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SOAH DOCKET NO. 473-23-21357
PUC DOCKET NO. 55114

APPLICATION OF TEXAS-NEW	§	BEFORE THE STATE OFFICE
MEXICO POWER COMPANY TO	§	
AMEND ITS CERTIFICATE OF	§	OF
CONVENIENCE AND NECESSITY FOR	§	
THE PILOT POINT 138-KV	§	ADMINISTRATIVE HEARINGS
TRANSMISSION LINE IN COLLIN,	§	
GRAYSON, AND DENTON COUNTIES	§	

DIRECT TESTIMONY OF REX GLENDENNING

ON BEHALF OF

INTERVENOR OLD CELINA, LTD.

July 28, 2023

I. INTRODUCTION OF WITNESS AND PURPOSE OF TESTIMONY

1 **Q. Please state your name and business address.**

2 A. My name is Rex Glendenning. My business address is 12400 Preston Road, Suite 100,
3 Frisco, Texas, 75033.

4 **Q. On whose behalf are you testifying**

5 A. I am testifying on behalf of Old Celina, Ltd.

6 **Q. Please describe Old Celina, Ltd. and its business.**

7 A. Old Celina is a real estate investment company based in Frisco, Texas which specializes
8 in purchasing, holding, adding value, and selling and/or developing real property in Texas.

9 **Q. What is your title at Old Celina, Ltd.?**

10 A. I am the President and Director of Rex Management, L.L.C. which is the general partner
11 of sole Manager for Old Celina.

12 **Q. Please describe your duties as Manager for Old Celina.**

13 A. I oversee all operations and have decision-making authority for all purchase and sale
14 decisions for Old Celina's properties in Texas.

15 **Q. Please describe briefly your educational background.**

16 A. I have a Bachelor's of Business Administration Degree majoring in Real Estate from the
17 University of North Texas.

18 **Q. Please describe briefly your professional background.**

19 A. I have worked as a Texas-licensed real estate broker, advisor, and real estate investor for
20 approximately forty years. Prior to that, I was a college student and college athlete after
21 working on our family farm in Celina from a young age.

22 **Q. Please describe your interest in SOAH Docket No. 473-23-21357.**

1 A. I am providing testimony to describe the development plans in which Old Celina is in the
2 early stages of concept development for thirteen (13) tracts of land located generally in
3 southwest Celina. One of the transmission line routes proposed by Texas-New Mexico
4 Power Company ("TNMP") in this docket would cross the thirteen (13) tracts that Old
5 Celina owns and would reduce the area on which Old Celina can ultimately either develop
6 or sell for development purposes.

7 **Q. What relief does Old Celina seek in this docket?**

8 A. Old Celina requests that the Public Utility Commission of Texas ("Commission") approve
9 TNMP's proposed transmission line route, which is Route 11. It is my understanding that
10 Route 11 is composed of the following links: 1A-1B-1D-1F-1I-1K-1R-1U-1X-1Z-2O-2T-
11 5Y-2W-2Y-2Z.

II. DESCRIPTION AND INTENDED USE OF OLD CELINA'S PROPERTY

1 **Q. Please describe the properties on which Old Celina has invested.**

2 A. Old Celina owns thirteen (13) tracts of land in Collin County which are impacted by the
3 project. The property which, in the aggregate, I shall refer to as "Old Celina Property," is
4 comprised of thirteen (13) tracts of land referenced by their respective Collin County
5 Central Appraisal District Property ID Numbers and Tract Name as follows: 990315 and
6 2629709 (Cornelius 40); 990351 (Roundabout); 990360 (4M); 991779 (Cornelius 104);
7 995971 and 996024 (Anderson); 996033 (Yager – 16 acres); 1013637 and 1013646
8 (Barker); 2144634 (Higgins); 2509352 (Winn); and 2833239 (King Tract), collectively
9 totaling approximately 504.28-acres in Collin County, Texas and as depicted on Exhibits
10 "A-1" and "A-2" attached to my testimony. This property is envisioned to be developed as
11 mixed-use, residential master planned community and is located in the City of Celina,
12 Texas. The Old Celina Property lies within both a TIRZ and MMD. The property is
13 currently open ranch land that is ripe for development and unimpeded by vegetation nor
14 floodplain.

15 **Q. How long has Old Celina owned the Old Celina Property?**

16 A. Cornelius 40 was purchased from the Cornelius Family Revocable Living Trust and the
17 Don Keith Cornelius Family Revocable Living Trust by Rex Glendenning in 2007, then
18 from Rex Glendenning to Old Celina, Ltd. in 2008; Roundabout was purchased from
19 Douglas J. Barker dba Barker Bros. Land & Cattle Company by Rex Glendenning &
20 Sherese Glendenning in 1999, then from Rex Glendenning & Sherese Glendenning to Old
21 Celina, Ltd. In 2002; 4M was purchased from 4M Development, Inc. by Rex Glendenning
22 in 2000, then from Rex Glendenning to Old Celina, Ltd. in 2002; Cornelius 104 was

1 purchased from The Cornelius Family Revocable Living Trust by Old Celina, Ltd. in 2008;
2 Anderson was purchased from Catherine A. Anderson and Carol L. Gandara Rosas by Rex
3 Glendenning and Sherese Glendenning in 1997, then from Rex Glendenning and Sherese
4 Glendenning to Old Celina, Ltd. in 2002; Yager -- 16 acres was purchased from Thomas S.
5 Yager, Margaret Yager, Edgar Ben Yager, Jeanne Yager, Peggy Yager Marion, Malcolm
6 C. Marion, H.M. Yager, Delane Yager, Billy J. Yager and Dorothy Yager by Rex
7 Glendenning and Sherese Glendenning in 1998, then Old Celina, Ltd. purchased Yager --
8 16 acres from Rex Glendenning and Sherese Glendenning in 2002; Higgins was purchased
9 from J. Marc Hesse, Trustee by Rex Glendenning and Sherese Glendenning in 1994, then
10 Old Celina, Ltd. purchased Higgins from Rex Glendenning and Sherese Glendenning in
11 2002; Winn was purchased from FDIC to Don Glendenning and Nancy Glendenning in
12 1991, then Don Glendenning and Nancy Glendenning to Rex Glendenning and Sherese
13 Glendenning in 1991, then Old Celina, Ltd. purchased Winn from Rex Glendenning and
14 Sherese Glendenning in 2002; and the King Tract was purchased from Celina Tollway 80
15 Partners, Ltd. in 2021.

16 **Q. Why did Old Celina buy the Old Celina Property?**

17 A. Old Celina acquired the Old Celina Property to develop a master planned community
18 including single family, multi-family and mixed-use destinations.

19 **Q. What does Old Celina intend to do with the property?**

20 A. Old Celina intends to develop a master planned residential and mixed-use development on
21 the Old Celina Property and the Old Celina Property lies within a TIRZ and MMD.

22 **Q. Will the development on the Old Celina Property add to the tax base of Collin County**
23 **and the City of Celina?**

- 1 A. Yes. Taxes from the development will support Collin County, the City of Celina and the
- 2 local school district.

III. EFFECT OF TNMP TRANSMISSION LINE ON THE OLD CELINA

PROPERTY

1 **Q.** Are you aware that TNMP has proposed segments of a 138-kilovolt (“kV”)
2 transmission line in the vicinity of the Old Celina Property?

3 **A.** Yes. Old Celina learned of TNMP’s plan to potentially construct a transmission line in the
4 vicinity upon notice from TNMP of same.

5 **Q.** Does the proposed TNMP transmission line have the potential to affect the Old Celina
6 Property?

7 **A.** Yes. It is my understanding that Link 3H, if constructed, will be located on each of the
8 Cornelius 40, Roundabout, Higgins, and Winn tracts and Link 3I, if constructed, will be
9 located on the Cornelius 104 tract. Links 3H would be constructed immediately across
10 from the 4M, Anderson, Yager – 16 acres, Barker and King Tract parcels.

11 **Q.** If the Commission were to select the route that crosses the Old Celina Property, how
12 would it affect Old Celina’s plans to develop the property?

13 **A.** Our Plans are to develop this property into a master planned mixed-use and single family
14 subdivision. It is my understanding that TNMP will require an 80-foot right-of-way for
15 the transmission line, and the right-of-way would run along the frontage of the property
16 and affect the commercial parcels and access into the master planned community if the
17 Commission were to select Links 3H and 3I. Because Old Celina cannot build within the
18 transmission line right-of-way, siting the transmission line on the Old Celina Property, this
19 would require Old Celina to develop around this area and minimize points of entry. That
20 would significantly adversely impact Old Celina, or a future purchaser/developer’s ability
21 to develop the Old Celina Properties. Additionally, the negative aesthetics in the context

1 of a premier subdivision would be detrimental and the community concern of living near a
2 138 kilovolt powerline would impact single-family home sales.

3 **Q. Would placing the transmission line have any other detrimental effects on the Old**
4 **Celina Property and Old Celina?**

5 A. Yes. If the transmission line were to be located on the Old Celina Properties, it would
6 make the development a less attractive place for prospective residents and businesses,
7 many of whom do not desire to reside or conduct business immediately adjacent to a
8 transmission line. In my experience with Texas real estate, it would make it harder to
9 place all types of uses on the Old Celina Properties.

10 **Q. If having a transmission line on the Old Celina Property reduces the value and**
11 **attractiveness of that property, doesn't that same argument apply to all other**
12 **potentially affected landowners?**

13 A. Yes. Anyone impacted by the transmission line would see an adverse impact.
14 Accordingly, there are a great number of protestors and intervenors in this matter as other
15 owners share my concerns. This results in difficult decisions for the Commission.
16 Accordingly, I recommend the Commission make its route selection decision based on the
17 engineering work that's been done in support of Route 11. As property owners will be
18 disappointed irrespective of which route is chosen, I recommend the most economical route
19 should, therefore, be chosen. I will discuss those routes in the next section of my testimony.

IV. ALTERNATIVE ROUTES FOR THE TNMP TRANSMISSION LINE

1 **Q.** Have you familiarized yourself with the proposed alternative routes that TNMP has
2 developed?

3 **A.** Yes, at a high level. I have studied the maps showing the various alternative routes that
4 TNMP has proposed. It appears that the Commission is presented with a seemingly endless
5 array of potential routing decisions.

6 **Q.** Has TNMP selected a preferred route?

7 **A.** Yes. It is my understanding that TNMP's preferred route is Route 11, which consists of
8 the following links: 1A-1B-1D-1F-1I-1K-1R-1U-1X-1Z-2O-2T-5Y-2W-2Y-2Z.

9 **Q.** Does Old Celina agree with TNMP's selection of Route 11 as the preferred route?

10 **A.** Yes. As noted in TNMP's application, Route 11 is the shortest and the least expensive
11 route. TNMP's Office Memorandum dated June 9, 2023 from Michael O'Brien indicates
12 that Route 11 is 15.26 miles long and can be constructed for a cost of \$68,688,842.

13 **Q.** Have you compared the estimated cost of the Route 11 to the cost of routes that would
14 cross the Old Celina Property?

15 **A.** Yes. Based on my review of TNMP's application, it appears that any route containing
16 Links 3H or 3I are significantly more expensive than Route 11.

17 **Q.** If the Commission decides not to select Route 11 for some reason, are there other
18 viable route candidates that do not include Links 3H or 3I?

19 **A.** Yes. Numerous other routes running through the study area are shorter and less expensive
20 routes than those including Link 3H or 3I.

1 **Q.** If the Commission decides to consider not just costs but also the effects of the
2 proposed transmission line on habitable structures near the line, should that weaken
3 your opposition to Links 3H and 3I?

4 **A.** No. The TNMP tally of habitable structures is as of a point in time, and it does not include
5 all of the planned and current development construction. This is exacerbated by the rate
6 of land development in the region. Thus, TNMP's count of habitable structures near the
7 easement centerline will soon be outdated, if it is not already outdated.

8 **Q.** Are you aware of any other reasons the Commission should select Route 11?

9 **A.** Yes. Again referring the June 9, 2023 Office Memorandum:

- 10 • Of the 109 routes proposed alternative transmission line routes review by HDR,
11 TNMP's engineering firm, Route 11 is the shortest and most direct;
- 12 • Of the 109 routes proposed alternative transmission line routes review by HDR,
13 TNMP's engineering firm, Route 11 is the least expensive at an estimated cost of
14 \$68,688,842 which is \$52,064,015 less expensive than the most expensive route;
- 15 • Route 11 does not cross any parks/recreational areas and does not have any
16 additional parks/recreational areas within 1,000 feet of ROW centerline; and
- 17 • Route 11 has no FAA-registered airport with runway greater than 3,200 feet within
18 10,000 feet of the centerline along its entire length; and

19 As I described earlier, personal preferences are not an effective basis on which the
20 Commission should base its decision in my view. Sound public policy supports the
21 selection of the Proposed Alternative Transmission Line Route 11, as it best balances the
22 compelling public interest of enhanced supply and reliability of electricity while doing so
23 in a way best designed to contain cost and other social implications.

V. CONCLUSION

1 Q. Please summarize your recommendation in this case.

2 A. I recommend that the Commission approve Proposed Alternative Transmission Line
3 Route 11. This route is the most direct and least expensive, which will ultimately save
4 money for TNMP and its ratepayers while enhancing supply for the rapidly growing
5 region.

6 Q. Is the information contained in your testimony true and correct to the best of your
7 knowledge and belief?

8 A. Yes, it is.

9 Q. Does this conclude your direct testimony?

10 A. Yes.

AFFIDAVIT

STATE OF TEXAS

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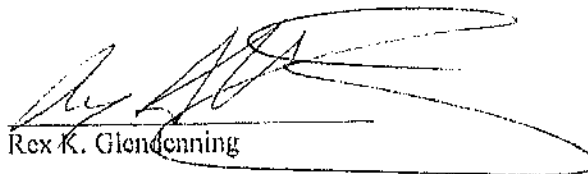
COUNTY OF COLLIN

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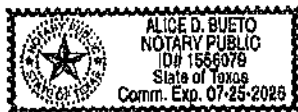
BEFORE ME, the undersigned authority, on this day personally appeared Rex K. Glendenning, who, upon proving his identity to me and by me being duly sworn, deposes and states the following:

"My name is Rex K. Glendenning, 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 as President and Director of Rex Management, L.L.C. as the general partner of Old Colina, Ltd., on behalf of said entities, are true and correct based upon my personal knowledge and experience."


Rex K. Glendenning

* * * *

SWORN TO AND SUBSCRIBED before me, Notary Public, on this 28th day of July, 2023 to certify which witness my hand and seal of office.



Alice D. Bueto
NOTARY PUBLIC

Printed Name: Alice D. Bueto

My commission expires: 7-25-2026

