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SOAH DOCKET NO. 473-25-02531
PUC DOCKET NO. 57115

**JOINT APPLICATION OF THE CITY
OF SAN ANTONIO, ACTING BY AND
THROUGH THE CITY PUBLIC
SERVICE BOARD (CPS ENERGY),
AND SOUTH TEXAS ELECTRIC
COOPERATIVE, INC. (STEC) TO
AMEND THEIR CERTIFICATES OF
CONVENIENCE AND NECESSITY
FOR THE PROPOSED HOWARD
ROAD-TO-SAN MIGUEL 345-KV
TRANSMISSION LINE IN BEXAR AND
ATASCOSA COUNTIES**

DIRECT TESTIMONY OF ANDREW MOODY, INDIVIDUALLY, AND ON BEHALF
OF JOE M. MOODY, JR., JOE M. MOODY, III, AND LEAH GOOD

Andrew Moody, individually, and on behalf of Joe M. Moody, Jr., Joe M. Moody, III, and Leah Good (“Intervenor”), files the attached Direct Testimony. Intervenor agrees and 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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1 **I. INTRODUCTION**

2 **Q. Please state your name and address.**

3 A. My name is Andrew Moody. My address is 12060 N State Highway 16, Poteet, Texas
4 78065.

5 **Q. On whose behalf are you testifying?**

6 A. I am testifying on my own behalf, and on behalf of my family members who have also
7 intervened in this proceeding, Joe M. Moody, Jr., Joe M. Moody, III, and Leah Good
8 (collectively, the “Moody Family”).

9 **Q. Can you describe your interest in SOAH Docket No. 473-25-02531 and PUC Docket**
10 **No. 57115.**

11 A. My family and I intervened in this proceeding as potentially affected landowners. The
12 Moody Family owns properties in Atascosa County, which will be impacted by the
13 transmission line proposed to be built by the City of San Antonio, acting by and through
14 the City Public Service Board (“CPS Energy”) and South Texas Electric Cooperative, Inc.
15 (“STEC”) in this docket.

16 **Q. Have you ever participated or testified in another proceeding before the Public Utility**
17 **Commission of Texas (“PUC”)?**

18 A. No.

19 **Q. Please describe your background, profession and/or experience.**

20 A. I received a Bachelor’s degree in Theology in 2001, and a Master’s degree in Divinity in
21 2005. I am a pastor and also run a small website business.

22 **Q. Briefly describe your ownership history in the affected property.**

23 A. The Moody Family purchased an approximate 53-acre tract of land in April 2021 to create
24 a multi-generational home for Joe Jr. and Susan Moody and their children, grandchildren,
25 and great grandchildren. In December 2022, a portion of the property was divided into
26 four tracts, each consisting of approximately 2-3 acres, which became the homesteads for
27 the children of Joe Jr. and Susan Moody and their families. The children include myself,
28 Joe M. Moody, III, and Leah Good. Joe Jr. and Susan own the remaining approximate
29 42.98 acres of the original tract.
30

II. PURPOSE OF TESTIMONY

Q. What is the purpose of your testimony?

A. The purpose of my testimony is to: (i) describe the Moody Family properties; (ii) describe the expected impact of the proposed transmission line on the Moody Family's properties; (iii) voice my opposition against certain links and routes; and (iv) provide information on the route that we prefer.

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

A. Yes, it is.

III. DESCRIPTION OF THE PROPERTY AND IMPACT OF THE TRANSMISSION LINE ON THE PROPERTY

Q. Please describe your property.

A. The Moody Family owns approximately 53 acres of contiguous land off of State Highway 16 in Atascosa County, which will be directly impacted by the proposed transmission line, if any route utilizing Link 49 is approved by the PUC. The properties have been identified by CPS Energy and STEC as Tracts A1096 (owned by Joe M. Jr. and Susan Moody, Trustees), A1126 (owned by Joe M. Moody, III), A1127 and A1128 (owned by Andrew T. Moody), and A1290 (owned by Leah M. and Kevin Good), and are depicted on Exhibit "A" attached to my testimony. The properties are collectively referred to herein as the "Moody Family Property."

Q. Are there any habitable structures or other improvements on the Moody Family Property?

A. Yes. The Moody Family Property is home to 23 members of the family. Joe Jr. and Susan have completed building their home on the property, as well as Leah and Kevin Good, and the property is their homestead. Additionally, there is one more traditional home (barndominium) and detached garage, four mobile homes, one RV, three trailer homes, and one tiny home on the property. Eventually there will be four homesteads on the property, as each of the property owners are able to build. Joe III has already been meeting with a builder and getting plans together to build their home. A current aerial image I created with my drone shows the structures on the Moody Family Property and is attached to my

1 testimony as Exhibit "B." We have further improved the property by installing a new 550-
2 foot-deep water well that is capable to supply irrigation for future agricultural needs,
3 creating roads with base, completing extensive landscaping and tree work, running power
4 to all of the homes and other structures (two finished out shipping containers serving as a
5 shop and a work lounge, and a finished shed that functions as a laundry room and well
6 house), running water to all the homes, installing four septic systems, and installing hunting
7 blinds and feeders.

8 **Q. Please describe the Moody Family Property's terrain and any ecological features.**

9 A. The terrain is relatively flat with a slight slope from the Highway 16 frontage at the high
10 point sloping to the back (East) side of the property. There is a large portion in the back
11 of the property that is untouched native brush. The county biologist was impressed with
12 this section and encouraged us to leave it untouched. We have great diversity of wildlife
13 on the property, including deer, fox, hogs, rabbits, raccoons, various kinds of birds, various
14 snakes, bees, and other various insects. The property is a breeding area for a deer herd.

15 **Q. Please describe the Moody Family Property's current uses and operations.**

16 A. I office at home on the property for my work as a pastor and my website business. Joe III
17 works primarily from home on the property in the mortgage business, as does Leah Good
18 in the IT support business. Leah has started keeping bees on the property, and we plan to
19 add more livestock and gardening in the future.

20 **Q. Are there any existing transmission lines that cross the Moody Family Property?**

21 A. No.

22 **Q. If the transmission line is built on the Moody Family Property, do you have any**
23 **concerns about the possibility of CPS Energy and STEC having access to the**
24 **Property?**

25 A. Yes, I have the general concerns of landowners who are required to give third parties access
26 to their property, especially so close to my home and my family's homes. I hope that CPS
27 Energy and STEC will respect our property if we are required to give them access.

1 **Q. If the transmission line is built on the Moody Family Property, do you have any other**
2 **concerns?**

3 A. I am seriously concerned with the potential devaluation of the Moody Family Properties as
4 a result of this proposed line. I am further concerned with the use of Proposed Link 49
5 because it would cut through the middle of Joe III's family's future homestead (Tract
6 A1126), potentially forcing them to relocate due to the close proximity of the line, and
7 Leah and Kevin Good's property (Tract A1290) potentially becoming undesirable as a
8 homestead (and which already has three homes on it) due to the proximity. I am also
9 concerned about the health and safety issues potentially associated with transmission lines
10 because so many family members, including small children, live and work on the property.
11 Additionally, I am concerned about the negative impact the line would have on the
12 aesthetics since the line and towers would be visible from all areas of the property. Please
13 note that I am not an expert on property valuation or medical issues; my comments merely
14 reflect my personal concerns.

15 **Q. Is there anything else you would like to be made known about the Moody Family**
16 **Property?**

17 A. The various members of the Moody Family have significantly improved portions of the
18 Property since the time the utility companies and their consultants performed their property
19 evaluations for their Environmental Assessment and related documents. As a result, it
20 appears from the filings that the utility companies and their consultants are unaware of the
21 substantial work that has been performed on the property and the ongoing and planned
22 improvement on the property. For example, there are now several more habitable structures
23 within proximity to the proposed Link 49, as depicted on Exhibit "B" to my testimony. I
24 assume the current cost estimates and environmental assessments for Link 49 may no
25 longer be accurate because they do not take into account the significant recent
26 improvements to the Moody Family Property.

1 **IV. CONCLUSIONS AND RECOMMENDATIONS**

2 **Q. Please summarize your position in this proceeding regarding CPS Energy and**
3 **STEC's proposed alternative routes.**

4 A. I am very opposed to the use of Links 38, 48 and 49, and any route utilizing the same (e.g.,
5 Routes B, D, E, F, G, H, J and AH). I specifically support Route U, or any other routes
6 that do not utilize Links 38, 48 and 49. Compared to Route U, the routes utilizing Links
7 38, 48 or 49 range from \$22,878,000 to \$97,183,000 more expensive, impact between 83
8 and 120 more habitable structures, and contain less percentage of route parallel and
9 adjacent to existing transmission line right of way, other existing right of way, and apparent
10 property lines or other natural or cultural features.

11 **Q. In particular, why do you support Route U?**

12 A. Based on my review of CPS Energy and STEC's proposed routes, Route U: (1) would
13 avoid the Moody Family Property; (2) has a relatively short overall length at 49.15 miles;
14 (3) has a relatively low estimated cost compared to the other proposed route options; (4)
15 has a relatively low number of habitable structures within 500 feet of the centerline at 50
16 (40 is the lowest and 179 is the highest); and (5) has a high percentage of the route parallel
17 and adjacent to existing transmission line right of way, other existing right of way, and
18 apparent property lines or other natural or cultural features at 56% of its length.

19 **Q. Does this conclude your testimony?**

20 A. Yes, that concludes my testimony, subject to subsequent correction.
21

1 **CERTIFICATE OF SERVICE**

2 I certify a copy of this document is being filed in the Public Utility Commission's
3 Interchange System and served on all parties of record as required by orders in this docket, the
4 Commission's rules, and the Commission's First and Second Orders Suspending Rules issued on
5 March 16, 2020 and July 16, 2020, in Project No. 50664.

6 

7 _____
8 Tyler Topper
9

EXHIBIT "A"



EXHIBIT "B"

