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

APPLICATION OF ONCOR ELECTRIC DELIVERY LLC TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE RAMHORN HILL – DUNHAM 345-KV TRANSMISSION LINE IN DENTON AND WISE COUNTIES	§ § § § § § §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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**DIRECT TESTIMONY OF AMELIA MCCURDY MARTIN
ON BEHALF OF THE FLOYD T. MCCURDY TESTAMENTARY TRUST**

Intervenor Amelia McCurdy Martin on behalf of the Floyd T. McCurdy Testamentary Trust files this Direct Testimony, which is attached. Amelia McCurdy Martin stipulates that this Direct Testimony can be treated by all parties as if the answers were filed under oath.

Respectfully submitted,

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**ATTORNEYS FOR FLOYD T. MCCURDY
TESTAMENTARY TRUST**

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document was served on all parties and counsel of record on July 31, 2023, in accordance with PUC Procedural Rule 22.74 and Orders issued in Docket No. 50067 to date.

/s/Patrick L. Reznik

Patrick L. Reznik

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1 **I. INTRODUCTION**

2
3 QUESTION: PLEASE STATE YOUR NAME AND CURRENT ADDRESS FOR THE
4 RECORD.

5
6 ANSWER: My name is Amelia McCurdy Martin, and my current address 4758
7 Johnson Creek Loop, College Station, Texas 77845.

8
9 QUESTION: ARE YOU AN INTERVENOR IN SOAH DOCKET NO. 473-23-21216
10 AND PUC DOCKET NO. 55067 AND ON WHOSE BEHALF ARE YOU
11 TESTIFYING?

12
13 ANSWER: Yes. I'm testifying on behalf of the Floyd T. McCurdy Testamentary
14 Trust.

15
16 QUESTION: HAVE YOU EVER TESTIFIED IN A PUBLIC UTILITY
17 COMMISSION OF TEXAS ("PUC" OR "COMMISSION") PROCEEDING?

18
19 ANSWER: No.

20
21 QUESTION: WHERE IS YOUR PROPERTY LOCATED?

22
23 ANSWER: My family's ranching headquarters is located west of South County Line
24 Road and south of West County Line Road in Wise and Denton counties. It is
25 approximately 200 acres. This property will be referred to as "Headquarters." *See*
26 **Exhibit A.** A second property impacted by the proposed line is located east of South
27 County Line Road, approximately .2 miles north of State Highway 114, in Denton
28 County. This property is approximately 26 acres and will be referred to as "26 Acres."
29 ***See Exhibit B.***

30
31
32 QUESTION: HOW LONG HAVE YOU OWNED THE PROPERTY?

33
34 ANSWER: My mother's grandfather was a pioneer in this area of north Texas in the
35 1870's. The land affected by the proposed transmission line has been in the family for
36 over 100 years and continually operated by our family as an agricultural endeavor. The

1 Headquarters and 26 Acres are currently owned by Peggy Logan McCurdy and the Floyd
2 T. McCurdy Testamentary Trust.

3
4 QUESTION: ARE YOU FAMILIAR WITH THIS AREA OF TEXAS?

5
6 ANSWER: Yes.
7
8

9 **II. PURPOSE AND SCOPE OF TESTIMONY**

10
11 QUESTION: WHAT IS THE PURPOSE AND SCOPE OF YOUR TESTIMONY?

12
13 ANSWER: The purpose of my testimony is to (a) describe my property, (b) describe
14 the expected impact of the proposed transmission line on my property, (c) voice my
15 opposition against Segment Q1, Q2, O3, O6, O8, P1, and Routes 10, 11, 19, 67, 170, 186,
16 187, 191, and 192 which utilize these Segments, and (d) voice my support for Oncor's
17 Recommended Route 179.
18
19

20 **III. DESCRIPTION OF PROPERTY AND THE LINE'S IMPACT**

21
22
23 QUESTION: ARE THERE ANY HABITABLE STRUCTURES ON THE
24 PROPERTY?

25
26 ANSWER: Yes. My 91-year-old mother, Peggy Logan McCurdy, lives in our family
27 home that is 420 feet from the proposed Segment Q1. It is identified as habitable
28 structure 689.
29
30

31 QUESTION: PLEASE DESCRIBE YOUR PROPERTY'S TERRAIN AND ITS
32 ECOLOGICAL OR BIOLOGICAL FEATURES.

33
34 ANSWER: The property that is our ranch Headquarters is a good example of the open
35 rolling prairie landscape of this area of north Texas that is quickly being developed. The
36 grass is native to the area and supports wildlife such as native and migratory birds, rabbit,
37 coyote, fox, skunk, armadillo, and occasional roadrunner. Harriet Creek runs through the

1 corner of the property and supports the mentioned wildlife as well as frogs, snakes, and
2 small fish. A branch that runs through the middle of the property directs water flow
3 northward toward Harriet Creek. These creeks, as well as a stock tank, supply water for
4 wildlife and our cattle. The hill on which our family home is located commands a
5 panoramic view of the land around us.

6
7 The 26 Acres has similar wildlife and ecological features. A branch of Elizabeth creek
8 runs through the property and provides water for wildlife and our cattle.

9
10
11 QUESTION: PLEASE DESCRIBE YOUR PROPERTY'S CURRENT USES,
12 INCLUDING BRIEFLY DESCRIBING ANY RANCH OR SPECIALIZED
13 OPERATIONS.

14
15 ANSWER: The property located west of South County Line Road and south of West
16 County Road, serves as the headquarters for our agricultural operations in other parts of
17 Wise County and elsewhere. Our barns, corrals, tack room, machine shop, granaries,
18 liquid feed storage tanks, fuel tanks, feed grinder, truck scales, and machinery are all on
19 this property. We are primarily a cow/calf operation, but since this is our headquarters,
20 our horses, sick cattle, bottle fed calves, bulls, and expecting heifers are brought here for
21 care and close monitoring. We cultivate wheat, oats, and hay. We bring our yearling
22 calves to this property in the winter to graze the winter wheat. In the summer, the mature
23 wheat, oats, and hay are harvested and stored for feed to supplement the native grass in
24 the winter. The ability to fully use all the features of the Headquarters is vital to our entire
25 operation, not just this particular property. A transmission line would impair our use of
26 this property, especially during the construction phase.

27
28
29 QUESTION: HAVE YOU OR YOUR FAMILY UNDERTAKEN ANY EFFORTS TO
30 RESTORE THE LAND OR THE ENVIRONMENTAL QUALITY OF THE PROPERTY?

31
32 ANSWER: Yes, we have made efforts to restore the native grasses and prevent soil
33 erosion. Many years ago, a larger portion of our property was cultivated. We have

1 restored much of the land to native grass and maintained this grass through proper
2 grazing and weed control. A portion of Headquarters that's most conducive to cultivation
3 has been terraced to prevent soil erosion. Terraces make cultivation more difficult, but it
4 is better for the environment. We do not allow hunting on the property, so wildlife
5 flourishes. We have placed some of our other property, not involved in this matter, in the
6 federal Conservation Reserve Program that's committed to restoring native grassland,
7 protecting wildlife habitat, and protecting water quality. These issues are very important
8 to our family.

9
10
11 QUESTION: ARE THERE ANY WATER WELL SITES ON THE PROPERTY? IF SO,
12 DESCRIBE THE GENERAL LOCATION.

13
14 ANSWER: There is a water well directly north of the family home.

15
16
17 QUESTION: ARE THERE ANY GAS WELLS ON THE PROPERTY? IF SO,
18 DESCRIBE THE GENERAL LOCATION.

19
20 ANSWER: On the Headquarters, there is a gas well about 680 feet southwest of the
21 habitable structure and about 200 feet from the proposed Segment Q1. There is another
22 gas well in the northwest corner of the property. These are low producing wells with a
23 small footprint of which we have partial ownership, and we can control who enters our
24 property and when. There is a low producing gas well on 26 Acres, approximately 640
25 feet east of South County line road and proposed Segment O6.

26
27
28 QUESTION: ARE THERE ANY PIPELINE EASEMENTS ON THE PROPERTY? IF
29 SO, DESCRIBE THE GENERAL LOCATION.

30
31 ANSWER: There are pipeline easements on all four sides of Headquarters. On 26 Acres,
32 there is a pipeline easement along the northern and eastern property lines.

1 QUESTION: PLEASE DESCRIBE ANY PLANNED FUTURE USES OF YOUR
2 PROPERTY IF THOSE USES ARE DIFFERENT FROM THE CURRENT USES
3 PREVIOUSLY DESCRIBED.

4
5 ANSWER: We will continue our agricultural operations and preservation of the native
6 prairie land on our properties.

7
8
9 QUESTION: DO ANY EXISTING TRANSMISSION OR DISTRIBUTION LINES
10 CROSS YOUR PROPERTY? IF SO, PLEASE DESCRIBE HOW AND WHERE
11 THEY CROSS THE PROPERTY.

12
13 ANSWER: The only existing line is a distribution line that has the small wooden poles
14 and delivers electricity to the family home and one of the barns.

15
16
17 QUESTION: ARE THERE CURRENT PLANS FOR OTHER UTILITY FEATURES
18 ON YOUR PROPERTY? IF SO, PLEASE DESCRIBE HOW AND WHERE THEY
19 CROSS THE PROPERTY.

20
21 ANSWER: No.

22
23
24 QUESTION: WOULD THE SEGMENTS THAT MIGHT IMPACT YOUR
25 PROPERTY RUN ALONG ANY BOUNDARY LINES OF YOUR PROPERTY?

26
27 ANSWER: Proposed Segment Q1 splits apart Headquarters and does not follow property
28 lines or existing rights-of-way. **See Exhibit A.** On 26 Acres, Segments O6 and P1
29 parallel the property line adjacent to South County Line Road. **See Exhibit B.**

30
31
32 QUESTION: HOW WOULD A 345-KV ELECTRIC TRANSMISSION LINE
33 IMPACT YOUR PROPERTY AND ITS OPERATIONS?

34
35 ANSWER: The land impacted by the proposed electric transmission line has been in our
36 family over 100 years and has been continually operated by our family for 5 generations.
37 We would like to maintain this undeveloped prairie land for generations to come.

1 On the Headquarters, the proposed transmission line (Segment Q1) splits apart our family
2 farming and ranching operation. During construction of the line, our ability to access the
3 cattle and crops on approximately 2/3 of this acreage could be severely impeded. The
4 winter wheat, the summer crops, the grassland, and a stock tank could be inaccessible for
5 an unknown period and at an inopportune time. We would incur considerable expense to
6 relocate the cattle and forgo the income and forage from the cultivated crops. Because
7 the cattle are specifically brought to this property for care, monitoring or feeding, they are
8 not easily moved elsewhere. The proposed line is 420 feet directly behind our family
9 home where our 91-year-old mother resides. It is even closer to our barns and corrals. It
10 would cross the creek, its branch, and cultivated land. This will most likely cause soil
11 erosion and degrade the quality of the water. The proposed line does not directly parallel
12 existing rights-of-way or property lines. The existence of a transmission line from one
13 end of Headquarters to the other would be especially egregious to us. (Note: Segment P7
14 also affects this property, but it parallels the property line on our southern border and is
15 not as impactful as Segment Q1.)

16
17 The 26 Acres involves Segments O6 and P1. During construction of the line on this land,
18 access to cattle would likely be cut off because there is no other access point except from
19 the county road, which the line would parallel. We would incur the expense to move the
20 cattle during the construction phase. Degradation to the creek that provides water for our
21 cattle will likely occur during construction across the creek.

22
23
24 **QUESTION: WOULD YOU HAVE TO REGULARLY DRIVE UNDER THE**
25 **TRANSMISSION LINE IF INSTALLED ON YOUR PROPERTY.**

26
27 **ANSWER:** Yes. The proposed line cutting across Headquarters is in our cultivated land.
28 Planting, maintaining, and harvesting the crops would put us underneath the lines. About
29 850 feet of an internal ranch dirt road would probably be beneath the overhang of the
30 line. Multiple times a day our family would go under the proposed line to access the
31 cattle and crops on 2/3s of our property.

1
2 QUESTION: DESCRIBE THE AESTHETIC IMPACT TO YOUR PROPERTY IF
3 ONCOR INSTALLS A 345-KV TRANSMISSION LINE ON YOUR PROPERTY.

4
5 ANSWER: Headquarters is a beautiful rolling prairie. It is one of the few remaining
6 large tracts of undeveloped land along South County Line Road. If one looks west from
7 the back porch of our family home or west from our barns, in the foreground are cattle
8 grazing, beyond is verdant green wheat in the winter and golden wheat in the summer,
9 and most spectacularly, one can watch a glorious sunset as it descends over a crest of
10 trees on our western border. If the proposed line is built, looking west in your immediate
11 vision will be a huge transmission line extending from north to south on our property.

12
13
14 QUESTION: IS THIS YOUR FIRST EFFORT TO COMMUNICATE YOUR
15 CONCERNS WITH ONCOR?

16
17 ANSWER: We filed a Request to Intervene, with comments.

18
19
20 QUESTION: IF THE TRANSMISSION LINE IS BUILT ON YOUR PROPERTY, DO
21 YOU HAVE ANY CONCERNS ABOUT ONCOR HAVING ACCESS TO YOUR
22 PROPERTY?

23
24 ANSWER: Yes, we have concerns about Oncor/third party having access because even if
25 unintentionally, they could agitate the cattle, trample crops and grass, leave ruts if the
26 ground is wet, leave gates open, and enter by the wrong gates. We purposely control
27 access to the gas wells for similar reasons.

28
29
30 QUESTION: IF THE TRANSMISSION LINE IS BUILT ON YOUR PROPERTY, DO
31 YOU HAVE ANY OTHER CONCERNS?

32
33 ANSWER: Yes, we're concerned about the detrimental health effects of the transmission
34 line on our family members who will daily be within 500 feet or working directly under
35 the transmission line.

1
2 **IV. CONCLUSION AND RECOMMENDATIONS**
3

4 QUESTION: HOW WOULD YOU SUMMARIZE YOUR POSITION IN THIS
5 PROCEEDING REGARDING ONCOR'S RECOMMENDED ROUTE 179 AND THE
6 PROPOSED ALTERNATIVE ROUTES?
7

8 ANSWER: We specifically oppose using Segment Q1 and Route 67. This sequence
9 spans our whole Headquarters splitting it in two and is especially egregious to us. It is
10 only 420 feet from our family home and even closer to our barns. It could cause
11 environmental damage and negative health effects. It would cause economic hardship
12 during construction because 2/3s of our property could be unusable.
13

14 We also oppose Segments O6 and P1, which would cut off access during construction to
15 our cattle on our 26 Acres. In addition, there are many habitable structures along links
16 O6 and P1 in the Shale Creek Subdivision.
17

18 We fully support Oncor's Recommended Route 179, which would have the least impact
19 on the least number of people and the environment. Route 179 is one of the cheaper
20 alternative routes and would cost only \$10,627,000, or 6.5%, more than the cheapest
21 route. Route 179 only has 97 habitable structures within 500 feet of the centerline, which
22 is only 4 more than then Route 164, which has the least amount of habitable structures.
23

24
25 QUESTION: WHY DO YOU OPPOSE THE FOUR ROUTES THAT ARE CHEAPER
26 THAN ROUTE 179?
27

28 ANSWER: The four least expensive routes impact a range of 320-400 habitable
29 structures. Route 179 only impacts 97, which is just 4 more habitable structures than the
30 route with the least number.
31

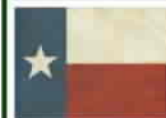
32
33 QUESTION: DOES THIS CONCLUDE YOUR TESTIMONY?
34

35 ANSWER: Yes.



"Headquarters" EXHIBIT A

+/- 198 Acres - Denton and Wise Counties





"26 Acres" EXHIBIT B
+/- 26.670 Acres - Denton County

