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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 IN BEXAR COUNTY §

BEFORE THE STATE OFFICE OF PUBLIC UTILITY COMMISSION

OF


ADMINISTRATIVE HEARINGS

**REBUTTAL TESTIMONY OF SARAH A. BITTER ON BEHALF OF BEXAR RANCH, L.P.**

Sarah A. Bitter files this Rebuttal Testimony on behalf of Bexar Ranch, L.P., and stipulates that all parties may treat this testimony as though filed under oath.

Respectfully submitted,

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**ATTORNEYS FOR BEXAR RANCH, L.P.**

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document has been filed in the records of Docket 51023 on this 22<sup>nd</sup> day of March 2021.

  
Soledad M. Valenciano

669

1 **PLEASE STATE YOUR NAME FOR THE RECORD.**

2 My name is Sarah A. Bitter.

3 **ON WHOSE BEHALF ARE YOU TESTIFYING?**

4 I am testifying on behalf of Bexar Ranch, L.P.

5 **DID YOU PREVIOUSLY SUBMIT DIRECT TESTIMONY ON BEHALF OF BEXAR**  
6 **RANCH, L.P. IN THIS PROCEEDING?**

7 Yes.

8 **WHAT IS THE PURPOSE OF THIS REBUTTAL TESTIMONY?**

9 I am providing testimony on behalf of Bexar Ranch, L.P., in order to rebut portions of the  
10 Direct Testimony of Jason E. Buntz on Behalf of Intervenors the San Antonio Rose  
11 Palace, Inc. and Strait Promotions, Inc.

12 **TO WHAT PORTION OF JASON E. BUNTZ'S TESTIMONY ARE YOU RESPONDING?**

13 I am responding to the portion of Mr. Buntz's testimony discussing the history of the study  
14 area.

15 **PLEASE EXPLAIN.**

16 On page 5 of the Direct Testimony of Jason E. Buntz on Behalf of Intervenors the San  
17 Antonio Rose Palace, Inc. and Strait Promotions, Inc., Mr. Buntz discussed two historic  
18 districts known from the study area, the R.L. White Ranch and the Heidemann Ranch.

19 In his testimony, Mr. Buntz describes a historical marker that mentions the "Scenic  
20 Loop-Boerne Stage-Toutant Beauregard Historic Corridor." Mr. Buntz adds that the  
21 corridor is defined as running "from the south at Highway 16 in Helotes, to Boerne Stage  
22 Road; continues north as Boerne Stage Road to Balcones Creek at the Kendall County  
23 Line." With respect to the historical marker that Mr. Buntz refers to, I will add that it also

1 states that “about 13 miles of that original scenic driving loop still exists through Helotes,  
2 Grey Forest and Leon Springs,” which is consistent with Mr. Buntz’s description of the  
3 corridor running to Highway 16 in Helotes. To provide a little context, the entrance to  
4 Bexar Ranch is off Highway 16 in Helotes, just north of Scenic Loop Road.

5 Mr. Buntz states that the Scenic Loop-Boerne Stage-Toutant Beauregard Historic  
6 Corridor was listed as one of Texas’ “Most Endangered Places” by Preservation Texas,  
7 a non-profit member organization dedicated to protecting historic resources in Texas.

8 On page 10 and 14 of his testimony, Mr. Buntz states Route Z1 would adversely  
9 affect the Toutant-Beauregard portion of the Historic Corridor, as well as the NRHP-listed  
10 Heidemann Ranch, “by altering the rural character of the historic setting” and would “alter  
11 the property’s rural landscape setting.” Mr. Buntz adds that the 138 kV line would “alter  
12 the rural setting of the Historic District.”

13 However, Toutant Beauregard Road is already quite developed with several  
14 residential subdivisions, a “stadium, arena & sports venue” (Rose Palace), a restaurant  
15 (La Hacienda), and a school.

16 And new development along Toutant Beauregard Road is open and evident. The  
17 following photographs show active land disturbance and clearing along Segment 20. The  
18 following photographs are true and accurate depictions of active land disturbance and  
19 clearing on Route 20 along Toutant Beauregard Road. See Exhibit 1-4 SB Rebuttal.



Exhibits 1-6 SB Rebuttal (left to right, top to bottom)

1 Further, much of Toutant Beauregard Road is flanked with electric distribution  
2 lines, including some on both sides of Toutant Beauregard Road – for example, in front  
3 of Anaqua Springs subdivision, in front of Heidemann Ranch, a communications tower,  
4 and a gas pipeline. The photographs above are true and accurate depictions of  
5 distribution lines along Toutant Beauregard Road. See Exhibit 5-6 SB Rebuttal.

6 Additionally, it's worth pointing out that all of the proposed substation sites are  
7 located on one of these three roads – Toutant Beauregard, Scenic Loop, or Boerne Stage  
8 Road. Substation 7, although located on Toutant Beauregard Road, will be several miles  
9 away from Heidemann Ranch. Substation 7 is, however, located southwest of the busy  
10 “Rose Palace” which is described on its Facebook page as a “stadium, arena & sports  
11 venue” that hosts events like the “2021 World Series Team Roping Qualifier” and the  
12 “Ultimate Truck Roping” competition, to name a few of many events advertised.

13 Based on other testimony by Mr. Buntz regarding the Rose Palace, I do not believe  
14 he will dispute that the Rose Palace is a busy commercial establishment located on  
15 Toutant Beauregard Road. On page 15 of his testimony, Mr. Buntz, in referring to the  
16 Rose Palace, states, “[w]hile the majority of the developed properties in the study area  
17 are residential, there is at least one property that exemplifies ... the historic context that I  
18 have been describing ....” While I would disagree that the Rose Palace is of historic  
19 import in the ways contemplated by the PUC routing criteria, I would agree that Rose  
20 Palace contributes to the urbanization of Toutant Beauregard Road. Therefore,  
21 “urbanization” of Toutant Beauregard Road has long occurred and has already adversely  
22 impacted the historic/rustic aesthetic setting of that road. And, as the pictures of active

1 development included above show, further development along Toutant Beauregard Road  
2 isn't going to be easily controlled either.

3 Of course, Heidemann Ranch is not being crossed by Route Z1 and neither is  
4 Rose Palace. Furthermore, the owners of the property on which Heidemann Ranch is  
5 located have expressed opposition to certain segments, but they have not expressed  
6 opposition to Segment 36, which is part of Route Z1.

7 As I mentioned earlier, the historical marker extends the historical corridor south  
8 toward Helotes and Gray Forest via Scenic Loop Road, to Highway 16 where Bexar  
9 Ranch's entrance sits. While the portion of Scenic Loop Road within the study area that  
10 would include Route W includes subdivisions and some individual homesites, and thus  
11 some urbanization, it does not include an entertainment area like Rose Palace, a  
12 restaurant and a school like Toutant Beauregard Road does

13 **MR. BUNTZ ALSO DISCUSSED R.L. WHITE RANCH. DO YOU HAVE ANYTHING TO**  
14 **RESPOND TO IN THAT REGARD?**

15 Yes. Mr. Buntz also recognized the historical significance of R. L. White Ranch.

16 Bexar Ranch and the R.L. White Ranch have a shared history. Until the late 1970s,  
17 Bexar Ranch was part of the original and larger 10,000-acre R.L. White Ranch, a ranch  
18 that my great-grandfather, Ryall Luther White, put together in the 1920s.

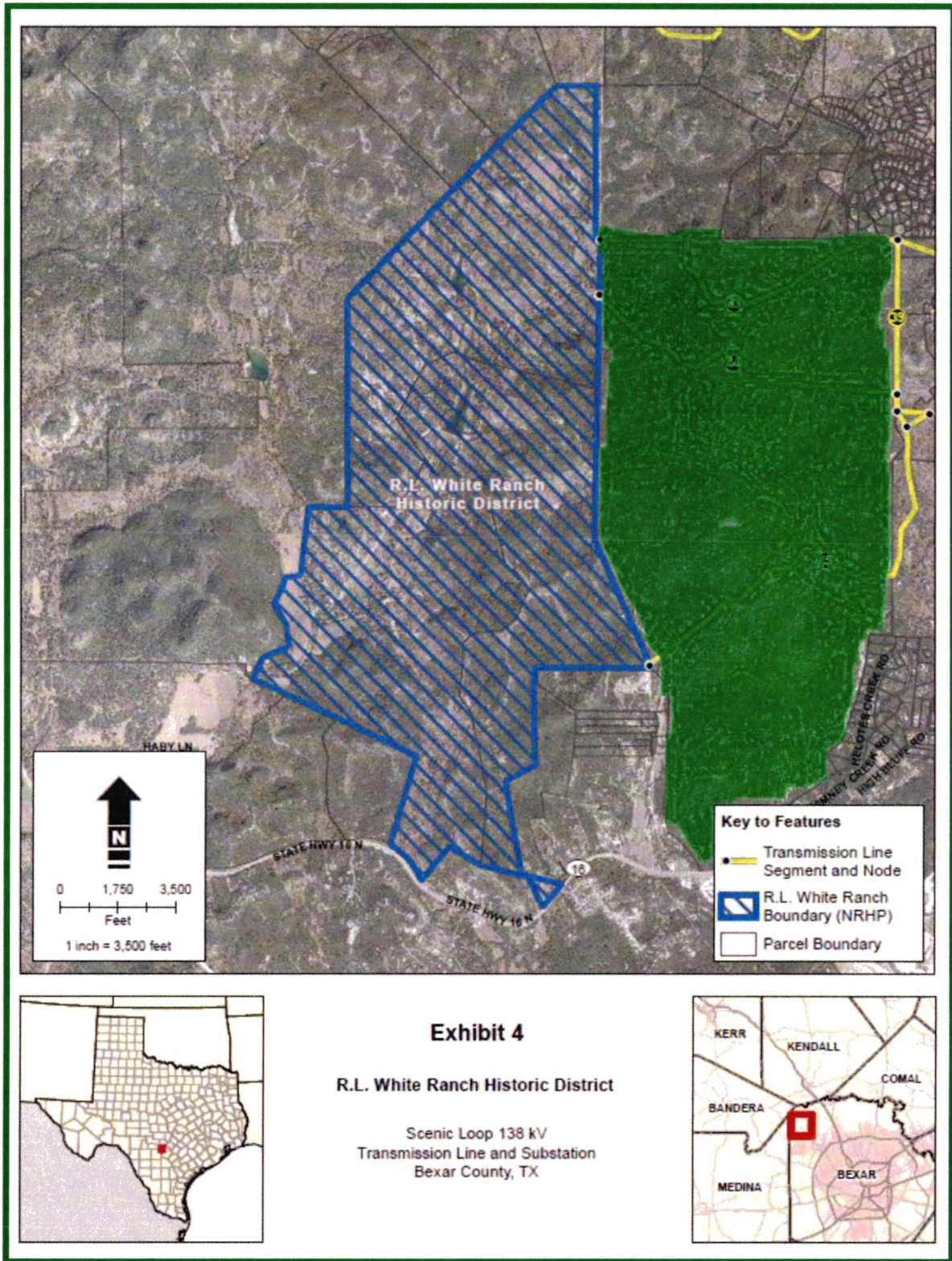
19 The R. L. White Ranch was one of the largest ranches in northwest Bexar County  
20 and ran one of the largest herds of Herford cattle in the county. Horses kept on the ranch  
21 were used for stock herding and recreational riding while also sold to the U.S. Army.  
22 Sheep and Angora goats were sheered for their wool.

1           In addition to having been a working ranch, the ranch was used for recreation and  
2 served as a gathering place for family and friends as well as business associates so as  
3 to deepen those relationships and further business activities. An entrepreneur in the rock  
4 asphalt business, my great-grandfather created a company that successfully developed  
5 a new process to manufacture onsite cold-mix paving material that was introduced during  
6 the Great Depression.

7           The R. L. White Ranch reflected my great-grandfather's keen interest in water  
8 resource management and love of Texas Rustic-style architecture. Water resources  
9 developed and maintained all over the ranch for livestock and wildlife and homesteads  
10 reflective of early Texas architecture that blended with the rustic environment still stand  
11 today.

12           Exhibit 4, shown below, is taken from Mr. Buntz's testimony. The blue-hatched  
13 area is R. L. White Ranch, and the green highlighted area, which we added to the Exhibit,  
14 is Bexar Ranch. Not included in the shading is the rest of the 10,000 acres that is now  
15 owned by the Thomson family, my cousins and direct descendants of R. L. White.





1  
2

**Exhibit 7 SB Rebuttal**

1 Today, almost 100 years later and though having been divided among extended  
2 family in the late 1970s, these storied 10,000 acres continue to be preserved largely true  
3 to their natural state and origins by my extended family. A portion of these 10,000 acres  
4 is under a conservation easement as part of the City of San Antonio's Aquifer Protection  
5 Program and my family's consideration of a conservation easement for Bexar Ranch  
6 could extend that acreage

7 In May 2008, the 3,500-acre R. L. Ranch was listed in the National Registry of  
8 Historic Places. Truly though, the entire original 10,000-acre ranch is of historical  
9 significance. Take, for example, the historic stagecoach inn, cemetery, and out-buildings  
10 on the western most portion of the 10,000-acre ranch and the historic early Texas settler  
11 homesteads, ranching facilities and a cemetery dating back to the 1800s on the eastern  
12 most portion of the 10,000-acre ranch -- Bexar Ranch. Clearly, the historical significance  
13 of the original 10,000-acre ranch isn't confined to the property boundaries of those 3,500  
14 acres. It would be difficult to make this argument had my family transformed the 3,200  
15 acres that is Bexar Ranch into something different than it is today. But no transformation  
16 has occurred on Bexar Ranch. Rather, we have served as caretakers, preserving Bexar  
17 Ranch in its natural state.

18 All this to say, routes that utilize Segments 43, 44 and 45 of the proposed  
19 transmission line aren't just "within 1,000 feet" of a historical district but rather these  
20 segments cross some 10,000 feet, approximately 2 miles, of a recognized historical  
21 10,000 acre ranch that is still held by my extended family.

22 Given this context, understanding the way time has relatively stood still on Bexar  
23 Ranch, it's clear the adverse impact to an area of significant historical value is greatly

1 understated regarding R.L White Ranch and Bexar Ranch, not overstated as Mr. Buntz  
2 claims. The reality is Segments 43, 44 and 45 would unnecessarily bisect--cut in two--the  
3 interior of Bexar Ranch, a property that retains the beauty it possessed a hundred years  
4 ago. Such egregiousness cannot be overstated.

5 **DO YOU CONTEND THAT BEXAR RANCH IS OF HISTORIC SIGNFICANCE SUCH**  
6 **THAT IT SHOULD BE PRESERVED FROM FURTHER INTRUSTION BY ELECTRIC**  
7 **TRANSMISSION LINE INFRASTRUCTURE?**

8 Yes, if we truly want to preserve a slice of the rural landscape setting and rural  
9 character of a historic area and/or era, such as the Texas Hill Country and its associated  
10 historical significance, then we must support those who are willing and able to do just  
11 that, such as landowners. Bexar Ranch, LP is such a landowner. Bexar Ranch, and the  
12 original and larger 10,000-acre R.L. White Ranch, is such a place.

13 And almost a century later, my family, and my extended family, exemplify this  
14 willingness to preserve an era and area of historical significance. For that reason, routes  
15 utilizing Segments 43, 44 and 45 must not be chosen.

16 I have to ask, "Who is encroaching on who?"

17 **DOES THIS CONCLUDE YOUR REBUTTAL TESTIMONY?**

18 Yes. Thank you.