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BEFORE THE PUBLIC UTILITY COMMISSION OF TEXAS

APPLICATION OF TEXAS-NEW MEXICO POWER COMPANY
TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY
FOR THE PROPOSED PILOT POINT
138-KV TRANSMISSION LINE PROJECT

IN

COLLIN, GRAYSON AND DENTON COUNTIES

PREPARED DIRECT TESTIMONY AND EXHIBITS

OF

MILTON DUESMAN

ON BEHALF OF DUESMAN FARMS, INC., AS INTERVENOR

JULY 28, 2023

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I. Introduction

Q. Please state your name, occupation, and business address.

A. My name is Milton Duesman. I am the Vice President and a Director of Duesman Farms, Inc. My address is 11712 FM 455 East, Pilot Point, Texas 76258.

Q. Please describe your personal and professional qualifications.

A. I am a third-generation lifetime farmer and rancher from Pilot Point, Texas. I attended local Pilot Point schools, graduated with a BS in Business Management from North Texas State University (now University of North Texas). I have been married for 49 years to Joyce Calvert Duesman, father of two children, Tyler Duesman and Whitney Duesman Redding and grandfather to four young grandsons. I have been active in church and community events throughout my life. I have served on the Pilot Point School Board, Denton County Tax Appraisal Board, Farm Service Agency Committee, Denton County Museum Board, Pilot Point Historic Cemetery Board, and various Pilot Point city committees.

Q. Have you ever submitted testimony before the Public Utility Commission of Texas?

A. Yes, contemporaneously with this testimony, I have submitted testimony on behalf of M & J Duesman Land, LLC, in this same case.

Q. Have you ever submitted testimony before Public Utility Commissions in other States?

A. No.

Q. Have you prepared any Exhibits?

A. Yes. I am sponsoring Exhibits MD-1 through MD-6, which are attached to my testimony and incorporated by reference. The exhibits were prepared by me or at my request and have been kept by me in the ordinary course of my business and are true and correct copies of the original documents. Some of the Exhibits are pictures and said pictures accurately depict the subject matter therein and were also taken at my request and under my direction.

II. Purpose of Testimony

Q. What is the purpose of your testimony?

1 A. The purpose of my testimony is to inform the PUC of the unique nature of the Duesman
2 Farms, Inc. property, and the catastrophic results to the ranch should Link 5L, within
3 Alternative Routes 1, 2, 3, 4, 5, 6, 7, 8, 42, 113, 185, 206, 212, 233, 298, 303, 319, or
4 within any revised Route combination be utilized. I also will be addressing how, in my
5 opinion, Link 5L does not comply with Routing Criteria as contained in PUC Substantive
6 Rule 25.101(b)(3)(B) and PURA §37.056.

7 Q. Were your testimony and the information you sponsor prepared by you or by
8 knowledgeable persons under your supervision and upon whose expertise, judgment, and
9 opinions you rely in performing your duties?

10 A. Yes, they were.

11 Q. Is the information contained in your testimony and that you sponsor true and correct to
12 the best of your knowledge and belief?

13 A. Yes, it is.

14 III. Duesman Farms, Inc. Property

15 Q. Please explain to the Commission the unique characteristics of the Duesman Farms, Inc.,
16 Property.

17 A. The Duesman Farms property is approximately 514 acres, just East of Pilot Point, and
18 contiguous with and South of FM 455. A general Aerial Picture of the property is
19 attached hereto as Exhibit MD-1. Said picture shows the general outline of the Property
20 in red. There are some orange dots on the picture which generally represent where Link
21 5L would be located, which is about ½ way between the property's West and East
22 Boundaries, and bisects the property from North to South. The property contains an
23 approximate 128 year old historic home which was built by Pilot Point businessman
24 George E Light who originally resided in this house. George E Light also built and
25 operated the historic Farmers and Merchant Bank in Pilot Point, owned the San Antonio
26 Sun newspaper and the Light Ranch that stretched as far as Celina, Texas, 12 miles away.
27 This house and surrounding lands are catalogued with the Texas Film Commission and
28 have been used for various films and advertisements. The property also contains a family
29 lake with an island, bridge and picnic area that has been used for numerous community
30 and church events such as weddings, parties, hayrides and fireworks. See Exhibits MD-3
31 and MD-4. The City of Pilot Point has asked us to consider one day donating the
32 recreational area as a City Park and the Home as a historic building, See Exhibit MD-5.
33 The majority of the property is used for agricultural purposes.

34 Q. Please explain to the Commission how Link 5L would impact the Duesman Farms
35 Property.

1 A. Link 5L would bisect the Duesman Property, would run close to the Light Home
2 described above, and also the family lake recreational and park area. See Exhibit MD-2.
3 MD-2 shows the approximate location of Link 5L in proximity to the Homeplace in the
4 North large blue circle, and the family lake and Duesman Island in the South smaller blue
5 circle. This would destroy the natural beauty and utility of the property. Currently there
6 are no existing transmission lines on the Property. Adding this one would not only
7 severely impact the Property, but would also make the property a target for future
8 additional transmission lines pursuant to the PUC Routing Criteria which favors running
9 parallel to existing utility rights-of-way.

10 Q. Does Link 5L comply with the PUC Routing Criteria as contained in PUC Substantive
11 Rule 25.101(b)(3)(B) and PURA §37.056?

12 A. In my opinion, Link 5L does not comply with the PUC Routing Criteria because it would
13 not comport with community values, recreational and park areas, historical and aesthetic
14 values; it does not parallel or use existing compatible rights-of-way or utility rights-of-
15 way; it does not parallel existing property lines or other natural or cultural features; and it
16 does not conform with the policy of prudent avoidance, i.e., minimizing the exposure to
17 electric and magnetic fields. Duesman Farms, Inc., objects to any Route containing Link
18 5L.

19 Q. Now, Mr. Michael O'Brien with TNMP is recommending Route 11 as the route that best
20 meets the requirements of the Texas Utilities Code and the Commission's Substantive
21 Rules. Do you with such recommendation and support the use of Route 11?

22 A. Yes.

23 Q. Explain to the Commission why you agree.

24 A. Based upon the data obtained and/or prepared by Michael O'Brien, Engineering
25 Supervisor for Texas-New Mexico Power, it appears to be the cheapest route, is among
26 the shortest of the routes, and parallels existing compatible corridors and apparent
27 property boundaries for 92% of its length, and appears to best satisfy the routing criteria.

28 Q. Do you support the use of this Route 11?

29 A. Yes.

30 IV. CONCLUSION

31 Q. What is your conclusion with regard to the TNMP Application?

32 A. Again that if Alternative Routes 1, 2, 3, 4, 5, 6, 7, 8, 42, 113, 185, 206, 212, 233, 298,
33 303, 319, or any revised route that contains Link 5L is used the Duesman Farms property

1 would be severely and detrimentally impacted both now and in the future because it
2 would pass closely to the historic homeplace and the recreational park area and bisect the
3 property. The use of Link 5L would not parallel any existing rights-of-way and would
4 subject the Duesman Farms property to future transmission line uses. I suggest that
5 Route 11 be used and support the use of the same as it is the preferred and recommended
6 Route of the Applicant.

7 Q. Does this conclude your testimony?

8 A. Yes.

AFFIDAVIT

STATE OF TEXAS §
 §
COUNTY OF DENTON §

BEFORE ME, the undersigned authority, on this day personally appeared Milton Duesman, who, upon proving his identity to me and by me being duly sworn, deposes and states the following:

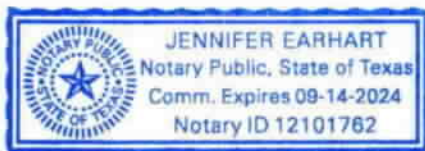
"My name is Milton Duesman. I am of legal age, a resident of the State of Texas, and have never been convicted of a felony. I certify that the foregoing testimony and exhibit(s), offered by me on behalf of Duesman Farms, Inc., are true and correct and based upon my personal knowledge and experience."

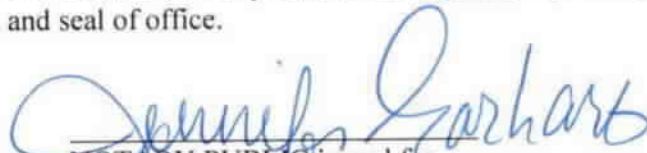


Milton Duesman

* * * *

SWORN TO AND SUBSCRIBED before me, Notary Public, on this 27th day of July, 2023, to certify which witness my hand and seal of office.



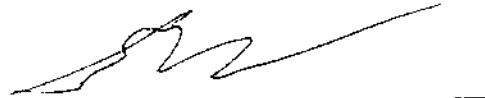

NOTARY PUBLIC in and for
The State of Texas

Printed Name: Jennifer Earhart

My Commission Expires: 9/14/24

CERTIFICATE OF SERVICE

I certify a copy of this document is being filed in the Public Utility Commission's Interchange System and thus served on all parties of record as required by orders in this docket, the Commission's rules, and the Commission's orders in Project No. 55114.

A handwritten signature in black ink, appearing to read 'Don R. White, Jr.', is written over a horizontal line.

Don R. White, Jr.

EXHIBIT MD-1
AERIAL OF PROPERTY

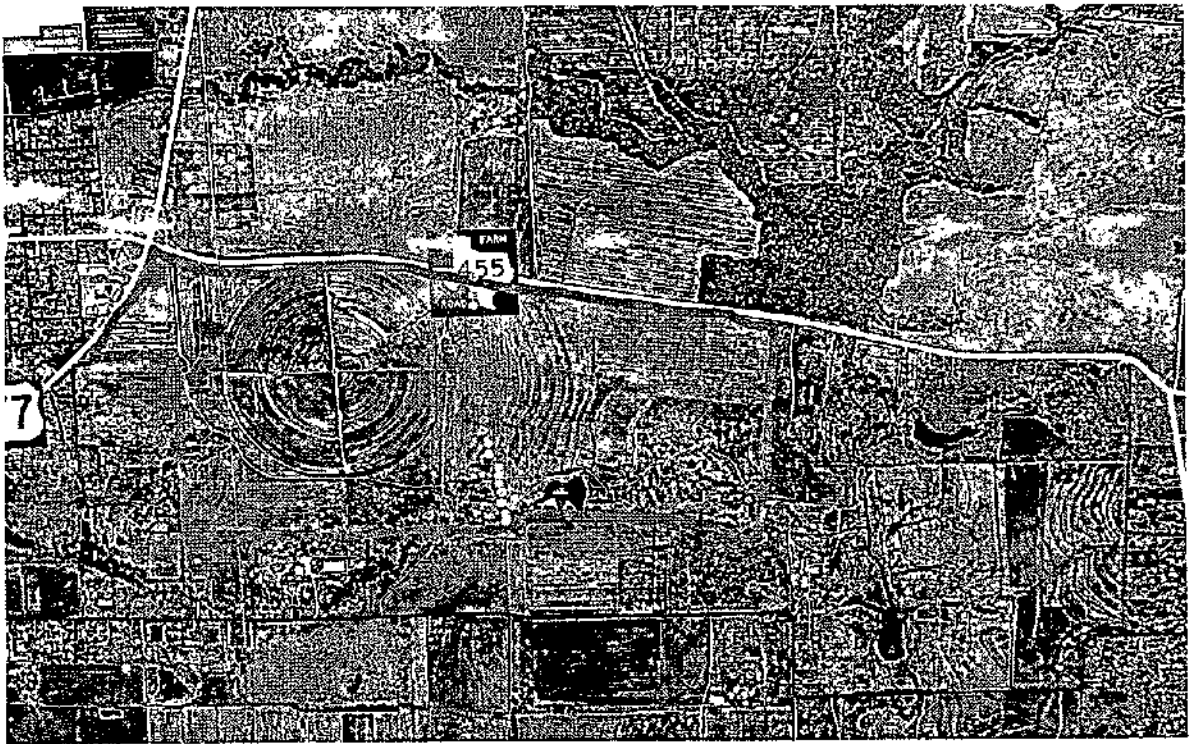


EXHIBIT MD-2

PROXIMITY OF HOMEPLACE AND LAKE TO LINK 5L



- Red dotted line is proposed TNMP pathways
- Large blue circle is 128 year old historic home used for films
- Smaller blue circle is Duesman Lake and Island

EXHIBIT MD-3
LAKE PICTURE DUESMAN ISLAND

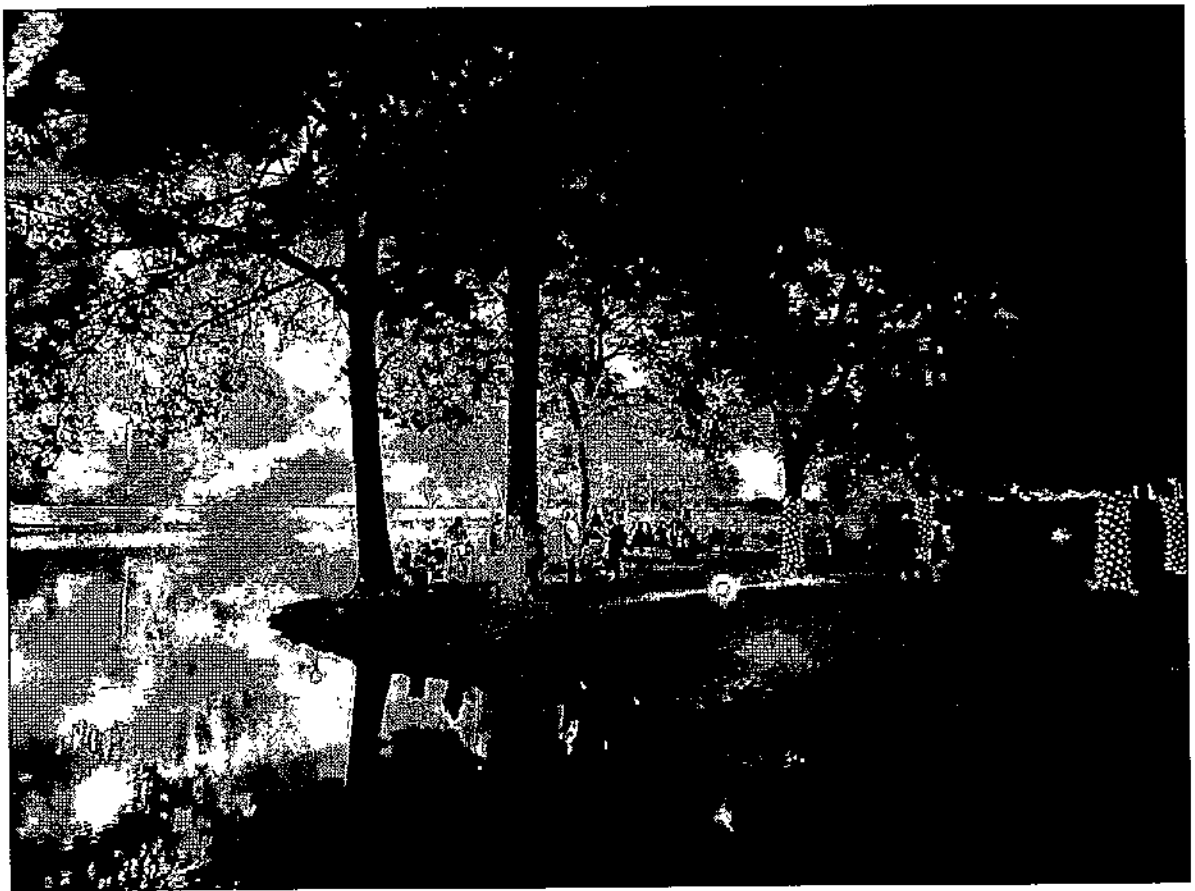


EXHIBIT MD-4

LAKE PICTURE



EXHIBIT MD-5
EMAIL FROM PILOT POINT RE: POSSIBLE
HERITAGE PARK

From: Denise Morris
To: Joyce Duesman
Subject: Letter of consideration for donation of property for future heritage park
Date: Friday, July 07, 2023 4:26:06 PM
Attachments: image001.png

Dear Joyce & Milton,

I hope this letter finds you well. I am following up to our discussion regarding a future heritage park on the grounds of your beautiful historic home. As you continue your estate and land planning process, please consider the opportunity to preserve and showcase the rich history and heritage of your family, Pilot Point and North Texas.

Texas farming has played an integral role in shaping our state's identity and has contributed significantly to our economy, culture, and community development. Unfortunately, the stories and traditions associated with this way of life are at risk of being lost as generations pass. Creating a dedicated heritage park, can not only preserve the tangible artifacts and structures but also revitalize the knowledge, skills, and spirit of Texas farming for future generations.

A future heritage park could encompass the historic home and pond, which could serve as the centerpiece of the living history museum. Visitors could have the opportunity to explore the grounds, engage with knowledgeable interpreters, and experience hands-on demonstrations of traditional farming practices. The park could also feature educational exhibits, interactive workshops, and community events, all aimed at fostering an appreciation for our agricultural roots and the importance of sustainable farming practices.

By donating your historic Texas home and pond, you would make an immeasurable contribution to the preservation of our community heritage. Your generosity could enable us to provide a unique and immersive experience for visitors, connecting them to our history and fostering a sense of pride in our farming traditions. Your gift would have a lasting impact on countless lives and future generations.

We understand the significance of the property and the sentimental value it holds for your family. If you would consider donating your property to the City, we would be more than happy to discuss various options to ensure that your wishes and concerns are fully addressed. We are committed to honoring your generosity and maintaining the property with the utmost care and respect it deserves.

Thank you for your time and consideration.

The City Manager or I would be delighted to discuss this proposal further and answer any questions you may have.

Warm regards,

Denise Morris
Executive Director

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