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SOAH DOCKET NO. 473-21-0247
PUC DOCKET NO. 51023

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

**NORTHSIDE INDEPENDENT SCHOOL DISTRICT’S OBJECTIONS
TO MICHAEL W. BITTER’S REBUTTAL TESTIMONY ON BEHALF OF
BEXAR RANCH, L.P. AND MOTION TO STRIKE**

COMES NOW, Northside Independent School District (“NISD”) and files the following objections and moves to strike the rebuttal testimony of Michael W. Bitter offered on behalf of Bexar Ranch, L.P.,¹ would show the following:

NISD objects to the following testimony on Page 26 Lines 6-13 and the exhibits associated with the testimony:

For example, Jerry D. Allen Elementary School, Braun Station Elementary School, R.R. Cable Elementary School, Jimmy Elrod Elementary School, Galm Elementary School, Hatchett Elementary School, Mary Hull Elementary School and Raba Elementary School are all located in very close proximity to electric transmission lines of varying styles. R.R. Cable Elementary School is located next door to a substation. This information is easily verified using NISD's website or visiting the school in person. True and accurate photographs of these schools, as well as photographs of the elementary school in the study area, are attached as exhibits to my testimony.

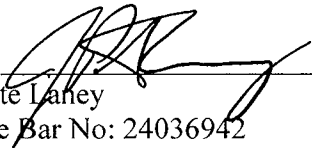
NISD objects to the foregoing testimony on the grounds that it calls for speculation, is not relevant, assumes facts not in evidence, and referenced images attached as exhibits are not

¹ Interchange Item No. 679

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admissible under the Tex. R. Evid. 901. Mr. Bitter's testimony seeks to compare the transmission line in the current matter to lines near other NISD properties, Mr. Bitter makes not an expert, does not reference to the types of lines, or whether the property is located within under the jurisdiction of the PUC and the applicable routing criteria. Such testimony is not only speculative, but not relevant to the construction of a new transmission line that is the subject of this application. Furthermore, Mr. Bitter, without any proper foundation, seeks to introduce exhibits containing images. NISD moves to strike the above testimony and exhibits referenced in the testimony.

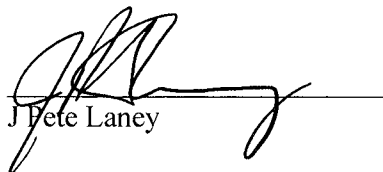
Respectfully Submitted,

By: 
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**ATTORNEY FOR NORTHSIDE
INDEPENDENT SCHOOL DISTRICT**

CERTIFICATE OF SERVICE

I certify hereby that a true and correct copy of the foregoing has been filed with the Commission and served on all parties of record via PUC Interchange on this the 29th day of March 2021, pursuant to the Orders issued in this docket.


J. Pete Laney