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JOINT APPLICATION OF THE CITY	§	BEFORE THE STATE OFFICE
OF SAN ANTONIO, ACTING BY AND	§	
THROUGH THE CITY PUBLIC	§	
SERVICE BOARD (CPS ENERGY) AND	§	
SOUTH TEXAS ELECTRIC	§	
COOPERATIVE, INC. (STEC) TO	§	
AMEND ITS CERTIFICATE OF	§	OF
CONVENIENCE AND NECESSITY	§	
FOR THE PROPOSED HOWARD	§	
ROAD-T0-SAN MIGUEL 345-KV	§	
TRANSMISSION LINE IN BEXAR	§	
AND ATASCOSA COUNTIES	§	ADMINISTRATIVE HEARINGS

PERRY FEEDERS, INC., CHARLES J. ERTEL, LINDA ERTEL AND CHARLENE STAHA (“PERRY FEEDERS INTERVENORS”) INITIAL POST-HEARING BRIEF

I. INTRODUCTION

The Perry Feeders Intervenor file this their Initial Post-Hearing Brief respectfully requesting that Administrative Law Judges (“ALJs”) issue a Proposal for Decision recommending that the Texas Public Utility Commission approve Route N-AB as the route for the construction of CPS Energy and South Texas Electric Cooperative’s (“Applicants”) proposed Howard Road to San Miguel 345-KV transmission line in Bexar and Atascosa counties. Perry Feeders Intervenor oppose the use of Segment 57 due to the negative impact on their operations and use of their land that would result from constructing the line very near multiple residences, bisecting their property, and on or near their irrigation systems. If routes other than N-AB are considered by the ALJs, Perry Feeders Intervenor would not oppose Routes M, N, U or U-Alt-2 as the evidence would seem to support the selection of those routes as also meeting the statutory and regulatory criteria.

II. ROUTE SELECTION

In considering the factors set forth in PURA §37.056(c) and P.U.C. Subst. R. 25.201(b)(3)(B), the ALJs must take into consideration the evidence presented at the hearing. Routes N-AB, U, N, M, and U-Alt-2 are routes of interest in the litigation.¹ Applicant's set forth Route U as the route that best meets the criteria.² Route U-Alt-2 is a modified route suggested by certain intervenors. Route N-AB is a modified Route N addressing and alleviating concerns of certain intervenors. Route M is the route that PUC staff recommends as the route that best meets the criteria.³ While Route Y is included in the Applicant's Routes of Interest Map, Exhibit No. 14, there is no testimony or evidence regarding this route being the best route that best meets all or even most of the criteria. Perry Feeders Intervenors strongly oppose Route Y, which utilizes Segment 57.⁴ Constructing the line using Segment 57 across Perry Feeders Intervenors would negatively impact their operations. Among other negative impacts to the property, Route Y is very near multiple residences, bisects the property, and would run directly over the top of a large feed storage facility.⁵ The transmission line would also be built over portions of the property where pivot irrigation systems are used.⁶ There are currently distribution lines on the property and installing this transmission line would cause a large portion of the property to consist of a narrow strip of land between the two lines, thus completely preventing or negatively impacting the ability to aerially apply agricultural chemicals and impacting their other farming practices.⁷

¹ See Joint Applicants Exhibit No. 14

² See Joint Applicants Exhibit No. 1 at 20.

³ See PUC Staff Exhibit No. 1 at 18 lines 8-9, Direct Testimony of John Poole, P.E.

⁴ See Perry Feeders Intervenors Exhibit No. 1, Direct Testimony of Charles Ertel

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

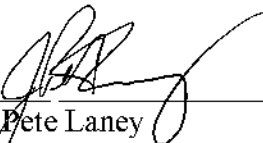
Based on the focus routes and the evidence presented at the hearing, including the direct testimony of all intervenors, Route N-AB is the route that seems to best address the routing criteria and remains unopposed by the intervenors in this case.

III. CONCLUSION

Perry Feeders Intervenors support the selection of Route N-AB, and in the alternative, would not oppose routes N, U, M, or U-Alt-2. As set forth in its testimony, Perry Feeders Intervenors strongly oppose any route that includes Segment 57.⁸ Perry Feeders Intervenors respectfully request that the ALJs recommend that the Public Utility Commission approve Route N-AB, or in the alternative Route N, U, M, or U-Alt-2 as a route that meets the criteria for construction of the Howard Road to San Miguel transmission line.

Respectfully submitted,

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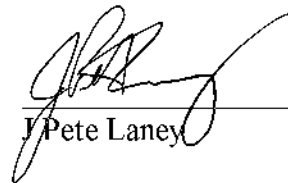
⁸ *Id.*

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CERTIFICATE OF SERVICE

I hereby certify that on December 20, 2024, a true and correct copy of the foregoing has been served on all parties in compliance with the prior Orders in this case and filed in the Public Utility Commission's Interchange system.



J. Pete Laney