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**SOAH DOCKET NO. 473-23-18893
PUC DOCKET NO. 54936**

APPLICATION OF SOUTH TEXAS ELECTRIC COOPERATIVE, INC. TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE SAN MIGUEL-TO-CRUCE DOUBLE CIRCUIT 345-KV TRANSMISSION LINE IN ATASCOSA, MCMULLEN, DUVAL AND JIM HOGG COUNTIES	§ § § § § § § § §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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**STATEMENT OF POSITION OF JOHN LUBY, INDIVIDUALLY, AND ON BEHALF
OF LUBY CHAPOTE RANCH, LLC AND THE LUBY REVOCABLE TRUST**

Pursuant to Public Utility Commission Procedural Rule 22.124 and SOAH Order No. 2, John Luby, individually, and on behalf of Mayvic Luby and Debra Luby (Luby Chapote Ranch, LLC), Elizabeth Luby, and the Luby Revocable Trust (collectively, “Luby”) files this Statement of Position, and in support hereof would respectfully show the following:

1. Luby filed a Request to Intervene in this proceeding on June 15, 2023 (Docket Item No. 176).
2. Luby owns property in Duval County, Texas that will be affected by the transmission line proposed to be built by South Texas Electric Cooperative, Inc. (“STEC”) if any route utilizing Links 57, 59 or 61 is approved. Luby’s property has been identified by STEC in its application as Tract 3357.
3. Luby is opposed to the use of Links 52, 53, 57, 59 and 61, and any route utilizing the same.
4. The Luby 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. The Luby land is part of the original 35,000 acres acquired by the Luby family in the 1800’s.

5. Our family has had a large impact on Duval County and surrounding 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 the proposed transmission line on our property would destroy something very special to this family.
6. 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 have worked hard to keep the property as close to its natural state as possible. That is one of the reasons why the proposed transmission line is so concerning. We've spent over 100 years working hard to keep it in its most natural state and the proposed structures straight down the middle of our ranch would go against that. For us, nothing could be more damaging.
7. 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 proposed transmission line could be disruptive to all the plans we have made for the future.
8. Proposed Links 57, 59 and 61 would split our ranch right down the middle, as evidenced by the attached map. This proposed bifurcation is more egregious to us than even a line running down the property line. It would destroy the business value and personal value of the property. When reviewing all routes presented by STEC, it appears that most routes

were created down property lines in order to limit the business and recreational disturbances that come with this type of incursion. But, proposed Segments 57, 59 and 61 would divide our ranch right down the middle. This would negatively impact our business enterprise and greatly interfere with our right to the peaceful enjoyment of our ranch. We would then have to contend with the unsightly appearance caused by the massive electrical transmission latticework. It would be visible from all corners of our ranch. There will be no place to escape the array of metal as it clashes with our natural landscape. We spend almost every weekend and many weeks at the ranch finding comfort in the peaceful enjoyment of the outdoors and scenery away from city life.

9. We actively raise cattle and deer on our ranch. 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. The proposed lines down the middle of our property could add to our cost of working cattle and could impact our hunting operation. We would like to continue to work and enjoy our family property in the manner in which we are accustomed to. The proposed line could make that impossible, and it could undo over 100 years of striving to protect and maintain a part of our great state in its natural habitat. Collectively, the damage to our cattle and hunting operations could be irreparable.
10. 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. The proposed transmission line could disrupt all that. Not to mention, the peaceful enjoyment we

associate with the undisturbed quiet we currently love. I may live in other areas, but this is and always will be considered my home.

11. One of the proposed segments runs close to our house and through our main gate to gain entrance into the ranch. One of the undesired effects of this line could 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. Our family and our 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.
12. Having a transmission line through the middle of our ranch could 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.

Respectfully Submitted,

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ATTORNEYS FOR INTERVENOR

CERTIFICATE OF SERVICE

I certify a copy of this document is being filed in the Public Utility Commission's Interchange System and served on all parties of record as required by orders in this docket, the Commission's rules, and the Commission's First and Second Orders Suspending Rules issued on March 16, 2020 and July 16, 2020, in Project No. 50664.

A handwritten signature in black ink, appearing to read 'Tyler Topper', is written over a horizontal line.

Tyler Topper

