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Scott J. Luedke
8817 Vista Oaks Circle
Dallas, Texas 75243

November 15, 2021

Via PUC Interchange Filer

Public Utility Commission of Texas
Chairman Peter Lake
Commissioner Lori Cobos
Commissioner Will McAdams
Commissioner Jimmy Glotfelty

Re: PUC Docket No. 51023; Application of CPS Energy to Amend Certificate of Convenience and Necessity for the Scenic Loop 138 KV Transmission Line in Bexar County

Reply to CPS Energy's Response to the November 8, 2021 Letter of Scott J. Luedke

Dear Commissioners:

I am compelled to reply to a few statements made in CPS Energy's Response to my November 8, 2021 Letter to the Public Utility Commission.

First, CPS Energy's counsel continually refers to the "hearing process" as the mechanism for interested landowners to be "involved" and "offer input". To be clear, CPS did not – at any time - notify me of any proposal to include Substation Site 7 for consideration. Had CPS done so – like it did with adjoining landowners at other proposed substation sites, including Substation Site 6 – I would have had an opportunity to timely intervene into this hearing process. To suggest that CPS's failure to provide me with any notice demonstrates a lack of diligence on *my part* is absurd. In addition, CPS's repeated statements that "the ALJs likely would have viewed Mr. Luedke's request for intervention more favorably" had I filed it sooner, is pure speculation and is not supported by the record.

Second, CPS Energy's counsel states that "[t]here is no requirement in the Commission's rules for a second public meeting if any changes are made . . ." and suggests that I am asking CPS to "continue holding additional public meetings after every modification . . ." [*emphasis added*]. I agree that would be a "nonsensical approach", but that is not what I am advocating. My November 8, 2021 letter clearly refers to the addition of Substation Site 6 and Substation Site 7 (including various proposed transmission routes running to these proposed substation sites) - after CPS's one-and-only "Open House" meeting - as "substantive changes". Is CPS taking the position that changes of this scope and magnitude are the equivalent of "any" or "every" change – not worthy of educating the public at a follow-up "Open House" and soliciting community feedback? That approach sounds "nonsensical" to me.¹

¹ CPS Energy's counsel attempts to brush off the notion of a second public meeting, stating that "the hearing process provides the second opportunity for landowners to offer input once changes are made after a public meeting." That might be true – but only for those affected landowners who actually received notice from CPS.

Third, CPS Energy's counsel – without offering any evidence or support – continues to assert that “there is no habitable structure on his property.” I again ask, what investigation or due diligence did CPS perform to make that determination? CPS attempts to answer the question by stating “Mr. Luedke does not live on the property, or even in the community” and that “he does not reside there”. Are those factors – individually or collectively - determinative of the question? CPS never made inquiry of me, but it seems logical that being a CPS customer at that property for over 3 years might be a relevant factor to consider.²

Again, I appreciate the opportunity to express my sincere concerns about proposed Substation Site 7, which I continue to adamantly oppose.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott J. Luedke". The signature is fluid and cursive, with a large initial "S" and a long horizontal stroke at the end.

Scott J. Luedke

Owner

9542 Majestic Oak Circle

San Antonio, Texas 78255

² Incidentally, my wife and I spent this past weekend at this property doing yard work, visiting with neighbors, and otherwise enjoying a beautiful Fall weekend.