



Filing Receipt

Filing Date - 2023-07-31 12:01:29 PM

Control Number - 55067

Item Number - 1420

**SOAH DOCKET NO. 473-23-21216
PUC DOCKET NO. 55067**

APPLICATION OF ONCOR ELECTRIC	§	BEFORE THE STATE OFFICE
DELIVERY COMPANY, LLC TO	§	
AMEND ITS CERTIFICATE OF	§	OF
CONVENIENCE AND NECESSITY FOR	§	
THE RAMHORN HILL-DUNHAM 34-J	§	ADMINISTRATIVE HEARINGS
TRANSMISSION LINE IN DENTON	§	
COUNTY	§	

DIRECT TESTIMONY OF FINLEY EWING

ON BEHALF OF

INTERVENOR LA ESTANCIA

INVESTMENTS, L.P.

July 31, 2023

I. INTRODUCTION OF WITNESS AND PURPOSE OF TESTIMONY

Q. Please state your name and business address.

A. My name is Finley Ewing. My business address is 6455 Dallas Parkway; Plano, Texas 75024.

Q. Please describe La Estancia Investments, L.P. (“La Estancia”) and its business.

A. La Estancia is a family-owned entity that owns over 900 acres as shown on Exhibit A. Members of the Ewing family have owned the property for over 60 years. The property, which I will refer to as the “La Estancia Property,” totals 993.5 acres consisting of the Northeast Parcel, North Parcel and South Parcel, as shown on Exhibit A.

Q. What is your title at La Estancia?

A. I am a general partner, limited partner, and authorized representative for La Estancia.

Q. Please describe your duties as the authorized representative of La Estancia.

A. I have overseen the management, leasing, contracting and marketing of La Estancia’s three tracts consisting of 993.5 acres located adjacent to F.M. 1171 between U.S. 377 and IH 35W since the 1990’s.

Q. Please describe briefly your educational background.

A. I have a Bachelor’s Degree from Texas Christian University.

Q. What is the purpose of your testimony in this docket?

A. I am providing testimony to describe the proposed development of these tracts and the impact of the transmission line routes proposed by Oncor Electric Delivery Company, LLC (“Oncor”) in this docket on La Estancia.

Q. What relief does La Estancia seek in this docket?

A. La Estancia requests that the Public Utility Commission of Texas (“Commission”) approve an alternative to Oncor's preferred route for the C-23 link in the Northeast Parcel.

La Estancia supports C-21 along the existing power line so long as it connects to C-22 and then either C-8 or C-5. La Estancia objects to the C-23 link, which bisects the tract. In the alternative, La Estancia would support the C-3 link along the F.M. 1171 right of way.

The South Parcel is affected by Oncor's preferred route of E-1, E-6, G-1 and F-5. La Estancia requests that Oncor instead utilize links E-7 and F-1, which run to the north of the F.M. 1171 right of way. In the alternative, La Estancia requests that links F-5 and G-1 be located within the IH 35W right of way rather than through usable land at the hard corner.

With respect to the North Parcel, La Estancia prefers Oncor's preferred route, which avoids this parcel.

II. DESCRIPTION AND INTENDED USE OF LA ESTANCIA PROPERTY

Q. Why did La Estancia buy the La Estancia Property?

- A. La Estancia acquired the Property from Ewing family members in 2008 to continue the current agricultural use until such time as the market would ripen for sale and development. That time is now as La Estancia has fielded dozens of offers for residential, commercial and industrial development for its property.

Q. Will the development on the La Estancia Property add to the tax base of Denton County and the City of Northlake and the Town of Flower Mound?

- A. Yes. Taxes from the development will support Denton County, the City of Northlake, the Town of Flower Mound, and the local school districts.

III. EFFECT OF ONCOR TRANSMISSION LINE ON LA ESTANCIA PROPERTY

Q. Are you aware that Oncor has proposed a 345-kilovolt (“kV”) transmission line in the vicinity of the La Estancia Property?

A. Yes. La Estancia learned of Oncor’s plan to construct a transmission line and substation in the vicinity after it received and entertained offers from numerous developers to sell portions of the Property.

Q. Does the proposed Oncor transmission line have the potential to affect the La Estancia Property?

A. Yes. The current Oncor preferred route would most adversely impact the Northeast Parcel, and the portion of the preferred route along the northern portion of the South Parcel would also have an adverse impact.

Q. If the Commission were to select the route that crosses the Northeast Parcel of the La Estancia Property, how would it affect La Estancia’s plans to sell or develop the property?

A. It is my understanding that Oncor will require a 60-foot easement for the transmission line. The easement along Link C-21 will apparently run adjacent to the existing Texas Municipal Power Agency easement. The problem is the east-west Link C-23 route. There is already a major power line easement that traverses through the property from southeast to northwest. The alignment being proposed runs horizontally through the middle of the property. This would create multiple negative consequences. There are two (2) throughfares (spine roads) shown on the Town of Flower Mound’s future throughfare plan that run basically north to south but have several curves. This, coupled with the alignment of the existing power line already create a challenge in maximizing development potential. The proposed alignment would render much more of the property insufficient for

development by creating multiple sharp angles at the intersection with the spine roads and existing power line. The loss of developable property will negatively impact the value of the entire property.

With respect to the South Property, Oncor's preferred route, which contains Links E-6 and F-6, will result in the taking of La Estancia's most valuable land at the hard corner of IH-35W and F.M. 1171 and leave an unusable remnant next to this highway right of way.

Q. Would placing the transmission line have any other detrimental effects on the La Estancia Property and La Estancia?

A. Yes. Having a transmission line bisect the Northeast Parcel of the La Estancia Property would make the development a less attractive place for potential residents and/or business owners, many of whom would prefer not to be located right next to a transmission line. Numerous residential developers have submitted offers to purchase part or all of the Northeast Parcel. Residents in the community would be impacted by the power line location.

Q. If having a transmission line on the La Estancia Property reduces the value and attractiveness of that property, doesn't that same argument apply to all other potentially affected landowners in this area?

A. No. The Northeast Parcel would be the only significant developable tract in this area to be bisected by a 1,000' lineal segment. Development on both sides of this line would be impacted. No other landowner in the C link will bear a similar burden. Furthermore, the alternative routes are located along property lines and/or rights of way. With respect to the South Parcel, La Estancia requests that the line be located within or close to the

F.M. 1171/U.S. IH 35W right-of-way to minimize the right of way takings. This would have no adverse impact on other private landowners in this area.

IV. ALTERNATIVE ROUTES FOR THE ONCOR TRANSMISSION LINE

Q. Have you analyzed the alternative routes that Oncor has proposed for the transmission line?

A. Yes, at a high level. I have studied the maps showing the various alternative routes that Oncor has proposed. Generally, there are a large number of routes that can link the Ramhorn Hill Switch Station to the Dunham Switch station.

Q. Has Oncor selected a preferred route?

A. Yes. It is my understanding that Oncor's preferred route is Route 179.

Q. Does La Estancia agree with Oncor's selection of Route 179 as the preferred route?

A. No. La Estancia supports the alternative routes that do not include Link C-23 in the Northeast Parcel or Link E-6 in the South Parcel.

Q. Please describe La Estancia's recommended alternative routes for the Northeast Parcel.

A. La Estancia's primary recommendation is that the Commission select a route that includes Link C-22 instead of Link C-23. Selecting a route containing Link C-22 would allow the Oncor transmission line to parallel an existing easement, and it would avoid the necessity to bisect the Northeast Parcel. In the alternative, La Estancia recommends that the Commission select a route that contains Link C-3, which would parallel F.M. 1171 and also avoid the necessity to bisect the Northeast Parcel.

Q. Have you compared the estimated cost of the preferred route to the cost of other routes that would cross the Northeast Parcel of the La Estancia Property?

A. Yes. Based on my review of Oncor's application, it appears that Route 179, which includes Link C-23, is estimated to cost \$175.2 million. Several of the routes that contain Link C-22 would cost less than \$175.2 million. For example, according to Attachment BJP-5 to

the Direct Testimony of Oncor witness Brenda J. Perkins, the following five routes containing Link C-22 would cost less than Route 179:

Table FE-1
Alternative Routes Containing Link C-22 and Costing Less than Route 179

Route	Cost (\$ millions)
94	169.2
103	166.9
103	168
142	168.4
143	168.1

In addition, the following nine routes containing Link C-3 would cost less than Route 179:

Table FE-2
Alternative Routes Containing Link C-3 and Costing Less than Route 179

Route	Cost (\$ millions)
1	167.9
16	173.8
19	171.3
29	164.6
36	172.2
41	173.4
42	168.3
72	169.3

86	172.7
----	-------

Q. If the Commission decides to consider not just costs but also the effects of the proposed transmission line on habitable structures near the line, does that tip the scales in favor of a route containing Link C-23?

A. No, for two separate reasons. First, the Oncor tally of habitable structures is as of a point in time. The La Estancia Property may be developed with hundreds of residential units in the vicinity of the Property to Canyon Falls, Trailwood and the Furst Ranch. Thus, Oncor's count of habitable structures within 500 feet of the easement centerline will soon be outdated, if it is not already outdated.

Second, even if the Commission were to consider only the habitable structures at the time Oncor conducted its count, it is not clear that Route 179 presents the right balance of cost avoidance and habitable structure avoidance. For example, Route 29 would reduce the cost by approximately \$10.6, while increasing the number of habitable structures only from 97 to 131.

Q. Please describe La Estancia's concern regarding Route 179 insofar as it affects the South Parcel.

A. The South Parcel is affected by Oncor's preferred route, which contains Links E-1, E-6, G-1 and F-5. La Estancia requests that Oncor instead utilize links E-7 and F-1, which run to the north of the F.M. 1171 right of way. Not only would that avoid crossing usable land in the South Parcel, but it would also save money. Route 65, for example, is estimated to cost approximately \$168.6 million, which is more than \$6 million less than Route 179. In

the alternative, La Estancia requests that links F-5 and G-1 be located within the IH 35W right of way rather than through usable land at the hard corner of the South Parcel.

V. CONCLUSION

Q. Please summarize your recommendations in this case.

A. I recommend that the Commission approve a route that contains Link C-22 and then either C-8 or C-5. La Estancia objects to the C-23 link, which bisects the Northeast Parcel. In the alternative, La Estancia would support the C-3 link along the F.M. 1171 right of way. Insofar as the South Parcel is concerned, La Estancia requests that Oncor utilize Links E-7 and F-1, which run to the north of the F.M. 1171 right of way. In the alternative, La Estancia requests that links F-5 and G-1 be located within the IH 35W right of way rather than through usable land at the hard corner of the South Parcel.

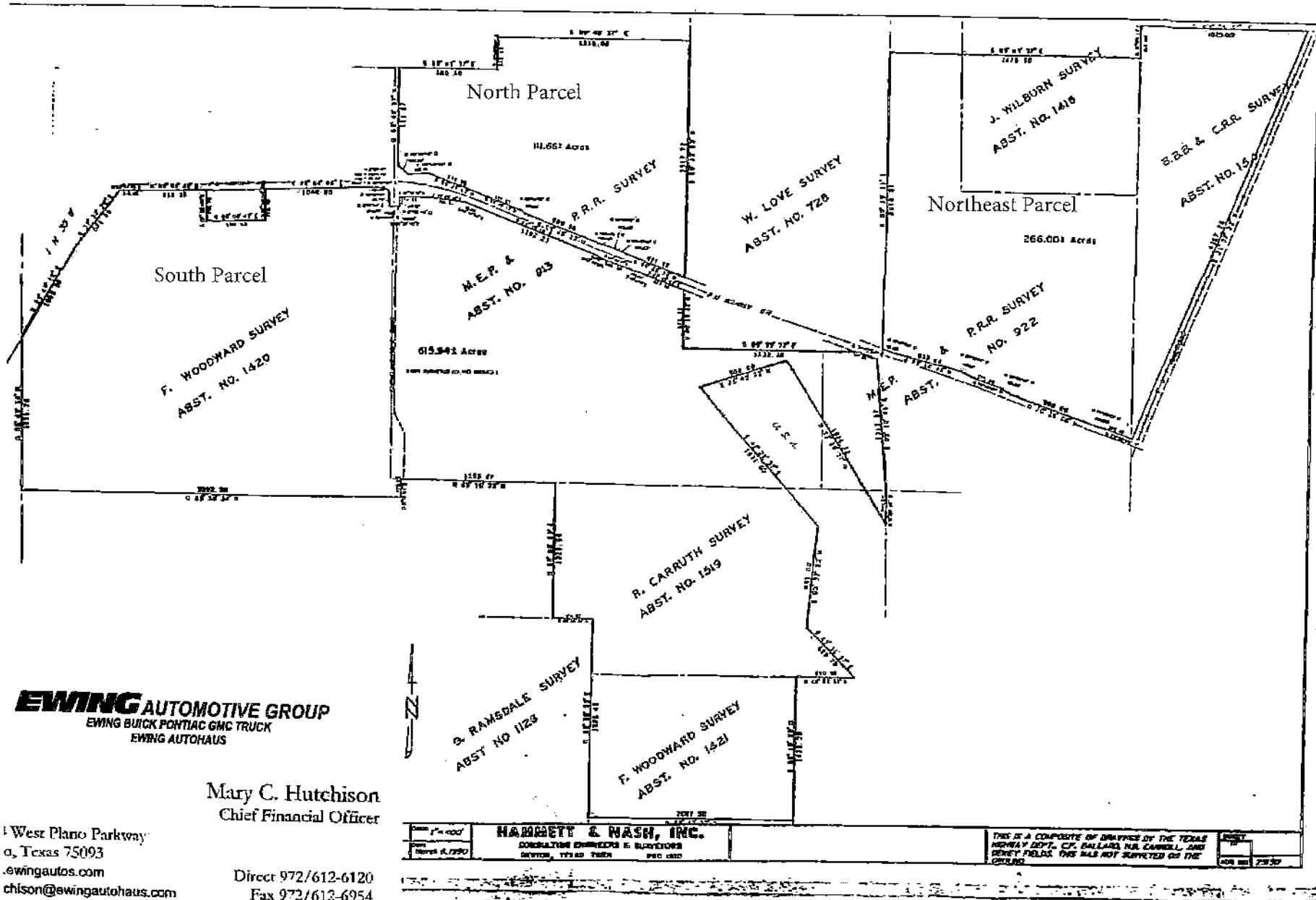
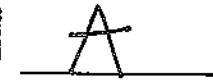
Q. Does this conclude your direct testimony?

A. Yes.

4888-4517-4129v.2 67525-1

EXHIBIT

tabbies



EWING AUTOMOTIVE GROUP
EWING BUICK PONTIAC GMC TRUCK
EWING AUTOHAUS

Mary C. Hutchison
Chief Financial Officer

1 West Plano Parkway
Plano, Texas 75093
ewingautos.com
chison@ewingautohaus.com

Direct 972/612-6120
Fax 972/612-6954

HARRIS & WASH, INC.

CONSULTING ENGINEERS & SURVEYORS
DALLAS, TEXAS 75201

THIS IS A COMPOSITE OF DRAWINGS BY THE TEXAS HIGHWAY DEPT., C.T. BALLARD, H.B. CANNELL, AND BENEY FIELDS. THIS WAS NOT SURVEYED ON THE GROUND.

DATE
NOV 1999