



## **Filing Receipt**

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

<b>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</b>	<b>§ § § § § § §</b>	<b>BEFORE THE STATE OFFICE  OF  ADMINISTRATIVE HEARINGS</b>
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**PEGGY LOGAN MCCURDY’S NOTICE OF CROSS-EXAMINATION  
AND EXHIBIT LIST**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGES:

COMES NOW, The Floyd T. McCurdy Testamentary Trust and pursuant to SOAH Order No. 2 files this notice of cross-examination and list of exhibits that will be offered at the hearing commencing on August 28, 2023.

**I. Notice of Cross-Examination**

The Floyd T. McCurdy Testamentary Trust does not designate any intervenor witnesses for cross-examination, but reserves the right to cross-examine any witness called by any other party for cross-examination.

**II. Exhibit List**

At the hearing, The Floyd T. McCurdy Testamentary Trust will offer the following exhibits. Pursuant to SOAH Order No. 2, these exhibits will be provided to the parties via a file-sharing site provided by Oncor Electric Delivery, LLC. All exhibits listed have been pre-filed on the Public Utility Commission of Texas Interchange.

EXHIBIT NO.	DESCRIPTION	INTERCHANGE NO.
Peggy Logan McCurdy Exhibit 1	Direct Testimony of Intervenor Peggy Logan McCurdy	1456

Respectfully submitted,

BRAUN & GRESHAM, PLLC

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**ATTORNEYS FOR PEGGY LOGAN  
MCCURDY**

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of foregoing document will be served on all parties of record on August 23, 2023, in accordance with PUC Procedural Rule 22.74 and Orders issued in Docket No. 55067.

/s/Patrick L. Reznik

Patrick L. Reznik

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

<b>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</b>	§ § § § § § §	<b>BEFORE THE STATE OFFICE  OF  ADMINISTRATIVE HEARINGS</b>
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**INTERVENOR PEGGY LOGAN MCCURDY’S EXHIBIT LIST**

EXHIBIT	DESCRIPTION	OFFERED	ADMITTED
Peggy Logan McCurdy Exhibit 1	Direct Testimony of Intervenor Peggy Logan McCurdy		

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

<b>APPLICATION OF ONCOR ELECTRIC</b>	<b>§</b>	<b>BEFORE THE STATE OFFICE</b>
<b>DELIVERY LLC TO AMEND ITS</b>	<b>§</b>	
<b>CERTIFICATE OF CONVENIENCE</b>	<b>§</b>	
<b>AND NECESSITY FOR THE RAMHORN</b>	<b>§</b>	<b>OF</b>
<b>HILL – DUNHAM 345-KV</b>	<b>§</b>	
<b>TRANSMISSION LINE IN DENTON</b>	<b>§</b>	
<b>AND WISE COUNTIES</b>	<b>§</b>	<b>ADMINISTRATIVE HEARINGS</b>

**DIRECT TESTIMONY OF INTERVENOR PEGGY LOGAN MCCURDY**

Intervenor Peggy Logan McCurdy files this Direct Testimony, which is attached. Peggy Logan McCurdy 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 PEGGY LOGAN  
MCCURDY**

PEGGY LOGAN MCCURDY  
EXHIBIT 1

**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 Peggy Logan McCurdy, and my current address is P.O. Box  
7 88, Rhome, TX 76078.

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

13  
14 ANSWER: Yes. I'm testifying behalf of myself, and I own Tracts #2826, 2827, 2196,  
15 2197, 2223 identified in Oncor's Application. I also filed a Request to Intervene as  
16 "Peggy McCurdy" as that is what Oncor's records had as my name. ***See Interchange***  
17 **Item #783.**

18  
19  
20 QUESTION: HAVE YOU EVER TESTIFIED IN A PUBLIC UTILITY  
21 COMMISSION OF TEXAS ("PUC" OR "COMMISSION") PROCEEDING?

22  
23 ANSWER: No.

24  
25  
26 QUESTION: WHERE IS YOUR PROPERTY LOCATED?

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



1 QUESTION: HOW LONG HAVE YOU OWNED THE PROPERTY?

2  
3 ANSWER: My grandfather was a pioneer in this area of north Texas in the 1870's. The  
4 land affected by the proposed transmission line has been in my family for over 100 years  
5 and continually operated by my family as an agricultural endeavor. The Headquarters and  
6 the 26 Acres are currently owned by me and the Floyd T. McCurdy Testamentary Trust.

7  
8  
9 QUESTION: ARE YOU FAMILIAR WITH THIS AREA OF TEXAS?

10  
11 ANSWER: Yes

12  
13 **II. PURPOSE AND SCOPE OF TESTIMONY**

14  
15 QUESTION: WHAT IS THE PURPOSE AND SCOPE OF YOUR TESTIMONY?

16  
17 ANSWER: The purpose of my testimony is to (a) describe my property, (b) describe the  
18 expected impact of the proposed transmission line on my property, (c) voice my  
19 opposition against Segment Q1, Q2, O3, O6, O8, P1, and Routes 10, 11, 19, 67, 170, 186,  
20 187, 191, and 192 which utilize these Segments, and (d) voice my support for Oncor's  
21 Recommended Route 179.

22  
23  
24 **III. DESCRIPTION OF PROPERTY AND THE LINE'S IMPACT**

25  
26  
27 QUESTION: ARE THERE ANY HABITABLE STRUCTURES ON THE  
28 PROPERTY?

29  
30 ANSWER: Yes. I am 91 years old, and I live in our family home that is 420 feet from the  
31 Segment Q1. It is identified as habitable structure 689.

32  
33  
34 QUESTION: PLEASE DESCRIBE YOUR PROPERTY'S TERRAIN AND ITS  
35 ECOLOGICAL OR BIOLOGICAL FEATURES.

36  
37 ANSWER: The property that is our ranch Headquarters is a good example of the open  
38 rolling prairie landscape of this area of north Texas that is quickly being developed. The

1 grass is native to the area and supports wildlife such as native and migratory birds, rabbit,  
2 coyote, fox, skunk, armadillo, and occasional roadrunner. Harriet Creek runs through the  
3 corner of the property and supports the mentioned wildlife as well as frogs, snakes, and  
4 small fish. A branch that runs through the middle of the property directs water flow  
5 northward toward Harriet Creek. These creeks, as well as a stock tank, supply water for  
6 wildlife and our cattle. The hill on which our family home is located commands a  
7 panoramic view of the land around us.

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

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

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

29  
30  
31 QUESTION: HAVE YOU OR YOUR FAMILY UNDERTAKEN ANY EFFORTS TO  
32 RESTORE THE LAND OR THE ENVIRONMENTAL QUALITY OF THE PROPERTY?  
33

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

11  
12  
13 QUESTION: ARE THERE ANY WATER WELL SITES ON THE PROPERTY? IF SO,  
14 DESCRIBE THE GENRAL LOCATION.

15  
16 ANSWER: There is a water well directly north of the family home.

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

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

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

32  
33 ANSWER: There are pipeline easements on all four sides of Headquarters. On 26 Acres,  
34 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 QUESTION: WOULD THE SEGMENTS THAT MIGHT IMPACT YOUR  
24 PROPERTY RUN ALONG ANY BOUNDARY LINES OF YOUR PROPERTY?

25  
26 ANSWER: Proposed Segment Q1 splits apart Headquarters and does not follow property  
27 lines or existing rights-of-way. **See Exhibit A.** On 26 Acres, Segments O6 and P1  
28 parallel the property line adjacent to South County Line Road. **See Exhibit B.**

29  
30  
31 QUESTION: HOW WOULD A 345-KV ELECTRIC TRANSMISSION LINE  
32 IMPACT YOUR PROPERTY AND ITS OPERATIONS?

33  
34 ANSWER: The land impacted by the proposed electric transmission line has been in our  
35 family over 100 years and has been continually operated by our family for 5 generations.  
36 We would like to maintain this undeveloped prairie land for generations to come.

37  
38 On the Headquarters, the proposed transmission line (Segment Q1) splits apart our family  
39 farming and ranching operation. During construction of the line, our ability to access the

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

14  
15 The 26 Acres involves Segments O6 and P1. During construction of the line on this land,  
16 access to cattle would likely be cut off because there is no other access point except from  
17 the county road, which the line would parallel. We would incur the expense to move the  
18 cattle during the construction phase. Degradation to the creek that provides water for our  
19 cattle will likely occur during construction across the creek.

20  
21  
22 **QUESTION: WOULD YOU HAVE TO REGULARLY DRIVE UNDER THE**  
23 **TRANSMISSION LINE IF INSTALLED ON YOUR PROPERTY.**

24  
25 **ANSWER:** Yes. The proposed line cutting across Headquarters is in our cultivated land.  
26 Planting, maintaining, and harvesting the crops would put us underneath the lines. About  
27 850 feet of an internal ranch dirt road would probably be beneath the overhang of the  
28 line. Multiple times a day our family would go under the proposed line to access the  
29 cattle and crops on 2/3s of our property.

30  
31 **QUESTION: DESCRIBE THE AESTHETIC IMPACT TO YOUR PROPERTY IF**  
32 **ONCOR INSTALLS A 345-KV TRANSMISSION LINE ON YOUR PROPERTY.**

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

8  
9 QUESTION: IS THIS YOUR FIRST EFFORT TO COMMUNICATE YOUR  
10 CONCERNS WITH ONCOR?

11  
12 ANSWER: We filed a Request to Intervene, with comments.

13  
14  
15 QUESTION: IF THE TRANSMISSION LINE IS BUILT ON YOUR PROPERTY, DO  
16 YOU HAVE ANY CONCERNS ABOUT ONCOR HAVING ACCESS TO YOUR  
17 PROPERTY?

18  
19 Yes, we have concerns about Oncor/third party having access because even if  
20 unintentionally, they could agitate the cattle, trample crops and grass, leave ruts if the  
21 ground is wet, leave gates open, and enter by the wrong gates. We purposely control  
22 access to the gas wells for similar reasons.

23  
24  
25 QUESTION: IF THE TRANSMISSION LINE IS BUILT ON YOUR PROPERTY, DO  
26 YOU HAVE ANY OTHER CONCERNS?

27  
28 ANSWER: Yes, we're concerned about the detrimental health effects of the transmission  
29 line on our family members who will daily be within 500 feet or working directly under  
30 the transmission line.

31  
32  
33 **IV. CONCLUSION AND RECOMMENDATIONS**

34  
35 QUESTION: HOW WOULD YOU SUMMARIZE YOUR POSITION IN THIS  
36 PROCEEDING REGARDING ONCOR'S RECOMMENDED ROUTE 179 AND THE  
37 PROPOSED ALTERNATIVE ROUTES?

1  
2 ANSWER: We specifically oppose using Segment Q1 and Route 67. This sequence  
3 spans our whole Headquarters splitting it in two and is especially egregious to us. It is  
4 only 420 feet from our family home and even closer to our barns. It could cause  
5 environmental damage and negative health effects. It would cause economic hardship  
6 during construction because 2/3s of our property could be unusable.

7  
8 We also oppose Segments O6 and P1, which would cut off access during construction to  
9 our cattle on our 26 Acres. In addition, there are many habitable structures along links  
10 O6 and P1 in the Shale Creek Subdivision.

11  
12 We fully support Oncor's Recommended Route 179, which would have the least impact  
13 on the least number of people and the environment. Route 179 is one of the cheaper  
14 alternative routes and would cost only \$10,627,000, or 6.5%, more than the cheapest  
15 route. Route 179 only has 97 habitable structures within 500 feet of the centerline, which  
16 is only 4 more than then Route 164 which has the least amount of habitable structures.

17  
18  
19 QUESTION: WHY DO YOU OPPOSE THE FOUR ROUTES THAT ARE CHEAPER  
20 THAN ROUTE 179?

21  
22 ANSWER: The four least expensive routes impact a range of 320-400 habitable  
23 structures. Route 179 only impacts 97, which is just 4 more habitable structures than the  
24 route with the least number.

25  
26 QUESTION: DOES THIS CONCLUDE YOUR TESTIMONY?

27  
28 ANSWER: Yes.



EXHIBIT A  
**"Headquarters"**  
**+/- 198 Acres - Denton and Wise Counties**

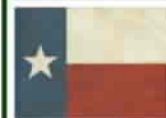






**"26 Acres"**  
**+/- 26.670 Acres - Denton County**

EXHIBIT B



Property Boundary



Route

