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JOINT APPLICATION OF THE CITY OF §
SAN ANTONIO, ACTING BY AND §
THROUGH THE CITY PUBLIC § BEFORE THE
SERVICE BOARD (CPS ENERGY), AND §
SOUTH TEX. ELEC. COOP., INC. (STEC) § STATE OFFICE
TO AMEND THEIR CERTIFICATES OF § OF ADMINISTRATIVE HEARINGS
CONVENIENCE AND NECESSITY FOR §
THE PROPOSED HOWARD ROAD-TO- §
SAN MIGUEL 345-KV TRANS. LINE IN §
BEXAR AND ATASCOSA COUNTIES §

DIRECT TESTIMONY OF CLAY TEIXEIRA
ON BEHALF OF
CLAY TEIXEIRA AND TEIXEIRA HOLDINGS LLC

TABLE OF CONTENTS

	Page
I. INTRODUCTION	2
II. PURPOSE OF TESTIMONY	3
III. DESCRIPTION OF TEIXEIRA	3
IV. IMPACT OF A TRANSMSSION LINE ON TEIXEIRA	11
V. CONCLUSION	15

1 **I. INTRODUCTION**

2 **Q. PLEASE STATE YOUR NAME.**

3 A. Clay Teixeira.

4 **Q. WHAT IS YOUR OCCUPATION?**

5 A. I am a commercial fruit and vegetable crop farmer. I am part of a generational family
6 farming tradition going back decades.

7 **Q. WHAT IS YOUR BACKGROUND AND EXPERIENCE?**

8 A. I have a degree in Agriculture Systems Management from California Polytechnic State
9 University. The degree includes courses in bioresource and agricultural engineering,
10 agricultural systems analysis, irrigation water management, Computer Aided Design for
11 agricultural engineering, and systems management. I have been directly engaged in the
12 family's agricultural activities my entire life.

13 **Q. ON WHOSE BEHALF ARE YOU TESTIFYING?**

14 A. Myself and Teixeira Holdings LLC. For convenience I refer to both as Teixeira.

15 **Q. WHAT IS TEIXEIRA'S INTEREST IN THIS PUC PROCEEDING?**

16 A. Teixeira owns and operates a large farm north of Poteet, Texas. A major portion of its
17 existing property is its recent expansion property with approximately 922 acres, and my
18 personal residence is on another nearby 37 acres. Both will be affected to varying
19 degrees by certain of the transmission line segments proposed in this proceeding.

20 **Q. ARE YOU PERSONALLY FAMILIAR WITH THE TEIXEIRA PROPERTY AND
21 WITH THE PROJECT STUDY AREA?**

22 A. Yes.

23 **Q. IS YOUR TESTIMONY BASED ON PERSONAL KNOWLEDGE AND
24 EXPERIENCE?**

25 A. Yes. It is based on personal knowledge and experience from managing the Teixeira
26 operations over many years, from living on part of the property, and from having
27 interactions with others in the South Texas area. It includes information that I rely on in
28 the conduct of the Teixeira operations.

29 **Q. DO YOU PROVIDE ANY PHOTOGRAPHS OR OTHER GRAPHIC
30 INFORMATION AS PART OF THIS TESTIMONY?**

1 A. Yes. Other than that from the Application, there are two graphics I created using a
2 publicly available Google Earth aerial map combined with my knowledge of our property
3 and operations, and it is accurate based on my personal knowledge.

4 **Q. IS THE INFORMATION IN YOUR TESTIMONY TRUE AND CORRECT TO**
5 **THE BEST OF YOUR PERSONAL KNOWLEDGE AND BELIEF?**

6 A. Yes.

7 **II. PURPOSE OF TESTIMONY**

8 **Q. WHAT IS THE PURPOSE OF THIS TESTIMONY?**

9 A. This testimony describes Teixeira, the proposed transmission line segments affecting
10 Teixeira, and the impacts on Teixeira from a transmission line routed on those segments.

11 Teixeira understands the need for the proposed transmission line. We appreciate
12 the efforts of Applicants and the Public Utility Commission to install additional power
13 infrastructure. So I only address the proposed line's routing.

14 **Q. WHAT, IN SUMMARY, IS YOUR TESTIMONY?**

15 A. Proposed segments 41, 44, 47, and 50 would have various impacts on Teixeira, including
16 on our agricultural operations and my personal residence (both existing and the new one
17 we are creating). The major impacts and concerns are because segment 47 crosses
18 directly through our farm expansion property and several of its operational pivot
19 irrigation systems, and because segment 44 is near our existing residence and even closer
20 to the new larger residence my pregnant wife and I are creating.

21 We oppose a route using segments 44, 47, or 50. We are not opposed to a route
22 that includes line segment 41, a component of Route U, which the Applicants have
23 indicated best meets the relevant transmission line routing requirements and criteria, and
24 also a part of several other possible routes that do not include line segments 44, 47, or 50.

25 **III. DESCRIPTION OF TEIXEIRA**

26 **Q. PLEASE DESCRIBE THE OWNERSHIP OF THE TEIXEIRA PROPERTY**
27 **DIRECTLY AFFECTED BY THE PROPOSED LINE SEGMENTS.**

28 A. The Teixeira property involved in this case is owned by me or by Teixeira Holdings LLC,
29 as identified in Application Attachment No. 7. For Teixeira Holdings LLC, those are
30 Tract A0722 / Property ID 15504 (on line segment 41) and Tract A1247 / Property ID

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From Attachment 5, Component Map 7, Showing Tract A0722



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From Attachment 5, Component Maps 10 and 11, Showing Tract A1247



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As I noted above, Tract A1398, for my existing personal residence, is located within Tract A1315, which I also own. Tract A1398 appears as the smaller rectangle within the larger tract on the map extract below. There is a barn to the northeast of that smaller rectangle, which is the gray rectangle with a black sun shadow on its north side in the map extract below. The barn is more than just a barn, it is my workshop, gym, and

1 sauna, with a dozen skylights in the roof, and it is also being converted into a new and
2 larger personal residence for me and our growing family.

3 *From Attachment 5, Component Map 10, Showing Tracts A1315 and A1398*

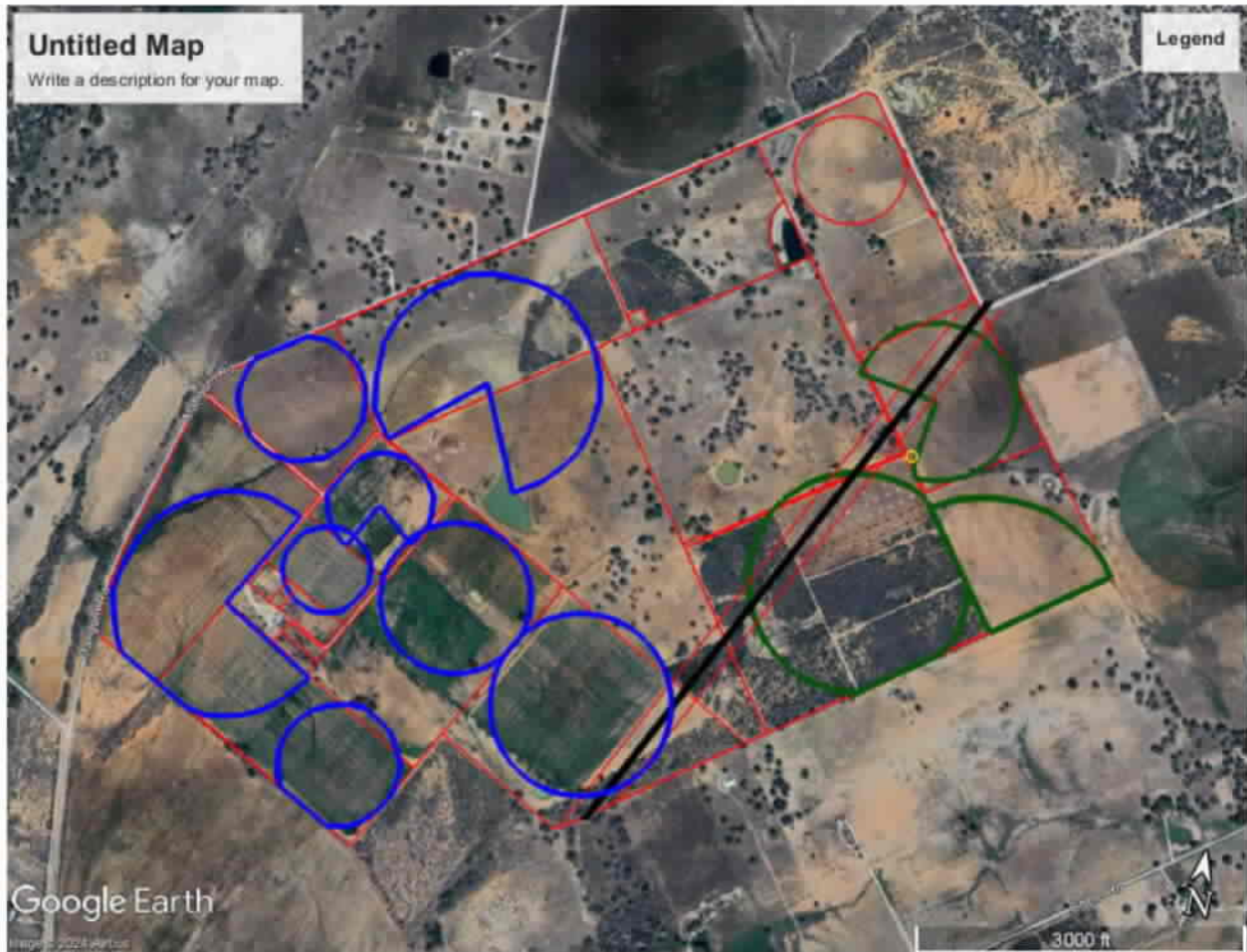


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6 **Q. IS THERE OTHER GRAPHIC INFORMATION WHICH SHOWS THE**
7 **PROPERTY WITH RELEVANCE TO THE PROPOSED SEGMENTS THAT**
8 **WOULD AFFECT IT?**

9 A. Yes. I have additional graphics that provide further information about the property.

10 **Q. PLEASE DESCRIBE THE FIRST OF YOUR ADDITIONAL GRAPHICS.**

11 A. The aerial photograph below, using Google Earth imagery, shows the location the crop
12 farming pivot irrigation for Tract A1247, the crop farming expansion property:
13



The black line that crosses directly through three of the pivot irrigation areas (one blue and two green) is line segment 47. The red lines are fence lines except for the red lines I put in on either side of segment 47 showing roughly the easement for it. The blue circles or partial circles represent pivot irrigation areas served with water from the existing water wells on the property. The green circles or partial circles represent newer pivot irrigation areas served with water from the brand new 1,200 gallons-per-minute water well that we added to the property as part of the pivot irrigation development. The new well is located roughly 300 feet from the line segment, and is the small yellow circle.

The blue pivot circle crossed by segment 47, and blue pivot circle abutting it, and the partial blue pivot circle abutting Mangum Road on the west side have been in operation for about 2 years or so, including throughout all of 2023. The other 5 blue pivot circles and partial circles have been operating since March of this year. The three

1 green pivot and partial pivot circles on the east side of the property began operating in
2 July 2024.

3 **Q. IS TEIXEIRA TRACT A1247 INCLUDED IN THE APPLICATION AS PART OF**
4 **THE “LENGTH OF ROW ACROSS LAND IRRIGATED BY TRAVELING**
5 **SYSTEMS (ROLLING OR PIVOT TYPE)”?**

6 A. No. The Application, including the Attachment 1, Table 4-1 on route data and Table 4-2
7 on segment data, incorrectly state the length of proposed routes and segments across
8 cropland with irrigation systems. This is because it does not include the pivot irrigation
9 on Teixeira’s Tract A1247. In particular, Table 4-2’s Evaluation Criteria # 13 for line
10 segment 47 shows -0- miles for “Length of ROW across land irrigated by traveling
11 systems (rolling or pivot type).” It would instead for line segment 47 be about 1.5 miles
12 on Tract A1247.

13 To be fair to Applicants and their consultant, we were not involved in the open
14 houses which they held, which would have been an opportunity to inform them of our
15 existing pivot irrigation activities and the impending operational status of the newer pivot
16 irrigation systems. But we are now providing that information so that it can be taken into
17 proper consideration.

18 **Q. SHOULD THE LENGTH OF LINE SEGMENT 47 ACROSS TEIXEIRA’S**
19 **TRACT A1247 NOW BE ADDED TO THE “LENGTH OF ROW ACROSS LAND**
20 **IRRIGATED BY TRAVELING SYSTEMS (ROLLING OR PIVOT TYPE)”?**

21 A. Yes.

22 **Q. PLEASE DESCRIBE THE SECOND OF YOUR ADDITIONAL GRAPHICS.**

23 A. The second graphic that I provide is also from Google Earth, to show my existing
24 residence (the white-roofed structure on the left) and the barn/workshop/gym/sauna (the
25 gray-roofed structure on the right, with a dozen skylights) that is being converted into our
26 new residence so as to accommodate having a family with children, since my wife is
27 pregnant and we anticipate having more children. This has been nicknamed a
28 “barndominium” for our family. I provide this graphic because the Application maps
29 have limited resolution, and I wanted to provide something with a bit more visual clarity:
30



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3 **Q. THE COMMISSION RULES DEEFINE “HABITABLE STRUCTURES” AS**
4 **“STRUCTURES NORMALLY INHABITED BY HUMANS OR INTENDED TO**
5 **BE INHABITED BY HUMANS ON A DAILY OR REGULAR BASIS.” IS THE**
6 **BARN/WORKSHOP/GYM/SAUNA INHABITED BY HUMANS ON A DAILY OR**
7 **REGULAR BASIS?**

8 A. Yes.

9 **Q. HOW FAR IS THE BARN/WORKSHOP/GYM/SAUNA FROM LINE SEGMENT**
10 **44?**

11 A. Approximately 495 feet.

12 **Q. IS THE BARN/WORKSHOP/GYM/SAUNA INCLUDED IN THE APPLICATION**
13 **AS ONE OF THE NUMBER OF HABITABLE STRUCTURES WITHIN 500**
14 **FEET OF THE CENTERLINE OF THE RIGHT-OF-WAY FOR SEGMENT 44?**

15 A. No.

16 **Q. SHOULD THE BARN/WORKSHOP/GYM/SAUNA NOW BE ADDED TO THE**
17 **NUMBER OF HABITABLE STRUCTURES WITHIN 500 FEET OF THE**
18 **CENTERLINE OF THE RIGHT-OF-WAY FOR SEGMENT 44?**

19 A. Yes.

20 **Q. PLEASE DESCRIBE MORE ABOUT THE TEIXEIRA AGRICULTURAL**
21 **OPERATIONS.**

1 A. Teixeira has a large property east of line segment 44, including one of its ownership
2 tracts that the Application identified as being affected by line segment 41. It has for
3 some time been producing strawberries and blackberries, and our largest customer is the
4 San Antonio-based grocery store chain H-E-B. We are currently the largest strawberry
5 grower in Texas, and in trial stages with peppers.

6 As I indicated, Teixeira has expanded its property for crop farming with the
7 acquisition of the property that is crossed by line segment 47. It has been used for cattle
8 ranching, and we are continuing those operations while we are installing and operating
9 the pivot irrigation for crop farming. We are using the pivot irrigation system on that
10 property for producing cattle feed vegetation and will be transitioning over time to
11 producing strawberries, blackberries, and peppers from the expansion property.
12 Strawberries and peppers are both high value commodities, with higher yields per acre
13 than many other crops. This expansion land area is also a “winter garden” that has the
14 potential to provide local Texas produce year-round to the residents of this State.

15 **IV. IMPACT OF A TRANSMSSION LINE ON TEIXEIRA**

16 **Q. PLEASE EXPLAIN THE IMPACTS AND YOUR CONCERNS REGARDING A**
17 **TRANSMISSION LINE USING THE SEGMENTS AFFECTING TEIXEIRA.**

18 A. The proposed line segments affecting Teixeira vary in their respective impacts, and thus
19 vary with regard to our concerns. I will describe the impacts and concerns for each line
20 segment separately. I will describe them in the ascending numerical order the Applicants
21 gave to the line segments, recognizing that some have greater impacts and concerns, like
22 segment 44 on my residential property and segment 47 on our pivot irrigation crop
23 farming operations.

24 **Q. PLEASE EXPLAIN THE IMPACTS AND YOUR CONCERNS FOR TEIXEIRA**
25 **REGARDING A TRANSMISSION LINE USING SEGMENT 41.**

26 A. Proposed line segment 41 runs just inside the northern border of a portion of the original
27 Teixeira farm property, as the graphic above shows. Therefore, its impact is limited to
28 the presence of a transmission right-of-way with transmission facilities on the edge of
29 that part of property.

1 This segment 41 is a component of Route U, which Applicants have indicated
2 best meets the relevant transmission line routing requirements and criteria, and is also
3 part of eight other possible routes (i.e., Routes M, N, V, W, X, Y, Z, and AA).

4 Those routes using line segment 41 do not include line segments 44 or 47 (the
5 segments of most concern to us). Given line segment 41's limited impact relative to the
6 other line segments affecting Teixeira, we are not opposed to approval of a route that
7 includes line segment 41.

8 **Q. PLEASE EXPLAIN THE IMPACTS AND YOUR CONCERNS FOR TEIXEIRA**
9 **REGARDING A TRANSMISSION LINE USING SEGMENT 44.**

10 A. Proposed line segment 44 runs in close proximity behind my house and property. My
11 pregnant wife and I live in the small home near that proposed transmission line segment.
12 We have also invested our money into the "barndominium" described above, which is
13 currently also a workshop, gym, and sauna that gets used daily, and where we intend to
14 build the new residence for our family. This "barndominium" building is located even
15 closer to proposed line segment 44.

16 I understand that we get notice of the Application based on having either property
17 within the possible transmission line's 150-foot wide right-of-way or a habitable structure
18 within 500 feet of the centerline of the possible transmission line. But nothing in the
19 Application indicates that the 500 foot distance for notice purposes is the distance for
20 health concern purposes. It appears that our existing residence is only another 50 or 100
21 feet beyond the 500 foot notice distance, but our "barndominium" residence is within that
22 500 foot distance.

23 I also understand that the evidence supporting childhood leukemia rates near
24 transmission lines is considered "weak" by the Commission, and that it has only adopted
25 a "prudent avoidance" policy that generally, when feasible, minimizes the number of
26 habitable structures that are near the proposed line. But no one can deny that the
27 evidence supporting childhood leukemia rates exists, and therefore causes concern for
28 those facing the potential for living near to transmission lines. As a result, I share the
29 same concerns as other landowners in this case regarding those potential health issues.

30 Nor can anyone say that transmission lines do not cause any health related effects.
31 The uncertainty that exists has to do with how much of an effect distance plays.

1 When I bought this property, I paid a lot of money to take down the overhead
2 distribution power lines that feed my house with electricity and I put it all underground. I
3 have actively done my best to avoid living near power lines and to insulate myself and
4 my wife as best as I can. A transmission line using segment 44 would run even closer to
5 our “barndominium” than it would to our existing small residence. It would thus
6 effectively ruin my entire residential property for my family based upon my health
7 concerns.

8 **Q. PLEASE EXPLAIN THE IMPACTS AND YOUR CONCERNS FOR TEIXEIRA**
9 **REGARDING A TRANSMISSION LINE USING SEGMENT 47.**

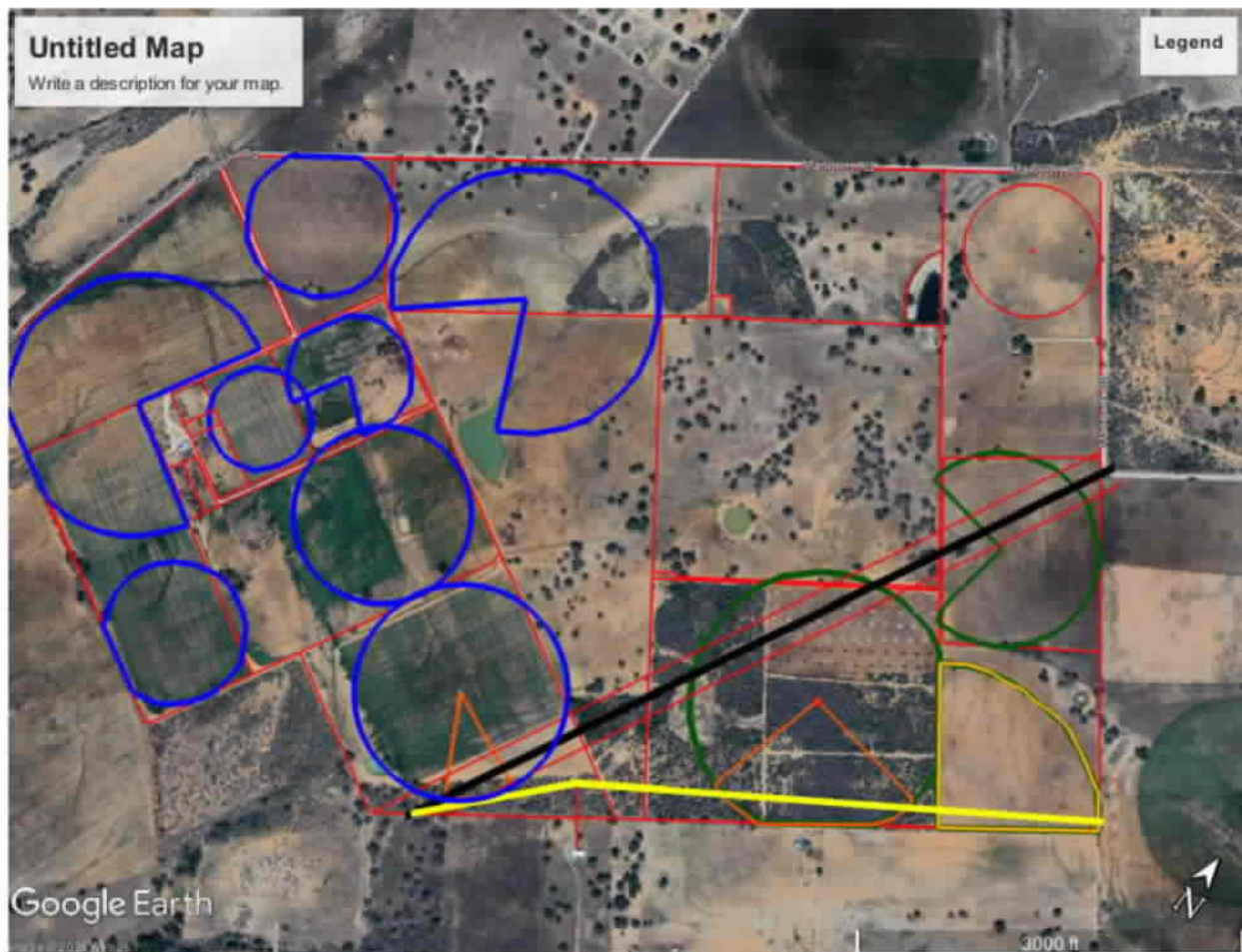
10 A. Proposed line segment 47 cuts across the 922-acre Tract A1247, the crop farming
11 expansion land, in an angle, long ways. It covers about a mile-and-a-half of that property
12 and would result in a total easement of more than 25 acres (based on a typical 150-foot
13 width of the easement per the Application).

14 But that is not the only adverse impact on the property. Line segment 47 would
15 prevent the irrigation of about 50 of the acres in our current pasture irrigation and our
16 future fruit and pepper irrigation. That is because the transmission line would prevent the
17 current full use of the pivot irrigation machines to reach the land within the easement and
18 on the other side of the line. In other words, the blue circle crossed by segment 47 would
19 become a partial circle, the green circle crossed by segment 47 would become a partial
20 circle, and the green partial circle crossed by segment 47 would become a smaller partial
21 circle. That means there would be less production from the land.

22 But not only would part of the acreage under irrigation shrink, it would upend the
23 economics of the new well and new pivot irrigation machines supplied with water from
24 the new well. This is because the approximately \$500,000 investment for the new well
25 and new pivot machines required at least 125 acres under irrigation to make the
26 investment economic. With the loss of about 35 acres of irrigated acreage on the two
27 new green circle pivot irrigation machines that segment 47 crosses, it renders useless this
28 investment in the new well and the three new green circles pivot machines. In other
29 words, for only 90 acres of irrigation and no possibility of adding to the area irrigated by
30 the new green circle pivot irrigation machines, there would have been no economic
31 justification for such a well or the entire \$500,000 infrastructure that was put into place.

1 I have given thought to whether it would help the pivot irrigation situation if
2 segment 47 were to not cross through Tract A1247 but instead to hug its southeastern
3 boundary until the line segment hit line segment 50. However, we still lose an equal
4 amount of irrigation acreage.

5 There is a habitable structure on the other side of our southeastern boundary,
6 which from Application Attachment 5 is on a property with no tract number, and thus
7 appears to not have been one those who got notice about this case. With the full
8 easement on our property, and having transmission line be 500 feet from that habitable
9 structure, the location of it that would hug as best it could the southeastern boundary is
10 shown in the graphic below:
11



12 The yellow line is the location of the alternative line segment. The blue and green
13 pivot circles that segment 47 crosses have red lines added to show the pie-slice areas that
14
15

1 could not be irrigated with the alternative segment. What had been the green partial pivot
2 circle crossed by segment 47 in the corner of the property has now been outlined in
3 orange, because the entire partial pivot would be lost. This is due to the center point of
4 the pivot machine being under the alternative transmission line, and so the entire pivot
5 would have to be taken out.

6 While the green partial circle where segment 47 exits the farm would have no
7 impact from the alternative segment, the loss of irrigation acreage from the alternative
8 segment would still be about 50 of the acres, with the same loss of production and
9 upending of the investment economics for the new well and the pivot machines the new
10 well supplies.

11 **Q. PLEASE EXPLAIN THE IMPACTS AND YOUR CONCERNS FOR TEIXEIRA**
12 **REGARDING A TRANSMISSION LINE USING SEGMENT 50.**

13 A. Proposed line segment 50 would, from the Application graphic provided above, appear to
14 hug the northeastern border of our Tract A1247, with the transmission right-of-way being
15 within Tract A1247 for some portion of its length but with the transmission facilities
16 apparently located just on the other side of the property boundary. This line segment 50
17 thus has limited impacts on its own but, as an enabler of the use of line segment 44 near
18 my existing and future personal residences, it creates the same resulting impacts and
19 concerns that I've described for segment 44.

20 **V. CONCLUSION**

21 **Q. WHAT IS TEIXEIRA'S REQUEST TO THE COMMISSION REGARDING THE**
22 **ROUTING OF THE TRANSMISSION LINE IN THIS CASE?**

23 A. Teixeira asks that the Commission not approve the use of any transmission routes
24 containing proposed line segments 44, 47, and 50, because of the adverse impacts to our
25 pivot farming from a transmission line running through three of our pivot irrigation areas
26 and from a transmission line running near my current and future residences. Teixeira
27 does not oppose Commission approval of routes that include proposed line segment 41,
28 even though segment 41 would be on the edge of a different portion of its property.

29 **Q. DOES THIS CONCLUDE YOUR DIRECT TESTIMONY?**

30 A. Yes.