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Filing Date - 2024-11-12 02:29:39 PM

Control Number - 57115

Item Number - 166

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 CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE PROPOSED HOWARD ROAD-TO-SAN MIGUEL 345-KV TRANSMISSION LINE IN BEXAR AND ATASCOSA COUNTIES

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BEFORE THE

STATE OFFICE OF

ADMINISTRATIVE HEARINGS

CERTIFICATE OF SERVICE

I certify that a copy of this document is being filed and served on this, the 12th day of November, 2024, in the Public Utility Commission of Texas's Interchange System in accordance with the orders of the presiding officer, SOAH Order No. 2.

/s/ David F. Brown

David F. Brown

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

**DIRECT TESTIMONY OF TRACY HAMMER
ON BEHALF OF
RIPS RANCH LLC**

A. My name is Tracy Hammer, and I am Manager of Rips Ranch LLC. My address is 302 E. Josephine St., #2101, San Antonio, Texas 78215. I am testifying on behalf of Rips Ranch LLC.

Q. HAVE YOU PREVIOUSLY TESTIFIED BEFORE THE PUBLIC UTILITY COMMISSION OF TEXAS ("COMMISSION")?

A. No.

Q. WHAT IS YOUR OCCUPATION?

A. I have long been involved in the development of real estate in the San Antonio area, including residential and construction, through my company, Stanley Hammer & Company.

In addition, I am Manager of Rips Ranch, LLC. In that capacity, I manage operations of the Ranch.

Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?

A. The purpose of my testimony is to provide the reasons from our perspective that certain proposed routes or segments of potential routes would cause serious harm to Rips Ranch and to provide rationale for the selection of alternative routes.

Specifically, I testify that:

1. The ALJs and the Commission should avoid routes using Segment 62 because of the damage such routes do to Rips Ranch and an unidentified habitable structure, our ranch foreman's home, and to the Atascosa River, its nearby tributaries, and the wooded areas through which they flow;
2. The ALJs and the Commission should note that Routes N and R, which utilize segments in the central portions of the Study Area, are straighter, significantly shorter, and far less costly than routes in the western portions of the Study Area or eastern portions of the Study Area, including routes that include Segment 62; and
3. If the ALJs consider routes including Segment 62 to be remotely logical, they should order modifications to the Segment that straighten it, reduce its number of turning structures, reduce its impact upon the unacknowledged habitable structure on Rips Ranch, and reduce overall Segment 62's impact on Rips Ranch.

Q. ARE YOU FAMILIAR WITH THE AREA IN WHICH CPS ENERGY AND STEC PROPOSE TO INSTALL A TRANSMISSION LINE?

A. Yes. For most of my life, I have lived and worked in the San Antonio area and have visited the Pleasanton and Jourdanton areas many times. Our Rips Ranch, which has been in our family since 1932, is located just across the Atascosa River from Pleasanton.

Q. PLEASE DESCRIBE RIPS RANCH.

A. Our ranch consists of 1096.28 acres, bounded to the north by the Atascosa River. Aside from the presence of a ranch manager's home—a habitable structure that has been in place for decades **but is not noted in the Application**—and fences and pens and other structures used in ranching, the ranch is undeveloped. Within its expanse, Rips Ranch contains approximately 100 acres of densely wooded and river bottomland wildlife habitat; approximately 550 acres of diverse wildlife habitat, including a diverse mixture of woody and herbaceous vegetation; and approximately 450 acres of improved grass pastures for cattle grazing that are also managed with wildlife in mind. Rips Ranch is bounded to the north by the Atascosa River with two creeks, Galvan Creek and Presleano Creek, adding to the largely unspoiled watershed. The property is canvased with heritage live oaks, many with five-foot diameter trunks, and if

1 Segment 62 is constructed as part of a route, many of those trees would necessarily
2 be destroyed.

3 Once, Rips Ranch had a 32-acre lake, labeled on maps as "Dove Lake" and later as
4 "Rips Lake." The Rips Lake Dam was lost in flooding caused by a hurricane back in
5 the 1970's. The lake was the location of an early-1900's fishing camp and is near the
6 location of four historical sandstone structures, one marked as being built in 1887. In
7 addition, one of the sandstone structures was built near to what is known as the Old
8 Laredo Trail, one of the old cattle trails used to run stock to San Antonio.

9 One part of the ranch has two stock ponds and a 1,000 gallon per minute water well,
10 each of which is used for both wildlife and cattle. To the south, the Ranch has three
11 more stock tanks and a water well that services the foreman's home. This part of the
12 Ranch has the largest Coastal Bermuda fields for cattle grazing.

13 As is readily apparent from the imagery that the Applicants used with the Application,
14 the Ranch is served by hard-packed sand and caliche roads. There is also a gas
15 easement across the Ranch, but it does not materially affect the land uses.

16 The Ranch boasts a healthy, managed wildlife habitat protecting populations of
17 native wildlife species, including Rio Grande Turkey and White-Tailed Deer.

18 Figure 1, below, is a map of the Ranch showing the Atascosa River, other sources of
19 water, and other features of the land, including our ranch manager's home.

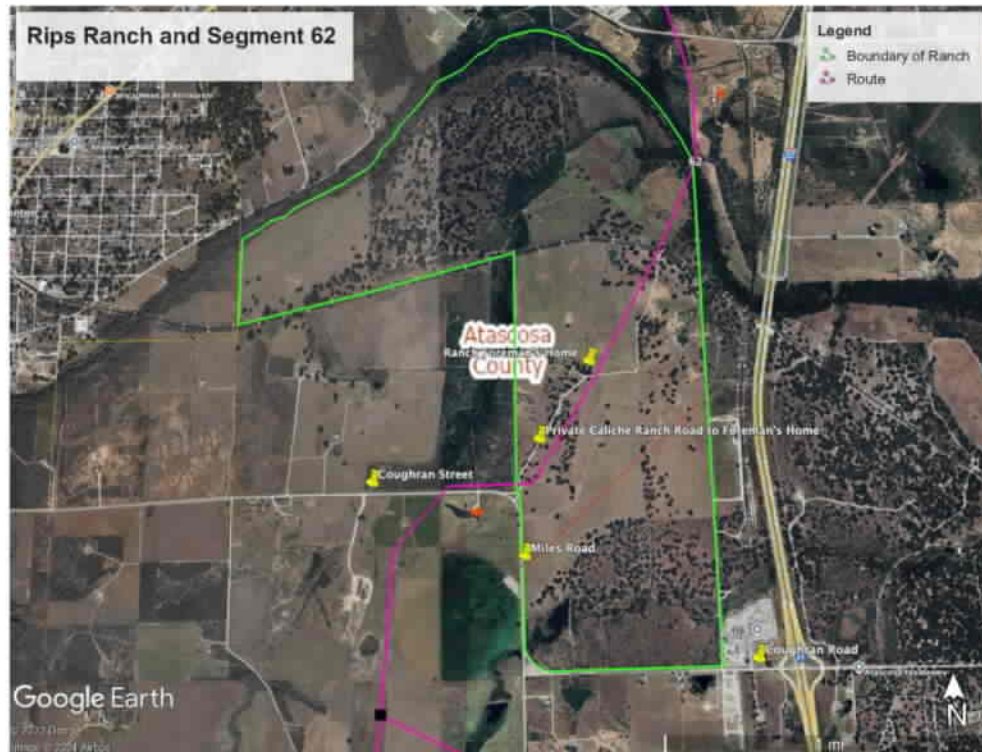


Figure 1. Rips Ranch with Features.

Figure 2, below, shows the Atascosa River, other sources of water, and other features of the land, including our ranch foreman's home and the heritage oaks that grow on the land.





Figure 2. The Atascosa River and other features of Rips Ranch, including private caliche road and ranch foreman's home (not reflected in Application).

1 **Q. PLEASE DESCRIBE HOW RIPS RANCH IS ADVERSELY AFFECTED BY THE**
2 **PROPOSED ALTERNATIVE ROUTES?**

3 A. My family has owned Rips Ranch since 1932, and we have long used it for both
4 cattle ranching and recreational purposes. CPS Energy and STEC have proposed
5 Segment 62, among other segments, which is proposed to run along the eastern
6 areas of the Study Area. Segment 62 is one of a number of segments making up,
7 among others, Route U.
8 Segment 62 bisects Rips Ranch diagonally for much of its span.
9 As is readily apparent from a review of the Application, Attachment 4, or Figure 1,
10 above, any alternative route relying upon Segment 62 will bisect the Ranch from near
11 its furthest point in the northeast, running to near the furthest point in the southwest,
12 cutting the Ranch into two or more distinct tracts, taking into consideration other
13 linear easements traversing Rips Ranch.

14 **Q. PLEASE DESCRIBE HOW RIPS RANCH IS AFFECTED BY THE APPLICANTS'**
15 **PROPOSED ALTERNATIVE ROUTES?**

16 A. Each of alternative routes that consist in part of Segment 62 adversely affects Rips
17 Ranch by making it less usable for its intended purposes. Specifically, Segment 62
18 bisects the northwestern portion of the ranch from the southeastern portions. While it
19 is apparent that the Applicants considered the caliche ranch road on Rips Ranch,
20 which leads to the ranch foreman's home, to be a public road, it is not. The caliche
21 road is a private road—not **Coughran Road or Miles Road**, which are nearby. See
22 Figure 3.



Figure 3. Rips Ranch caliche road serving the ranch foreman's home.

As such, rather than having acreage that could be operated or developed together, Segment 62 would effectively create one smaller contiguous tract and another somewhat larger tract, making each less capable of management and each less worthy of use or development. Further, for ranching, residential, and other development purposes, Segment 62 would burden all of the ranch, making it far less usable.

Q. WHAT SUGGESTIONS DO YOU HAVE FOR THE COMMISSION REGARDING THE TRANSMISSION LINE?

A. The Commission should select a route from the corridor of routes beginning with Link 3, but using one of the more-western, but cost-effective, corridors, including Routes having Segment 59 in common ("Central Corridor Routes").
In particular, in considering the attributes of competing routes, many criteria are comparable.

Evaluation Criteria		Route N	Route R	Route U
Land Use				
C	COST	\$274,601,000	\$275,390,000	\$293,356,000
1	Length of alternative route	47.47	45.32	49.15
2	Number of habitable structures ¹ within 500 feet of ROW centerline	78	81	50
4	Length of ROW parallel and adjacent to existing transmission line ROW	9.19	4.47	10.21
5	Length of ROW parallel and adjacent to other existing ROW (roadways)	1.58	2.23	2.67
6	Length of ROW parallel and adjacent to apparent property lines ² (or other	14.64	14.64	14.85
7	Sum of evaluation criteria 3, 4, 5, and 6	25.41	21.33	27.74
8	Percent of evaluation criteria 3, 4, 5, and 6	54%	47%	56%
12	Length of ROW across pasture/rangeland	17.71	14.88	19.75
13	Length of ROW across land irrigated by traveling systems (rolling or pivot type)	0.63	0.60	0.25
Aesthetics				
29	Estimated length of ROW within foreground visual zone ⁶ of US and state highways	2.36	2.36	8.79
30	Estimated length of ROW within foreground visual zone ⁶ of FM/RM roads	5.71	9.29	4.11
31	Estimated length of ROW within foreground visual zone ⁶⁽⁷⁾ of parks/recreational areas ³	2.21	2.21	3.85
Ecology				
32	Length of ROW across upland woodlands/brushlands	20.00	19.39	19.64
33	Length of ROW across bottomland/riparian woodlands	3.60	4.59	4.81

Figure 4. Table comparing selected Central Corridor Routes with Route U.

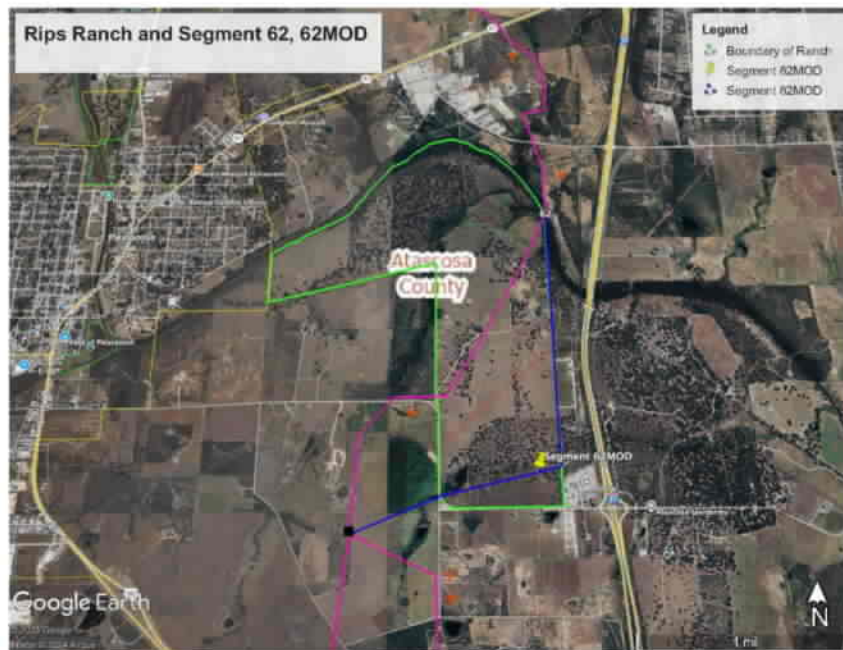
But as is seen in Figure 4, within the Central Corridor Routes, which are generally shorter, less costly, and less impactful of resources, Routes N and R stand out. In contrast with all routes using Segment 62, including Route U, the Central Corridor Routes are among the shortest routes on the map and therefore less disruptive of the land use of the area overall. Route U measures 49.15 miles in length, but Central Corridor Routes N and R are almost two (2) miles and almost four (4) miles shorter than Route U at 47.47 miles and 45.32 miles in length, respectively. ***Each of these Central Corridor Routes*** affects marginally more habitable structures, but also ***costs much, much less to build—from \$18 million to \$18.8 million less to build.*** The Central Corridor Routes are the shortest and should be the least costly, making them stronger candidates for selection under the criteria the ALJs and the Commission must consider.

Q. DO YOU HAVE OTHER SUGGESTIONS REGARDING THE TRANSMISSION LINE?

A. Yes. Segment 62 as currently configured bisects Rips Ranch diagonally. The ALJs and the Commission should consider rerouting Segment 62 to follow Rips Ranch's eastern boundary to within approximately 800 feet of its southern boundary, then turn

1 it west southwest until it meets the current intersection of Segments 62, 69, and 70.
2 In doing so, the segment would gain substantial paralleling of property boundaries, a
3 reduction in turning structures, and approximately the same length, and potentially,
4 lower cost. As well, it would no longer adversely affect the habitable structure on Rips
5 Ranch that the Application fails to recognize.

6 An approximation of the alternative configuration of Segment 62 (Segment 62MOD)
7 follows in Figure 5, with the original in **pink** and the modified section in **blue**:



8 **Figure 5, Map of Alternative Segment 62 (Segment 62MOD) on Rips Ranch and surrounding**
9 **areas.**

10 Segment 62 MOD has fewer turns than Segment 62, is only slightly longer than
11 Segment 62, and does not directly affect any unnoticed landowner or owner of an
12 unnoticed habitable structure—all while avoiding the bisection of Rips Ranch and
13 avoiding the unnoticed habitable structure on it—the foreman's home.

14 **Q. DOES THIS CONCLUDE YOUR TESTIMONY?**

15 **A. Yes.**