



## **Filing Receipt**

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**Control Number - 57115**

**Item Number - 176**

**DOCKET NO. 57115**

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

**DIRECT TESTIMONY**  
**OF MICHAEL WITTLER**

Michael Wittler files this Direct Testimony of behalf of each of the members of the Wittler Intervenor and stipulates that all parties may treat this testimony as though filed under oath.

Respectfully Submitted,

**Michael Wittler, David Wittler, Joan White,  
Mary Wittler, and Anne Woods, Trustee for  
Woods Family Trust  
(Collectively "Wittler Intervenor")**  
316 Victoria Dr.  
Kerrville, TX 78028  
830-739-7834 (Voice)



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Mike Wittler  
Designated Representative

### **CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document has been filed in the records of Docket 57115 on this 12<sup>th</sup> day of November, 2024.

A handwritten signature in black ink, appearing to read "Mike Wittler", written in a cursive style.

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Mike Wittler

## **CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document has been filed in the records of Docket 57115 on this 12<sup>th</sup> day of November, 2024.

**Q1: PLEASE STATE YOUR NAME AND THE CAPACITY IN WHICH YOU ARE TESTIFYING.**

**A:** My name is Michael Wittler, and I am the CEO of the Kerrville Public Utility Board in Central Texas. I have 29 years of experience in the electric utility industry, including 18 years at my current company and 11 years with CPS Energy, where I supervised their transmission maintenance group for several years. I hold a Bachelor's degree in Electrical Engineering and an MBA, and I am a registered Professional Engineer in the state of Texas. I am testifying today on behalf of the "Wittler Intervenors," a group representing the interests of my family and our property in the matter of Texas Public Utility Commission Proceeding No. 57115.

**Q2: CAN YOU DESCRIBE THE PROPERTY AT ISSUE IN THIS CASE?**

**A:** The property in question is located near Leming, Texas, situated between Highway 281 and Interstate Highway 37 (IH 37). It encompasses approximately 200 acres and was purchased by my grandfather and father in the early 1960s, remaining in our family for over 60 years. The property is irregularly shaped, measuring about 1,150 feet wide on one end, 1,600 feet wide on the other, and approximately 5,300 feet long. Over the years, the property has been used for agricultural activities, family recreation, and as a site for a small bunkhouse, which has been utilized by family, workers, and guests.

**Q3: HOW DOES THE PROPOSED ROUTE, SPECIFICALLY SEGMENT 53, IMPACT THIS PROPERTY?**

**A:** The proposed route that utilizes Segment 53 runs directly through the middle of our property, splitting it lengthwise over a mile. This is an extremely disruptive and impractical routing option, as it effectively bisects the land into two very narrow strips. The length of the property that would be divided—over a mile—further exacerbates the disruption, making it difficult to use the land for its intended purposes, including agriculture, recreation, and family activities.

Moreover, this split causes significant damage to the property's utility and value. A more sensible option would be to route the line along the **northern property boundary**, where it would minimize the impact to the land. Given the size and shape of our property, this northern route would be a relatively simple modification that would avoid splitting the property in half

and preserve its overall usability. It would also reduce the disruption to the bunkhouse, nearby well and other structures, which are located **250 feet** or less from the proposed centerline of the transmission line.

**Q4: CAN YOU EXPLAIN THE SIGNIFICANCE OF THE PROPERTY TO YOU AND YOUR FAMILY?**

**A:** The property holds significant historical and functional value. It has been in our family for over 60 years, passed down through generations. It has been a site for agricultural activities, family gatherings, and recreational use. The bunkhouse has been on the property for around 50 years, used by family and workers, and it is critical to the property's intended use.

While we understand the need for transmission infrastructure, we believe there are better ways to route the transmission line that would avoid irreparably disrupting the property. The proposed route would divide the property in a way that severely limits its usability and long-term value. Our family has invested heavily in this property for decades, and the proposed route presents the worst conceivable impact on our ability to continue utilizing and preserving it.

**Q5: WHAT ARE THE SPECIFIC CONCERNS YOU HAVE ABOUT THE PROPOSED ROUTE?**

**A:** There are several concerns with the proposed routes that utilize Segment 53, including Routes V, W, X, Y, AA, and AD:

1. **Environmental and Land Use Impact:** Segment 53 runs through some of the most undisturbed land in the area. The proposed routes should prioritize utilizing existing corridors (roads, powerlines) rather than cutting through undeveloped land, as this would avoid unnecessary environmental damage.
2. **Maintenance and Reliability Concerns:** From a utility operations perspective, the proposed routing through Segment 53 creates significant challenges for ongoing maintenance. The line would be difficult to access due to its placement through inaccessible properties, making it harder for crews to reach the line for routine maintenance, troubleshooting, and emergency repairs. This inaccessibility could increase maintenance costs, reduce reliability, and prolong outage times.
3. **Property Severance and Value Impact:** As previously mentioned, this routing would sever the property into two narrow strips, limiting the ability to use the land effectively for its intended purposes. This would have a lasting financial impact on the property,

diminishing its overall value and reducing its economic viability.

**Q6: ARE THERE ALTERNATIVE ROUTES THAT WOULD MITIGATE THESE IMPACTS?**

**A:** Yes. I believe there are several alternative routes that should be considered, both for their overall lower cost and minimal impact on habitable structures and the environment:

- **Routes N, R, M, T, AB, Q, and Z** present the most cost-effective alternatives with minimal impacts on habitable structures. Here are the projected costs and the number of impacted structures for these routes:
  - **Route N:** Total cost: \$274.6M, 78 habitable structures impacted
  - **Route R:** Total cost: \$275.4M, 81 habitable structures impacted
  - **Route M:** Total cost: \$276.3M, 77 habitable structures impacted
  - **Route T:** Total cost: \$284.5M, 68 habitable structures impacted
  - **Route AB:** Total cost: \$285.2M, 62 habitable structures impacted
  - **Route Q:** Total cost: \$286.9M, 73 habitable structures impacted
  - **Route Z:** Total cost: \$287.3M, 50 habitable structures impacted

These routes are more cost-effective overall and minimal number of habitable structures as compared many of the routes.

Additionally, routes to the western side of the study area, such as **Routes F, AH, D, and E**, also present viable alternatives. These routes provide better diversity in terms of potential paths for the transmission line, offering options that might reduce overall disruption to both the land and communities.

**Q7: CAN YOU EXPLAIN WHAT THE “PRUDENT AVOIDANCE” POLICY IS AND WHY IT IS RELEVANT TO THIS SEGMENT?**

**A:** My understanding is that the **prudent avoidance** policy aims to minimize the exposure of communities, businesses, and sensitive land uses to the impacts of transmission lines. This includes avoiding the construction of new lines through undeveloped or ecologically sensitive land when alternative routes are available. The policy encourages using existing infrastructure corridors—such as roads and power lines—whenever possible to reduce the overall disruption to the land and the community.

In this case, adjusting the route to avoid Segment 53 would minimize both the environmental and social impacts, as well as the long-term operational challenges related to inaccessibility and

maintenance. By routing the transmission line along existing infrastructure or on the northern edge of our property, we can adhere to the principles of prudent avoidance and ensure that the infrastructure is located in the most practical, least disruptive way possible.

**Q8: ARE THERE ANY OTHER CONSIDERATION YOU WOULD LIKE TO ADDRESS IN RELATION TO THE PROPOSED ROUTE?**

**A:** Yes. It is essential for the Court and Commission to consider not only the short-term costs of construction but also the long-term implications for maintenance, reliability, and accessibility. The proposed routing through Segment 53 would increase ongoing operational costs due to the difficulty of accessing the transmission line for routine maintenance and emergency repairs. This would result in increased costs for both the utility and ratepayers, as well as the potential for longer downtimes in the event of a fault.

Additionally, the environmental and ecological impact of routing the line through this area cannot be overlooked. Segment 53 crosses through some of the most undisturbed land in the area, which should be preserved rather than disrupted by new infrastructure.

**Q9: IN CONCLUSION, WHAT ARE YOU REQUESTING FROM THE COURT AND COMMISSION?**

**A:** In conclusion, I respectfully urge the Court and Commission to reject the proposed routes that utilize Segment 53, including Routes V, W, X, Y, AA, and AD. If Segment 53 must be used, I strongly urge the Court and Commission to move the line to the **northern property boundary**, as shown in Exhibit 1 below. This adjustment can be made without incurring significant additional costs, and it would reduce the disruption to our property. Aligning the route closer to the floodplain of Gallinas Creek also supports the policy of **prudent avoidance** by situating the line in an area that is unlikely to be developed in the future. This would not only preserve the integrity of our land but also minimize future conflicts and land-use concerns.

Additionally, I encourage the Court and Commission to consider alternative routes, such as Routes N, R, M, T, AB, Q, Z, which present more cost-effective options with minimal impacts on habitable structures, land use, and environmental resources and routes to the western side of the study area (F, AH, D, E).



- WITTLER PROPERTY  
x BUNKHOUSE  
o WELL  
---- PREFERRED ALTERNATE  
PATH FOR SEGMENT 53

Exhibit 1: Wittler Property and Proposed Segment 53



**Q10: THANK YOU, MR. WITTNER. IS THERE ANYTHING ELSE YOU WOULD LIKE TO ADD?**

**A:** No, I believe I've addressed the key concerns. Thank you for your time and consideration of our position. We hope the Court and Commission will make a decision that minimizes negative impacts on both the land and the people who rely on it.