



Control Number: 51023



Item Number: 709

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

**CLEARWATER RANCH POA'S RESPONSE TO
SOAH ORDER NO. 10**

COME NOW, Clearwater Ranch POA ("Clearwater"), and files this Response to SOAH Order No. 10 issued on March 26, 2021, in the above-captioned cause. Pursuant to SOAH Order No. 10 Clearwater's response is due on April 5, 2021, therefore this response is timely filed.

SOAH Order No. 10 requested Clearwater to provide evidence in the form of meeting minutes, a resolution, or other documents that gives the 22 individuals who filed direct testimony on its behalf the authority to do so. Clearwater provides to the Court and Administrative Law Judges ("ALJs") the following: Minutes from November 11, 2019 where the Clearwater Ranch POA Board voted to engage Patrick Reznik and Braun & Gresham, PLLC to represent the Board and members of the property owners' association in the CPS transmission line project;¹ Minutes from November 25, 2019, where the Board passed a special assessment to pay for the legal representation;² and Clearwater Ranch POA Resolution from April 1, 2021 authorizing members of the Clearwater Ranch Property Owners' Association who filed direct testimony to speak on the Association's behalf pertaining to this Application.³ Additionally, Clearwater would note the vast

¹ Exhibit A
² Exhibit B
³ Exhibit C

majority⁴ of Direct Testimonies were filed on behalf of the individual members/intervenors, in addition to on behalf of Clearwater Ranch Property Owner's Association.

Respectfully Submitted,

BRAUN & GRESHAM, PLLC

P.O. Box 1148 (Mailing)
Dripping Springs, Texas 78620
14101 Hwy. 290 W., Bldg. 1100 (Physical)
Austin, Texas 78737
512-894-5426 (telephone)
512-894-3405 (fax)

/s/ Patrick L. Reznik

Patrick L. Reznik

State Bar No. 16806780

preznik@braungresham.com

Carly Barton

State Bar No. 24086063

cbarton@braungresham.com

**ATTORNEYS FOR CLEARWATER
RANCH POA**

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on April 5, 2021 in accordance with Public Utility Commission Procedural Rule 22.74 and applicable Orders in this docket.

/s/ Patrick L. Reznik

Patrick L. Reznik

⁴ The only ones that were not on behalf of themselves were: Michael & Shawn Stevens, Alejandro Medina, and Sven & Sofia Kuesterman.

November 11, 2019
24510 Clearwater Run, San Antonio, TX 78255

Minutes

- Called meeting to order at 6:15pm
- Attendance - see attached sign in sheet
- Action Items:
 - Prior meeting minutes approved.
 - Ratification of appointment of officers for 2019-2020 directors' terms approved
- **Discussion of CPS Transmission Project**
 - Patrick Reznick, Attorney with Braun & Gresham, sister company to Plateau Wildlife Management, arrived at 6:30pm and provided slide show presentation on the protocol and timeline CPS must take regarding placing a new transmission line project. Also discussed the implications to Clearwater Ranch and what his company could do to represent us to try to prevent the lines from coming through the neighborhood.
 - After Mr. Reznick left, discussion ensued regarding using his counsel and it was unanimous that those in attendance felt it was beneficial to utilize him.
 - After discussing budget, the Board approved an amendment to the budget to reallocate funds to a [REDACTED] retainer for Mr. Reznick.
 - Discussion about holding another meeting before Thanksgiving to have a property owner vote for a special assessment to be able to hire Mr. Reznick.
- Meeting adjourned, motion passed at 8:00pm.

EXHIBIT A

24510 Clearwater Run, SATX 78255

November 25, 2019

Minutes:

- Call meeting to order at 6:36pm
- Attendance – Keck, Ohrmundt, Harris, LW Arbuthnot, Eckahart, Stevens, Garcia. Proxy: Medina, VanWisse, Audley/Cooper, Garrouette
- Officer's report – discussed previous meeting and Patrick Reznick's presentation.
- **Action Items:**
 - Prior meeting minutes approved.
 - Vote passed for a special assessment of funds for the legal assistance of Patrick Reznick to represent Clearwater Ranch POA against CPS Transmission Line.
- Meeting adjourned, motion passed, 8:00pm.

EXHIBIT B

CLEARWATER RANCH PROPERTY OWNERS' ASSOCIATION BOARD

-RESOLUTION-

WHEREAS, in the Fall of 2019, members of the Clearwater Ranch neighborhood became aware of the proposed Scenic Loop 138 kV transmission line project by CPS Energy that had potential routes that cut through their neighborhood,

WHEREAS, the Clearwater Ranch Property Owners' Association Board met and determined the neighborhood would need to oppose such routes,

WHEREAS, Clearwater Ranch POA Board decided and voted to retain Braun & Gresham, PLLC to represent the association and its members in the transmission line routing case before the Public Utility Commission,

WHEREAS, the members voted and approved a special assessment to pay for the Clearwater Ranch POA and members' legal representation,

WHEREAS, the members who intervened in the PUC docket listed Clearwater Ranch POA as their authorized representative,

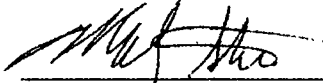
WHEREAS, Clearwater Ranch POA will be greatly impacted as whole by any proposed segment of the transmission line routes that impacts the Clearwater Ranch POA or its members, in addition to the concerns of the neighbors for their individual properties,

THEREFORE BE IT RESOLVED that the members of the Clearwater Ranch Property Owner's Association who filed direct testimony¹ in Docket No. 51023 have the authority to testify on behalf of the Clearwater Ranch Property Owner's Association on the *Application of the City of San Antonio Acting By and Through the City Public Service Board (CPA Energy) to Amend its Certificate of Convenience and Necessity for the Proposed Scenic Loop 138-kV Transmission Line in Bexar County.*

EXHIBIT C

¹ Michael and Shawn Stevens, Mariana and Francis Van Wisse, Carlos and Christina Garcia, Jeffrey B. Audley and Darrell R. Cooper, Robert Garza, Samer and Elizabeth Ibrahim, Sven and Sofia Kuestermann, Alejandro Medina, Peter and Melanie Morawiec, Kurt and Adrianna Rohlmeier, Michael and Rosalinda Sivilli, Russell and Brook Harris Paolo Salvatore, Joe R. Acuna, L.W. Arbuthnot, Byron and Gina Eckhart, Max and Peggy Garoutte, Gume Garza, Carlos and Rosa Guzman, Gregory Hamon, Casey and Molly Keck, and Kurt and Brenda Orhmundt.

Signed: April 1, 2021



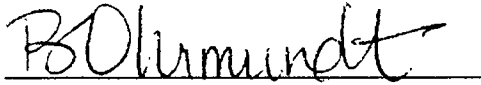
Michael Stevens
President



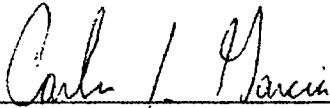
Byron Elkhart
Vice President



Molly Keck
Secretary



Brenda Ohrmundt
Treasurer



Carlos Garcia
Board Member