



Filing Receipt

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Control Number - 54936

Item Number - 176

Request to Intervene in PUC Docket No. 54936

The following information must be submitted by the person requesting to intervene in this proceeding. This completed form will be provided to all parties in this docket. **If you DO NOT want to be an intervenor, but still want to file comments, please complete the "Comments" page.**

For USPS, send one copy to:

Public Utility Commission of Texas
Central Records
P.O. Box 13326
Austin, TX 78711-3326

For all other delivery or courier services, send one copy to:

Public Utility Commission of Texas
Central Records
1701 N. Congress Ave.
Austin, TX 78701

First Name: John

Last Name: Luby (Luby Revocable Trust)

Phone Number: 361-537-8002

Fax Number: N/A

Address, City, State: 6601 Fenwick Dr., Corpus Christi, TX 78414

Email Address: jsluby2@gmail.com

I am requesting to intervene in this proceeding. As an INTERVENOR, I understand the following:

- I am a party to the case;
- I am required to respond to all discovery requests from other parties in the case;
- If I file testimony, I may be cross-examined in the hearing;
- If I file any documents in the case, I will have to provide a copy of that document to every other party in the case; and
- I acknowledge that I am bound by the Procedural Rules of the Public Utility Commission of Texas (PUC) and the State Office of Administrative Hearings (SOAH).

Please check one of the following:

- ☐ I own property with a habitable structure located near one or more of the utility's proposed routes for a transmission line.
- ☒ One or more of the utility's proposed routes would cross my property.
- ☐ Other. Please describe and provide comments. You may attach a separate page, if necessary.

please see attachment

Signature of person requesting intervention:

John S. Luby

Date: 6/15/23

Addendum to Request to Intervene in PUC Docket No. 54936

Luby Chapote Ranch, LLC

Basis for Intervention

Luby Chapote Ranch, LLC (Mayvic Luby, Debra Luby and John Luby) and the Luby Revocable Trust (Elizabeth Luby) owns property identified by South Texas Electric Cooperative, Inc. ("STEC") as being directly effected by one or more links or routes of the San Miguel-to-Cruce transmission line. As a result, Luby Chapote Ranch, LLC/Luby Revocable Trust has a justiciable interest which may be adversely affected by the chosen route and on that basis seeks to intervene.

Our Ranch History

Our ranch is over 150 years old and meets all the qualifications for inclusion in the Texas Family Land Heritage Program. This program is administered by the Texas Department of Agriculture and honors legacy families who have had continuous working ownership of their land for over 100 and 150 years. Our land is part of the original 35,000 acres acquired by my Great Uncle, N.G. Collins, in the 1800's. We think you'll agree, the fact that our family has been able to keep this land in our family is quite an accomplishment.

You can't talk about the history of Duval County without talking about the impact our family has had on the area. Our great-grandfather was Judge James O. Luby, the very first County Judge of Duval County. He first came to this area in the 1860's. So, our blood runs deep on this ranch. We are afraid that you are going to destroy something very special to this family and, to that, we will fight as hard as we can against your massive power.

Our fathers always taught us to be good stewards of the land and that it was ours only to pass down to the next generation. We were taught to always leave it in better shape than when we received it. We were taught to always pick up anything that was on the ground that was not natural. You won't find any old shell casings. Nor will you find cigarette butts or trash. We have worked hard to keep it natural. That is one of the reasons why your proposal is so concerning. We've spent over 100 years working hard to keep it in its most natural state and now you want to bring a horrific, "un-natural" structure straight down the middle of our ranch. For us, nothing could be more damaging.

You see, it's personal with us. John Luby, the father of John, Mayvic and Debra Luby passed away on this very ranch. So for us, we consider this ground sacred. To walk on the same soil our great uncle, great grandfather, grandfather, and fathers walked on is something nobody should be able to take from you. Along those same lines, to be able to pass this very exceptional natural, holy and historically significant place down to our children and grandchildren is something special. Some of us plan to retire to this wild and natural habitat. So this whole issue is disruptive to all the plans we've made along those lines.

Issue

Links 57 and 59 both split our ranch right down the middle, as evidenced by the attached map. This proposed bifurcation is many times more egregious than even a line running down a property line. It destroys business value and personal value. When reviewing all routes presented by STEC, it appears that they created most routes down property fencelines in order to limit the business enterprise and recreational disturbances that come with this type of incursion. But, your proposal to us seeks to divide our ranch right down the middle. This will negatively impact our business enterprise and greatly interfere with our right to the peaceful enjoyment of our ranch.

And, let's not forget, we will now have to contend with the unsightly appearance caused by your massive electrical transmission latticework. It will be visible from all corners of our ranch. There will be no place to escape the ugly array of metal as it clashes with our fabulous natural area.

We actively raise cattle and deer on our ranchland. The Luby Family has been ranching these very same lands for over 150 years. Over the years, we have worked hard to improve our pastures, while at the same time maintaining the ranch in its natural habitat. We would like to continue to work and enjoy our family property in the manner in which we are accustomed to. Your line will make that impossible. It will undo over 100 years of striving to protect and maintain a part of our great state in its natural habitat.

In addition to working cattle on the land, we also love the recreational opportunities this pristinely preserved ranch offers. These include, hunting, bird watching, wildlife watching, and good, old-fashioned porch-sitting, enjoying nature and all its sounds.

Your proposed transmission line will most certainly disrupt all that. We find your proposed line to be most egregious, as it splits our ranch right down the middle. This will add to our cost of working cattle and will impact our hunting operation. Not to mention, the peaceful enjoyment we associate with the undisturbed quiet we currently love.

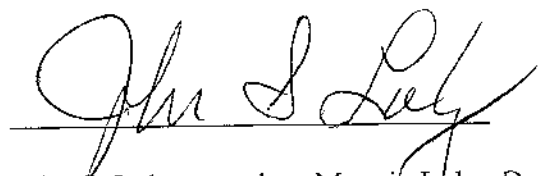
Your proposed line would be visible from every corner of our ranch. The significant electrical latticework that will be constructed will ruin the landscape. We spend almost every weekend and lots of weeks at the ranch finding comfort in the peaceful enjoyment of the outdoors and scenery away from city life. I may live in other areas, but this is and always will be considered my home. Collectively, the damage to our cattle and hunting operations will be irreparable.

One of the proposed lines runs close to our house and through our main gate to gain entrance into the ranch. One of the undesired effects of this line will be to create a "super highway" conduit for drug-trafficking and persons entering our country illegally, some of which have been found to be terrorists of the worst kind. This makes our ranch significantly more dangerous. Men, women (three of the owners), and children would be afraid to stay out there overnight or be on the ranch without being armed and escorted. We feel the hostile environment this unwanted encroachment on to our land, land that has been in our family for over 150 years, will destroy our ability to "peacefully enjoy" our land.

Having a transmission line through the middle of our ranch will greatly diminish its value and prohibit us from some of the development opportunities we have been approached about and are contemplating. In addition, we just executed an oil lease on some of our minerals and don't want the transmission line to interfere with any future drilling.

Conclusion

Luby Chapote Ranch, LLC and the Luby Revocable Trust respectfully request that this Request to Intervene be granted, that they be allowed to participate in this proceeding as a party with all rights thereof to the full extent that they desire to do so, and for such further relief to which they may be entitled. Luby Chapote Ranch, LLC and the Luby Revocable Trust are currently interviewing for legal representation and asks their assigned legal representative to be named in the future be allowed to speak on behalf of Luby Chapote Ranch, LLC and the Luby Revocable Trust.

A handwritten signature in black ink, appearing to read "John S. Luby", written over a horizontal line.

John S. Luby, member, Mayvie Luby, Debra Luby
LUBY CHAPOTE RANCH, LLC

Dennis Luby on behalf of the Luby Revocable Trust and Elizabeth Luby



NOTE:

Segments are preliminary, modification may occur prior to filing at the Public Utility Commission.