



Control Number: 51023



Item Number: 846

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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 SCENIC LOOP 138-KV §
 TRANSMISSION LINE IN BEXAR §
 COUNTY, TEXAS § ADMINISTRATIVE HEARINGS

CLEARWATER RANCH POA'S
POST-HEARING INITIAL BRIEF

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CLEARWATER RANCH POA

May 21, 2021

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CLEARWATER RANCH POA'S
POST-HEARING INITIAL BRIEF

COMES NOW, Clearwater Ranch POA Intervenors (“Clearwater Ranch”) files its Post-Hearing Initial Brief (the “Post-Hearing Initial Brief”) to the Application of the City of San Antonio, acting by and through the City Public Service Board (“CPS Energy” or the “Applicant”) for the above-captioned Certificate of Convenience and Necessity (“CCN”) (“the Application”). Clearwater Ranch prays that the Administrative Law Judges (“ALJs”) issue a Proposal for Decision (“PFD”) recommending the Texas Public Utility Commission (“PUC”) approve Route Z2.

I. SUMMARY OF THE ARGUMENT

Clearwater Ranch is a large-acre neighborhood nestled in the Texas Hill County, where landowners enjoy the native wildlife and rural lifestyle. Segments 37, 26a, 32, and 25 would devastate this tranquil reprieve. Routes R1, P, and W not only utilize these segments or impact Clearwater Ranch, they are longer, more expensive, have inadequate paralleling, and damage the environment. In contrast, Routes Z1, Z2, AA1, and AA2, which utilize segments along Toutant Beauregard Road, perform better under Public Utility Regulatory Act (“PURA”) § 37.056(c) and should be selected from as the “best-meets” route in this Application.

II. PRELIMINARY ORDER ISSUES

In the September 29, 2020, Order of Referral, the ALJs were asked to address certain issues, some of which are either uncontested or do not address routing. This first issue addresses the adequacy of CPS Energy’s Application. Clearwater Ranch has previously briefed and argued that CPS Energy’s Application is adequate and contained an appropriate number of reasonably

differentiated alternative routes.¹ Clearwater Ranch continues to maintain this position. The second issue is need, which Clearwater Ranch does not oppose the project's need and will not brief the issue. This Post-Hearing Initial Brief focuses on routing criteria set forth in PURA § 37.056(c) and 16 TAC § 25.101(b)(3)(B).

III. CLEARWATER RANCH

The Neighborhood. Clearwater Ranch is a large-acre neighborhood in Northwest Bexar County. The vast majority of the landowners in Clearwater Ranch actively manage their properties for wildlife or have agricultural valuations.² As development continues to creep into the study area, this neighborhood continues to preserve native Texas Hill County flora and fauna, anchored by Leon Creek.³ The proposed transmission lines through Clearwater Ranch detract from the scenic beauty and aesthetics of the community, depreciates property values, and unnecessarily exposes residents to electro-magnetic fields.⁴ Additionally, Clearwater Ranch went to great lengths to bury their own distribution electric lines in furtherance of their goals of ecological conservation and natural beauty.⁵ Segment 37 cuts through the heart of the neighborhood, leaving all neighbors to see and drive under the line.⁶ Segment 26a bisects two lots where neighbors walk, jog, and bike.⁷ While other proposed segments in this Application skirt neighborhoods close to their property lines, only two neighborhoods suffer this kind of carving up in the study area, Clearwater Ranch

¹ See *Clearwater Ranch POA's Opposition to Joint Motion Challenging Route Adequacy and Request for Route Adequacy Hearing* (Dec. 3, 2020).

² See generally, Clearwater Exs. #1-23.

³ Clearwater #1, p. 6:15-20; Clearwater Ex. #14, p.6.

⁴ See generally, Clearwater Exs. #1-23.

⁵ Clearwater #21, p. 7:26-29.

⁶ CPS Energy Ex. #16 – Scenic Loop Focus Routes Map.

⁷ HOM Transcript 766:21-24.

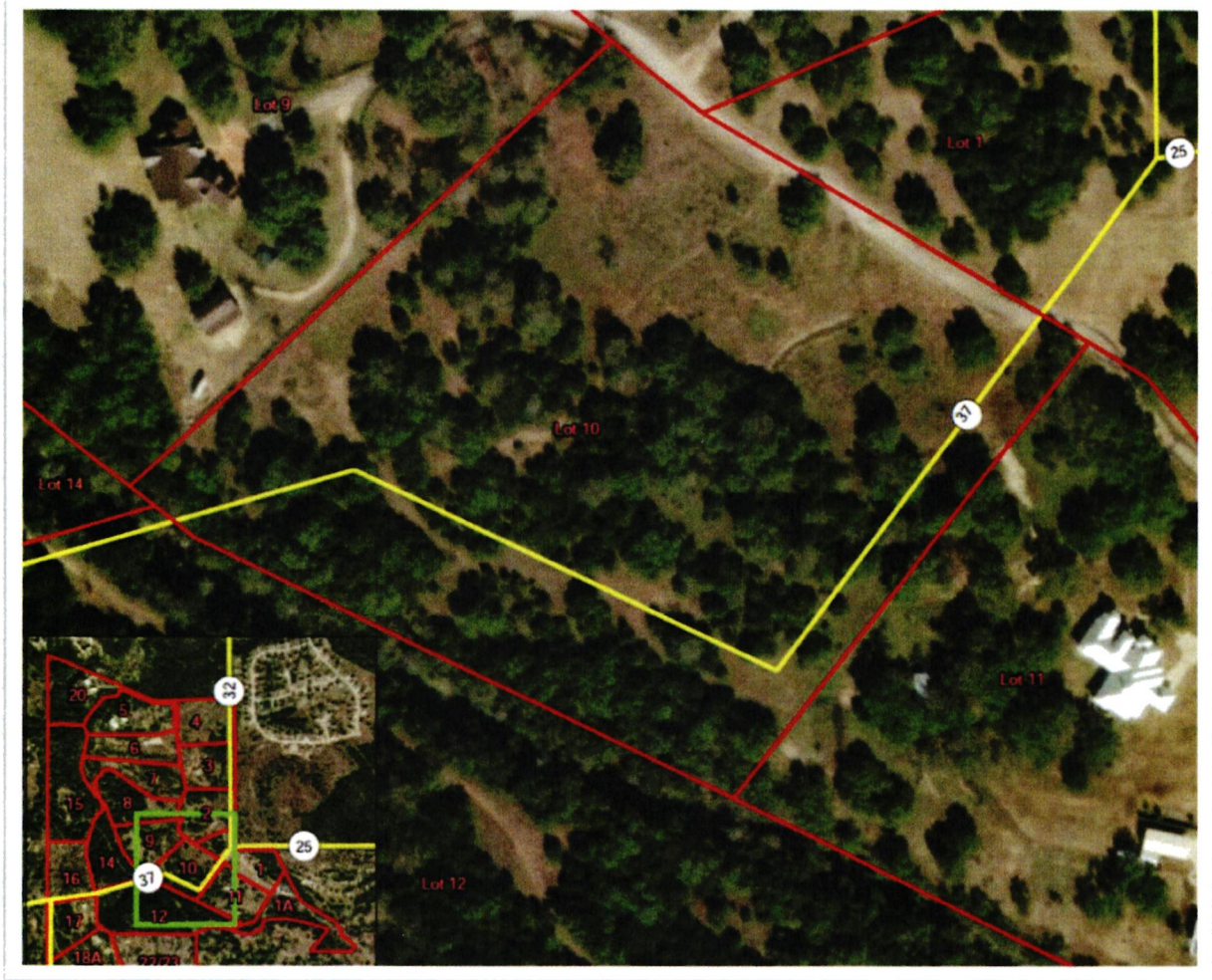
and Save Huntress Lane Area Association neighborhoods.⁸ The landowners of Clearwater Ranch choose the quiet, country life that is now in jeopardy due to the proposed transmission lines.

Impacts of Segment 37. In addition to the overall burden of Segment 37 to all of Clearwater Ranch, the impact to the individual neighbors exacerbates the problem in selecting it in a route. Alejandro Medina owns Lots 10, 12, 15a/b. His properties currently serve as a “bird sanctuary ecological reserve,” with his plans “to have a vineyard and horses on the properties” in the future.⁹ On his Lot 10, Segment 37 cuts into the middle of the property at an angle, runs parallel to the southwest border, and then turns to run up towards the Van Wisse property. This path is not along the property lines and effectively ruins any plans to have a vineyard or horses on that lot. CPS Energy would build two turning structures on Mr. Medina’s property.

⁸ This statement focuses on the neighborhoods in the study area. Other properties that suffer similar bisections are Bexar Ranch on Segments 43 and 44; Gualajote Ranch on Segment 27; and High Country Ranch on Segment 49a.

⁹ Clearwater Ex. #14, p. 6:19-20, p. 7:11

Alejandro Medina – Lot 10¹⁰



Segment 37 also bisects the homestead of Mariana and Francis Van Wisse, where they “enjoy gardening, raising chickens, and hunting wild boar, while enjoying the silence and beautiful views.”¹¹ This property has “a garden and a large chicken coop with over 30 hens and a barn.”¹² If selected, Segment 37 would require a turning structure on their property where multiple segments intersect. Segment 25 would then run right behind their home, barn, garden, and well.

¹⁰ Clearwater Ex. #22 – Map Errata.

¹¹ Clearwater Ex. #20, p. 6:23-25.

¹² *Id.* at p. 6:16-18.

Van Wisse Property – Lot 1¹³



Joe Acuna is in the process of building his home, which is within 100 feet of Segment 37.¹⁴ On his Lot 14, Segment 37 would destroy trees that “provide security and natural beauty to [his] lot, and also have many environmental benefits for the area, including habitat for native wildlife, as well as erosion control leading down towards Leon Creek.”¹⁵ Segment 37, with a portion of Segment 38, also crosses Robert Garza on Lot 16, who is in the “pre-development phase of building [his] residence”. While Carlos and Christina Garcia may not be crossed by Segment 37, they do have habitable structures within 300 feet of the centerline.

¹³ Clearwater Ex. #22 – Map Errata.

¹⁴ Clearwater Ex. #1, p. 6:8-9.

¹⁵ *Id.* at p. 8:8-10.

Garza Property - Lot 16 and Garcia Property - Lot 17¹⁶



Impacts of Segment 26a. Segment 26a begins its track through Clearwater Ranch at a turn in the Garcia’s property. It then runs along the western boundary of Lots 17, 18A, and 18B, before it turns and completely bisects Lot 18C, rendering half of that lot useless. From there, Segment 26a splits Jeffrey Audley and Darrell Cooper’s property in half.¹⁷ This property is being “managed to benefit native wildlife and sustaining habitat, including restoration to healthy community association of Edwards Plateau woody and grassland species.”¹⁸

¹⁶ Clearwater Ex. #22 – Map Errata.

¹⁷ See generally, Clearwater Ex. #3.

¹⁸ Clearwater Ex. #3, p. 6:30-32.

Audley/Cooper – Lot 24¹⁹



Impacts of Segments 32 and 25. In the Van Wisse property, Segment 37 splits into a northern option, Segment 32, and an eastern option, Segment 25; both affect the neighborhood. Segment 32 runs across the properties of Mike and Shawn Stevens, Kurt and Adriana Rohlmeier, and Samer and Elizabeth Ibrahim.²⁰ Where Segment 32 crosses these lots, it is heavily wooded, which provides “security, privacy, beauty, and environmental benefits such as a habitat for wildlife.”²¹ Segment 32 “would mostly eliminate this important tree line that hides the densely developed Sundance Ranch community on the other side.”²² Segment 25 comes within 100 feet of the Van Wisse well and then runs along the northern border, close to Casey and Molly Keck’s property.

¹⁹ Clearwater Ex. #22 – Map Errata.

²⁰ *Id.*, see generally Clearwater Exs. #21, 17, 12.

²¹ Clearwater Ex. #21, p. 8:2-3.

²² Clearwater Ex. #17, p. 6:20-21.

Stevens' Property – Lot 2, Ibrahim Property – Lot 4, and Rohlmeier Property – Lot 3



Overall Impacts. In addition to these specific segments, alternative routes to the south of the neighborhood, including Route W, affect Clearwater Ranch. As described by the Clearwater Ranch landowners, they “affect us in our community because it is visible,”²³ “[o]ur neighborhood faces south, towards W, and away from Toutant Beauregard. There's a big hill that we wouldn't even see. And so that's a big reason why looking at any southern route would impact us just due to the vistas scene, besides the cost.”²⁴

Clearwater Ranch is a unique neighborhood, dedicated to the preservation of the Texas Hill Country flora and fauna and a quiet country lifestyle. With the increasing development in the area, Clearwater Ranch stands out as a community committed to conserving wildlife. Constructing transmission lines on the proposed Segments 37, 26a, 32, and 25 and Routes R1, P, and W, would

²³ HOM Transcript 774:11-12.

²⁴ HOM Transcript 777:17-22.

fundamentally alter the character of the neighborhood and why these landowners moved there to begin with.

IV. THERE IS NO “BEST-MEETS” ROUTES IN THE CENTRAL/SOUTH STUDY AREA

Besides the specific negative impacts to Clearwater Ranch of Segments 37, 26a, 32, and 25, and Routes R1, P, and W, these options fail to meet the routing criteria set forth in PURA § 37.056(c) and 16 TAC § 25.101(b)(3)(B). None of the routes that utilize these segments is the “best-meets” route when compared to others in the study area. From a cost, land use, aesthetic, and ecological perspective, this Application contains better alternatives than Routes R1, P, and W. While there are many proposed alternative routes that contain these segments, Clearwater Ranch will concentrate their analysis on the “Focus Routes” in CPS Energy’s Exhibit #16.

As part of its Application, CPS Energy identified, studied, and evaluated the proposed routes through POWER Engineers.²⁵ Ultimately, of the 48 environmental data points collected by POWER Engineers, only 24 of the evaluation criteria differed.²⁶ It is clear through analyzing the data that Routes R1, P, and W are not the “best-meets” routes.

ROUTE R1

Route R1 is 4.76 miles in length and costs \$43.52 million.²⁷ In comparison, the shortest alternative route is 4.46 miles and the least expensive route is \$37.64 million.²⁸ 64% of Route R1 parallels various rights-of-way, including paralleling other existing roadways for only 0.85 miles (the range for which is 0.51 to 3.01 miles) and 2.21 miles of apparent property lines.²⁹ Route R1 not only cuts through Clearwater Ranch as previously discussed, but also Bexar Ranch to the west

²⁵ CPS Energy Ex. #6, *see generally*, Attachment #1 – Environmental Assessment and Alternative Route Analysis.

²⁶ *Id.*

²⁷ CPS Energy Ex. #17.

²⁸ *Id.*

²⁹ *Id.*

and Save Huntress Lane Area Association (“SHLAA”) neighborhoods to the east.³⁰ *No other proposed segments and routes bisect neighborhoods and large-acre properties to the extent Route R1 does.*³¹ Route R1 has 13 habitable structures in 300 feet of its centerline, with the range in the Application being 12 to 72 habitable structures.³² While Route R1 may have fewer habitable structures, this comes with a hefty price tag - \$5.88 million dollars more than the least expensive Route Z2.³³

ROUTE P

The Commission should not consider due to its negative ecological impacts and threat to environmental integrity, particularly when balanced with its poor performance in other routing factors. Route P crosses 37.15 acres of modeled habitat for Golden-Cheeked Warblers, which are an endangered species that nest in cedar groves in the Hill Country.³⁴ Route P crosses the highest amount of land for Golden-Cheeked Warbler modeled habitat at Moderate-High and High levels in the Application.³⁵ While this only shows the probability of suitable Golden-Cheeked warbler habitat and not their actual presence, a field survey will be completed to determine the exact suitable habitat for federally protected species after the approval of the route by the PUC.³⁶ Additionally, Route P crosses 4.42 miles of woodlands and brushland, along with 4.89 miles across the Edwards Aquifer Contribution Zone.³⁷

³⁰ CPS Energy Ex. #16.

³¹ The only other property that could arguably be included in this list is Segment 49a on High Country Ranch.

³² CPS Energy Ex. #17.

³³ *Id.*

³⁴ *Id.*

³⁵ *Id.*

³⁶ CPS Energy Ex. #6, Attachment #2, p.4-16.

³⁷ CPS Energy Ex. #17.

Route P is 4.89 miles in length and costs \$43.31 million.³⁸ In comparison, shortest alternative route is 4.53 miles and the least expensive route is \$37.64 million.³⁹ 71% of Route P parallels various rights-of-way – paralleling other existing roadways for only 0.85 miles and 2.62 miles of apparent property lines.⁴⁰ Route P utilizes Segment 37 that completely cuts through the center of Clearwater Ranch, in addition to Bexar Ranch and SHLAA neighborhoods. Route P has 17 habitable structures, the range in the Application being 12 to 72.⁴¹ However, much like R1, the cost of fewer habitable structures comes at a price. As noted by SHLAA Expert, Harold Hughes, “[c]ompared to Route Z1, Route P is **\$4.93 million more** expensive, but avoids eighteen additional habitable structures within 300 feet of a line segment. This equates to an excessive \$274,110 per avoided structure.”⁴² The poor performance in environmental integrity, coupled with the cost and land use issues makes Route P a poor choice as the “best-meets” route.

ROUTE W

Route W is 6.25 miles in length and costs \$52.87 million, making this route one of the longest of potential routes and **\$15.23 million more** than the least expensive route.⁴³ It costs only \$3.25 million under the most expensive route. Route W only parallels right-of-way for 58% of its length, with the routes ranging between 49% up to 83%.⁴⁴ Route W also has 29 habitable structures within 300 feet of its centerline.⁴⁵ Route W crosses 6.03 miles of upland woodland/brushland, compared to only 3.53 miles by Route Z2.⁴⁶ The length, cost, paralleling, and ecological effects of Route W eliminate it as respectable routing option.

³⁸ CPS Energy Ex. #17.

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² SHLAA Ex. #4, Cross-Rebuttal Testimony of Harold L. Hughes, p.7:5-7.

⁴³ CPS Energy Ex. #17.

⁴⁴ *Id.*

⁴⁵ *Id.*

⁴⁶ *Id.*

Questionnaire data gathered by CPS shows the community provided the fewest number of positive comments and the greatest number of negative comments about Segments 26, 15 and 16.⁴⁷ Segments 15 and 26 are components of Routes P, Q1 and R1, and Segment 16 is a component of Route W.⁴⁸ These are segments that run through the heart of the Clearwater Ranch Subdivision and the several residential subdivisions that make up SHLAA.

Ultimately, Routes R1, P, and W generally cost more, traverse more land, bisect more neighborhoods and properties, and cause more ecological damage. These routes are even more unappealing in terms of routing when compared with the alternative routes that utilize segments along Toutant Beauregard Road.

V. THE “BEST-MEETS” TOUTANT BEAUREGARD ROUTES

Under PURA § 37.056(c), in granting a certificate of convenience and necessity, the Commission shall consider “community values, recreational and park areas, historical and aesthetic values, [and] environmental integrity”. In addition to considering these factors, the Commission includes engineering constraints, costs, paralleling, routing the line to moderate the impact on the affected community and landowners, and prudent avoidance in its routing analysis.⁴⁹ When considering these routing factors, the clear “best-meets” routes are Z1, Z2, AA1, and AA2, which follow along Toutant Beauregard Road.

Shorter and Less Expensive.

Routes Z1, Z2, AA1, and AA2 are shorter and less expensive than Routes R1, P, and W. Route Z2 is only \$37.64 million and 4.46 miles, making it the shortest and cheapest route in the

⁴⁷ CPS Energy Ex. #1, at 000190; Table 6-2 Scenic Loop Segment/Substation Site Comments.

⁴⁸ CPS Energy Ex. #16.

⁴⁹ 16 TAC § 25.101(b)(3)(B).

Application.⁵⁰ Route Z1 is \$38.48 million and 4.53 miles.⁵¹ AA1 is \$38.30 million and 4.82 miles.⁵² AA2 is \$39.05 million and 4.89 miles.⁵³ The Application’s longest route is 6.91 miles (Route L) and the most expensive route costs \$56.12 million (Route O). While length and cost are not the only factors to be considered, “[g]enerally, all other things being equal, the shorter the route, the less land is crossed, which usually results in the least amount of potential impacts.”⁵⁴

Routes Z1, Z2, AA1, and AA2, also benefit from the 2,059 feet of donated right-of-way on Segment 42a from Toutant Ranch, Ltd., Pinson Interests Ltd., and Crighton Development Co.⁵⁵ Through negotiations with CPS Energy in early summer 2020, Toutant Ranch “agreed to donate a portion of the right-of-way (ROW) along what is now Segment 42a, [and] CPS Energy developed Segment 49, which followed boundaries between the three ongoing subdivision projects rather than bisecting them.”⁵⁶ In addition, Toutant Ranch, Pinson Interest, and Crighton Development continued negotiation with CPS Energy to mitigate the impacts of the transmission line project to their projects.⁵⁷ This yielded further agreement between the parties to discounted ROW acquisition for Segments 46 and 46a.⁵⁸ Routes Z1, Z2, AA1, and AA2 utilize the donated and discounted segments, making them even more cost effective. This means around 40% of the acquisition costs for the Toutant Beauregard routes have already been determined and will not go up, and there will be no contested condemnation process to acquire this ROW.⁵⁹

⁵⁰ CPS Energy Ex. #17.

⁵¹ *Id.*

⁵² *Id.*

⁵³ *Id.*

⁵⁴ CPS Energy Ex. #6 at 00070, Section 4.2.1.

⁵⁵ *See generally*, Dreiss Ex. #1.

⁵⁶ *Id.* at p.5:1-10.

⁵⁷ *Id.* at p.6:6-12.

⁵⁸ *Id.* at p.13.

⁵⁹ *Id.*; HOM Transcript, p.261:8-16.

Paralleling Toutant Beauregard – Aesthetics and Land Use

These routes also benefit from paralleling Toutant Beauregard Road, a major street in the area with electric distribution lines already running along it.⁶⁰ Segments 36, 20, and 54 parallel Toutant Beauregard Road, making the Z and AA Routes parallel existing other right-of-way for 1.60 miles and 1.85 miles.⁶¹ This is significantly higher than Routes R1 and P.⁶² In terms of aesthetic values, this area around Toutant Beauregard has already been cleared and fragmented by the road. Adding a 138-kV electric transmission lines does not drastically change the character or aesthetics along it. Furthermore, by paralleling Toutant Beauregard, CPS Energy can to utilize part of the existing road ROW to narrow the easement, making it even less of an impact on the landowners that are affected by the line.⁶³

Routes R1, P, and W all require significant bisects through already established neighborhoods and ranches. Each of these routes requires multiple properties to be carved through by transmission lines– Clearwater Ranch, Bexar Ranch, Guajalote Ranch, and the Save Huntress Lane Association neighborhoods. This is an unnecessary compromise when the Toutant Beauregard Routes employ better land use techniques and cause less damage to the aesthetics in the area. Specifically, the segments that comprise Z1 and Z2 either follow along Toutant Beauregard, follow a property line, or are parts of the negotiated segment modification with the landowner.⁶⁴ This means Z1 and Z2 do not bisect properties, and when it does deviate from a property line or road, the affected landowner has given permission to do so.

⁶⁰ SHLAA Ex. #3 at p. 8, 13, 15, & 31-32.

⁶¹ CPS Energy #17.

⁶² While Route W has 2.6 miles paralleling existing other right-of-way, this is primarily because it is significantly longer than the other routes.

⁶³ HOM Transcript 862:7-12.

⁶⁴ CPS Energy Exs. #16 & #17.

From the land use perspective in this Application, the Commission should weigh paralleling existing road right-of-way greater than paralleling apparent property lines. What typically delineates a property line is a fence, with only some disturbance to the land and environment around it. With the road in this case, Toutant Beauregard, significant clearing and fragmentation has already occurred around it. The width of the disturbance to the area is wider; automobiles drive on it every day; and people ingress and egress to neighborhoods. While Routes R1 and P might have moderate paralleling percentages, this is mainly due to the portions run along “property lines” not because they parallel a road.⁶⁵

Following Toutant Beauregard limits the impact of the entire affected community. The proponents of R1, P, and W cannot offer a reasonable justification as to why bisecting established neighborhoods and ranches is better than following an already established infrastructure corridor.

Environmental Integrity.

The Toutant Beauregard Routes perform best in terms of environmental integrity. Routes Z1, Z2, AA1 and AA2 cross lower amounts of upland woodlands/brushlands (the only ones lower are Routes DD and Y).⁶⁶ As noted in the POWER Environmental Assessment, routes crossing “upland woodlands/brushlands... can represent the highest degree of habitat fragmentation by converting the area within the ROW to an herbaceous habitat.”⁶⁷ Preventing this kind of habitat fragmentation is another reason why routes along Toutant Beauregard best meets the routing criteria. Additionally, the Toutant Beauregard Routes respectively cross only 11.12, 8.92, 9.6 and 11.81 acres of the Golden Cheeked Warbler modeled habitat at Moderate High to High.⁶⁸ This

⁶⁵ CPS Energy #17.

⁶⁶ *Id.*

⁶⁷ CPS Energy Ex. #6, Attachment #2 at 00064, Section 4.1.9 Impacts to Wildlife.

⁶⁸ CPS Energy Ex. #17.

compares to the 25.11 acres of Route P and the 19.03 acres of R1, the highest and 3rd highest amount in the study area.⁶⁹

Prudent Avoidance.

Under 16 TAC § 25.101, the Commission must adhere to the policy of prudent avoidance, “[t]he limiting of exposures to electric and magnetic fields that can be avoided with reasonable investments of money and effort.” Routes R1, P and W have 13, 17, and 29 habitable structures within 300 feet of the centerline.⁷⁰ Routes Z1, Z2, AA1, and AA2 have 31, 32, 31, and 30.⁷¹ The route with the lowest amount of habitable structures is 12 and the highest is 72.⁷² The arithmetic average of all 33 potential routes is 37 habitable structures within 300 feet of the route centerline, making the Toutant Beauregard Routes below average.⁷³

Many times the number of habitable structures within 300 feet of the centerline is used as a proxy for exposure to EMF; however, based on the testimony of CPS Energy experts, the EMF exposure concern distance is 100 feet.⁷⁴ The number of single-family residences (arguably the most important subset of habitable structure) within 100 feet of the centerline are all the same for Routes Z1, Z2, AA1, AA2, R1, and P -- they all have only one residence⁷⁵

But the prudent avoidance analysis does not stop at the number of habitable structures. The policy of prudent avoidance has a cost analysis as well and when applied to the Toutant Beauregard Routes, it is clear they comply with the policy. For example, Route Z2 has 15 more habitable structures than Route P, but costs \$5.77 million.⁷⁶ This would mean paying \$384,666 per habitable

⁶⁹ CPS Energy Ex. #17

⁷⁰ *Id.*

⁷¹ *Id.*

⁷² *Id.*

⁷³ *Id.*

⁷⁴ CPS Energy Ex. #12 at ARM-5R; HOM Transcript at p. 815-17.

⁷⁵ CPS Energy Ex. #16; CPS Energy Ex. #12 at ARM-6R; SHLAA Ex. #8.

⁷⁶ CPS #17

structure avoided. This is not a reasonable investment of money, particularly when coupled with the other routing criteria that favors the Toutant Beauregard Routes.

Some have expressed concern over the use of Segment 42a and its proximity to the McAndrew Elementary, but there are many reasons why those concerns are unnecessary. First, Segment 42a does not cross Northside ISD property.⁷⁷ Second, the transmission line is 280 feet away from the play areas of the school, making it not an EMF concern.⁷⁸ Lastly, other Northside ISD schools have transmission lines close to them.⁷⁹

Of the Toutant Beauregard Routes, Z2 is the Best of the Toutant Beauregard Routes

For the reasons outlined, the Toutant Beauregard Routes represent the best meets routes, but only one can be chosen. Route Z2 is that route. It is the shortest, least expensive. Has a high percentage of paralleling, donation, 4th lowest acreage across combined Golden-Cheeked warbler habitat, moderate amount of habitable structures in a quickly developing area.

VI. CONCLUSION.

FOR THESE REASONS, Clearwater Ranch respectfully requests that the Proposal for Decision recommend Route Z2, or alternatively Route Z1, Route AA1, or Route AA2 as the route(s) that best meet(s) the overall community values and PURA § 37.056(c)(4) and 16 TAC § 25.101(b)(3)(B).

Respectfully Submitted,

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⁷⁷ CPS Energy Ex. #16

⁷⁸ SHLAA Ex. 3 at p. 20-22; CPS Energy Ex. #12 at ARM-5R; HOM Transcript 763:22-25.

⁷⁹ CPS Energy Ex #12, p.15:5-23.

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**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 May 21, 2021 in accordance with SOAH Order No. 3 issued in this docket.

/s/ Patrick L. Reznik
Patrick L. Reznik

