, and any other factual information related to or forming the basis of Dr. Pankratz' mental impressions and opinions in connection with this docket.**
- c. Identify and fully describe any bias Dr. Pankratz has as it relates to this docket or any parties thereto.**
- d. Identify and provide all communications between Dr. Pankratz and any member of the Anaqua Springs HOA board regarding her testimony.**

Response:

Not applicable.

Preparer: Lauren Pankratz, M.D.
Sponsor: Lauren Pankratz, M.D.

SOAH DOCKET NO. 473-21-0247
PUC DOCKET NO. 51023
ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-38

Describe in detail the basis of Dr. Pankratz' concerns regarding electric and magnetic fields and children.

Response:

The bases of her concerns are included in Dr. Pankratz's testimony. She believes a high-power transmission line should be avoided near an elementary school if there are other alternatives. She is the mother of a young boy who attends McAndrew elementary school.

Preparer: Lauren Pankratz, M.D.
Sponsor: Lauren Pankratz, M.D.

SOAH DOCKET NO. 473-21-0247
PUC DOCKET NO. 51023
ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-39

Describe the difference between electric and magnetic fields emitted from a 500 kV transmission line compared to a 138 kV transmission line?

Response:

Dr. Pankratz has no information responsive to this RFI.

Preparer: Lauren Pankratz, M.D.
Sponsor: Lauren Pankratz, M.D.

SOAH DOCKET NO. 473-21-0247
PUC DOCKET NO. 51023
ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-40

Refer to page 4, line 11 of Dr. Pankratz' testimony. How close is "near" a 500 kV transmission line? Also identify the number and configuration of circuits on the transmission lines that were evaluated. If the transmission line evaluated had multiple circuits, also identify whether the circuits were operated with reverse phasing.

Response:

This information, if available, would be included in the study. For reference, the article is available online at: <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0067284>. The school was 94 meters (approximately 300 feet) from the transmission line. The number and configuration of circuits on the transmission lines were not discussed.

Preparer: Lauren Pankratz, M.D.
Sponsor: Lauren Pankratz, M.D.

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ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-41

Refer to page 4, lines 21-22 of Dr. Pankratz' testimony. Identify the voltage of the transmission line or transmission lines referenced in the study and the number and configuration of the circuits evaluated. Also identify whether the transmission lines with multiple circuits (if any) were operated with reverse phasing.

Response:

For reference, the article is available online at:

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC558197/>. Voltage of transmission lines studies were 132-400 kV. The number and configuration of circuits on the transmission lines were not discussed.

Preparer: Lauren Pankratz, M.D.
Sponsor: Lauren Pankratz, M.D.

SOAH DOCKET NO. 473-21-0247
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ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-42

Refer to page 5, lines 5-6 of Dr. Pankratz' testimony. Identify the voltage of the transmission line or transmission lines referenced in the study and the number and configuration of the circuits evaluated. Also identify whether the transmission lines with multiple circuits (if any) were operated with reverse phasing.

Response:

This information was not included in the abstract of the article.

https://journals.lww.com/joem/Abstract/1998/02000/Risk_of_Leukemia_in_Children_Living_Near.10.aspx

Preparer: Lauren Pankratz, M.D.
Sponsor: Lauren Pankratz, M.D.

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ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
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CPS Energy RFI No. 1-43

Refer to page 5, line 9 or Dr. Pankratz' testimony. Describe all of the limitations of the studies that Dr. Pankratz reviewed.

Response:

The limitations of the study were listed in the article.

Preparer: Lauren Pankratz, M.D.
Sponsor: Lauren Pankratz, M.D.

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ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-44

Refer to page 5, line 16 of Dr. Pankratz' testimony. Is Dr. Pankratz referring to any studies other than the three studies previously referenced in her testimony?

Response:

While not reviewed separately, in the introduction and discussion sections of the three studies there were other studies mentioned and referenced that gave support for the concern of the negative impact of exposure from high voltage transmission lines on human health, especially children.

Preparer: Lauren Pankratz, M.D.
Sponsor: Lauren Pankratz, M.D.

SOAH DOCKET NO. 473-21-0247
PUC DOCKET NO. 51023
ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-45

Identify and provide all of the studies that Dr. Pankratz reviewed that do not support a correlation between transmission lines and potential health effects.

Response:

While not reviewed separately, in the introduction and discussion sections of the three studies there were other studies mentioned and referenced that did not give support for the concern of the negative impact of exposure from high voltage transmission lines on human health.

Preparer: Lauren Pankratz, M.D.
Sponsor: Lauren Pankratz, M.D.

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ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-46

Prior to September 1, 2019, describe any research or studies that Dr. Pankratz participated in related to the potential health effects of electric and magnetic fields.

Response:

Dr. Pankratz did not testify that she was involved in any such studies. None.

Preparer: Lauren Pankratz, M.D.
Sponsor: Lauren Pankratz, M.D.

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CPS Energy RFI No. 1-47

Is Dr. Pankratz aware of any other elementary schools that are located immediately adjacent to the ROW of a transmission line in Bexar County?

Response:

No.

Preparer: Lauren Pankratz, M.D.
Sponsor: Lauren Pankratz, M.D.

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ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-48

Is Dr. Pankratz aware of any schools operated by the NISD that are located immediately adjacent to a transmission line right of way?

Response:

No.

Preparer: Lauren Pankratz, M.D.
Sponsor: Lauren Pankratz, M.D.

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ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
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CPS Energy RFI No. 1-49

Is Dr. Pankratz aware of any recreational or educational facilities associated with the NISD, including, but not limited to, gardens, playgrounds, walking and running tracks or paths, nature walks, or athletic fields that are within or adjacent to the ROW of transmission line facilities?

Response:

No.

Preparer: Lauren Pankratz, M.D.
Sponsor: Lauren Pankratz, M.D.

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ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
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CPS Energy RFI No. 1-50

Describe the maximum and average level of electric and magnetic fields that Dr. Pankratz believes will be present at the NISD outdoor areas where the children will be nearest to the proposed transmission line facilities if the line is constructed on a route that uses Segment 42a.

Response:

Dr. Pankratz did not testify as to the level of electric and magnetic fields. Dr. Pankratz has no information responsive to this request.

Preparer: Lauren Pankratz, M.D.
Sponsor: Lauren Pankratz, M.D.

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ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
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CPS Energy RFI No. 1-51

Describe the maximum and average level of electric and magnetic fields that Dr. Pankratz believes will be present at the NISD property line nearest to the proposed transmission line facilities if the line is constructed on a route that uses Segment 42a.

Response:

Dr. Pankratz did not testify as to the level of electric and magnetic fields. Dr. Pankratz has no information responsive to this request.

Preparer: Lauren Pankratz, M.D.
Sponsor: Lauren Pankratz, M.D.

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ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
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CPS Energy RFI No. 1-52

Describe Dr. Pankratz' understanding of reverse phasing as it has to do with the operation of multiple circuits on single transmission line poles and the levels of electric and magnetic fields potentially emitted from the transmission line facilities.

Response:

Dr. Pankratz did not testify as to the level of electric and magnetic fields. Dr. Pankratz has no information responsive to this request.

Preparer: Lauren Pankratz, M.D.
Sponsor: Lauren Pankratz, M.D.

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ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-53

Describe the maximum and average level of electric and magnetic fields that Dr. Pankratz believes will be present at the edge of the ROW of the proposed transmission line facilities. Describe how this level compares to background levels of electric and magnetic fields experienced from common home appliances.

Response:

Dr. Pankratz did not testify as to the level of electric and magnetic fields. Dr. Pankratz has no information responsive to this request.

Preparer: Lauren Pankratz, M.D.
Sponsor: Lauren Pankratz, M.D.

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ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

The following questions relate specifically to the testimony of Sunil Dwivedi, M.D., who provided testimony "on behalf of [himself] and Anaqua Springs Homeowners' Association" (see page 2, line 5 of Dr. Dwivedi's direct testimony):

CPS Energy RFI No. 1-54

Is Dr. Dwivedi providing testimony as an expert pursuant to the Texas Rules of Evidence 702 who is qualified by knowledge, skill, experience, training, or education regarding electric and magnetic fields?

Response:

No.

Preparer: Sunil Dwivedi, M.D.
Sponsor: Sunil Dwivedi, M.D.

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CPS Energy RFI No. 1-55

Is Dr. Dwivedi providing testimony in this proceeding as a medical expert who is qualified by knowledge, skill, experience, training, or education regarding the potential health effects of electric and magnetic fields?

Response:

No.

Preparer: Sunil Dwivedi, M.D.

Sponsor: Sunil Dwivedi, M.D.

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CPS Energy RFI No. 1-56

Describe in detail the basis of Dr. Dwivedi's concerns regarding electric and magnetic fields and children.

Response:

Dr. Dwivedi is a parent who is concerned about potential risks to his children from EMF if a high voltage transmission line is routed near his home.

Preparer: Sunil Dwivedi, M.D.

Sponsor: Sunil Dwivedi, M.D.

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CPS Energy RFI No. 1-57

Describe the maximum and average level of electric and magnetic fields that Dr. Dwivedi believes will be present at Habitable Structure 134 from the operation of the proposed transmission line facilities if the line is constructed on a route that uses Segments 38, 39, or 43.

Response:

Dr. Dwivedi did not testify as to the level of electric and magnetic fields. Dr. Dwivedi does not have information responsive to this RFI.

Preparer: Sunil Dwivedi, M.D.
Sponsor: Sunil Dwivedi, M.D.

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CPS Energy RFI No. 1-58

Describe the maximum and average level of electric and magnetic fields that Dr. Dwivedi believes will be present at his property line nearest to the proposed transmission line facilities if the line is constructed on a route that uses Segments 38,39, or 43.

Response:

Dr. Dwivedi did not testify as to the level of electric and magnetic fields. Dr. Dwivedi does not have information responsive to this RFI.

Preparer: Sunil Dwivedi, M.D.

Sponsor: Sunil Dwivedi, M.D.

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ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
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CPS Energy RFI No. 1-59

Is there a fence on Dr. Dwivedi's property between his property and the property or properties located immediately south of his property?

Response:

There is a partial fence. It does not span the entire length of Dr. Dwivedi's property.

Preparer: Sunil Dwivedi, M.D.
Sponsor: Sunil Dwivedi, M.D.

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CPS Energy RFI No. 1-60

Identify any statutes, rules, regulations, or precedent of the Public Utility Commission of Texas applicable to modifying a utility's proposed transmission line routes on "the same landowners" interior to those properties farther away from property lines or other natural or cultural features as long as "fewer homes would be directly impacted by the line."

Response:

CPS has agreed to withdraw this RFI.

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CPS Energy RFI No. 1-61

Identify the legal authority by which the Public Utility Commission of Texas may modify a route presented in a utility' s application for an amendment of its certificate of convenience and necessity so long as the landowner crossed by the route to be modified has received notice of the proceeding.

Response:

CPS has agreed to withdraw this RFI.

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CPS Energy RFI No. 1-62

Describe the basis of Dr. Dwivedi's testimony that moving the line "away from my home and my neighbors' homes... may be less expensive than what is currently proposed."

Response:

Dr. Dwivedi's testimony is based on Mark Anderson's testimony. CPS did not answer discovery on the costs of Route R1 Modified.

Preparer: Sunil Dwivedi, M.D.

Sponsor: Sunil Dwivedi, M.D.

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CPS Energy RFI No. 1-63

Describe all ways in which construction and operation of the transmission line facilities proposed in this proceeding on a route that uses Segments 38,39, or 43 will impact the safety and well-being of Dr. Dwivedi's family.

Response:

Dr. Dwivedi's concerns about these issues are addressed in his testimony.

Preparer: Sunil Dwivedi, M.D.

Sponsor: Sunil Dwivedi, M.D.

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CPS Energy RFI No. 1-64

Identify all studies, research, scientific papers, or other documents that support the assertion that "Construction sites can seem like attractive playscapes for children, and a transmission tower can seem like something fun to try to climb."

Response:

Dr. Dwivedi does not have information responsive to this RFI. Dr. Dwivedi is a parent of three children and is aware of children's behavior around construction sites and structures.

Preparer: Sunil Dwivedi, M.D.

Sponsor: Sunil Dwivedi, M.D.

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CPS Energy RFI No. 1-65

Describe all ways in which construction and operation of the transmission line facilities proposed in this proceeding on a route that uses Segments 38, 39, or 43 will result in immediate and long-term dangers to Dr. Dwivedi's family.

Response:

Dr. Dwivedi's concerns are addressed in his testimony.

Preparer: Sunil Dwivedi, M.D.

Sponsor: Sunil Dwivedi, M.D.

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ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

CPS Energy RFI No. 1-66

Describe the maximum and average level of electric and magnetic fields that Dr. Dwivedi believes will be present at the edge of the ROW of the proposed transmission line facilities. Describe how this level compares to background levels of electric and magnetic fields experienced from common home appliances.

Response:

Dr. Dwivedi did not testify as to the level of electric and magnetic fields. Dr. Dwivedi does not have information responsive to this RFI.

Preparer: Sunil Dwivedi, M.D.
Sponsor: Sunil Dwivedi, M.D.

SOAH DOCKET NO. 473-21-0247
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ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CPS ENERGY'S FIRST REQUEST FOR INFORMATION

The following questions relate specifically to the testimony of Steve Cichowski, who provided testimony on behalf of Anaqua Springs Homeowners Association on February 26, 2021 :

CPS Energy RFI No. 1-67

Refer to page 6, lines 19-21 of Mr. Cichowski's testimony. Describe in detail what you mean by "we were in agreement that the most northern route... was far and away one of the better choices." If the "we" in this statement is intended to refer to CPS Energy, provide all written communication from CPS Energy stating that CPS Energy believed that a northern route was far and away one of the better choices. If no such written documentation exists, describe Mr. Cichowski's basis for this statement.

Response:

On October 30, 2019, representatives of the Anaqua Springs Ranch Homeowners Association met with CPS representatives to discuss our concerns about the Scenic Loop Project and the proposed routes. ASRHOA were represented by Steve Cichowski, Mike Leonard, and Jim Middleton. Present for CPS were Kip Giles, Daniel Otto, and several others. Also present was Craig Bennett. Following our presentation and discussion of the Route that utilized then Segment 12, we were of the impression that most present felt that it was one of the better Routes. Comments like "we like that Route", "that is a good Route", and "that is an excellent Route", and "that is one of the better Routes" influenced our impression. I am aware of no written communication by CPS of those expressions.

Preparer: Steve Cichowski – President of Anaqua Springs HOA
Sponsor: Steve Cichowski – President of Anaqua Springs HOA

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CPS Energy RFI No. 1-68

Admit or deny that the landowners of homes within 300 feet of Segment 54 were provided notice of this proceeding and provided an opportunity to intervene and participate.

Response:

Unable to admit or deny. CPS maintains information regarding the PUC's notice requirements and the actions CPS took to comply with them.

Preparer: Steve Cichowski – President of Anaqua Springs HOA

Sponsor: Steve Cichowski – President of Anaqua Springs HOA

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CPS Energy RFI No. 1-69

Admit or deny that the landowners adjacent to Substation Site 7 were provided notice of this proceeding and provided an opportunity to intervene and participate.

Response:

Unable to admit or deny. CPS maintains information regarding the PUC's notice requirements and the actions CPS took to comply with them. However, based on the map located at in the EA at Attachment 6, sheet 8, there are no parcel numbers associated with parcels adjacent to Substation Site 7 that do not also front Toutant Beauregard Road. In addition, there are three property owners (per Bexar County Appraisal District) whose property abuts Substation site 7 who are not listed by CPS in Attachment 8 as having been noticed.

Preparer: Steve Cichowski – President of Anaqua Springs HOA
Sponsor: Steve Cichowski – President of Anaqua Springs HOA

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CPS Energy RFI No. 1-70

Identify all landowners surrounding Substation Site 7 that have elected to participate in this proceeding. For those landowners identified, please state whether they oppose the Commission's approval of Substation Site 7.

Response:

Mr. Cichowski does not have information responsive to this request. Please also see the response to CPS Energy RFI No. 1-69. The information is available to CPS from the PUC Interchange for Docket 51023.

Preparer: Steve Cichowski – President of Anaqua Springs HOA
Sponsor: Steve Cichowski – President of Anaqua Springs HOA

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CPS Energy RFI No. 1-71

Refer to page 12, lines 9-10 of Mr. Cichowski's testimony. Does Mr. Cichowski agree that the closest location of Segment 42a to playground areas of the McAndrew Elementary School is 280 feet?

Response:

Mr. Cichowski does not have sufficient information to agree with this statement.

Preparer: Steve Cichowski – President of Anaqua Springs HOA

Sponsor: Steve Cichowski – President of Anaqua Springs HOA

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CPS Energy RFI No. 1-72

Refer to page 12, lines 13-14 of Mr. Cichowski's testimony. Does Mr. Cichowski agree that the transmission line proposed in this proceeding is to be constructed on single poles, not lattice towers?

Response:

Yes, according to statements made by CPS and to the extent the use of single poles is possible depending on engineering constraints.

Preparer: Steve Cichowski – President of Anaqua Springs HOA
Sponsor: Steve Cichowski – President of Anaqua Springs HOA

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CPS Energy RFI No. 1-73

Describe the maximum and average level of electric and magnetic fields that Mr. Cichowski believes will be present at the NISD outdoor areas where the children will be nearest to the proposed transmission line facilities if the line is constructed on a route that uses Segment 42a.

Response:

Mr. Cichowski has not offered an opinion in his direct testimony on this issue. Mr. Cichowski does not have information responsive to this RFI.

Preparer: Steve Cichowski – President of Anaqua Springs HOA
Sponsor: Steve Cichowski – President of Anaqua Springs HOA

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CPS Energy RFI No. 1-74

Describe the maximum and average level of electric and magnetic fields that Mr. Cichowski believes will be present at the NISD property line nearest to the proposed transmission line facilities if the line is constructed on a route that uses Segment 42a.

Response:

Mr. Cichowski has not offered an opinion in his direct testimony on this issue. Mr. Cichowski does not have information responsive to this RFI.

Preparer: Steve Cichowski – President of Anaqua Springs HOA
Sponsor: Steve Cichowski – President of Anaqua Springs HOA