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**SOAH DOCKET NO. 473-25-12927
PUC DOCKET NO. 57648**

APPLICATION OF ENTERGY TEXAS,	§	BEFORE THE STATE OFFICE
INC. TO AMEND ITS CERTIFICATE OF	§	OF
CONVENIENCE AND NECESSITY FOR	§	
THE SETEX AREA RELIABILITY	§	ADMINISTRATIVE HEARINGS
PROJECT IN JASPER, MONTGOMERY,	§	
NEWTON, POLK, SAN JACINTO,	§	
TRINITY, TYLER, AND WALKER	§	
COUNTIES	§	

**POSITION PAPER AND DIRECT TESTIMONY
OF ANN MORAN
ON BEHALF OF MORAN MINERALS COMPANY LP**

April 7, 2025

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I. STATEMENT OF POSITION

- A. **Parties Position:** Moran Minerals Company LP ("Moran Minerals") is an Intervenor landowner.
- B. **Statement of Fact/Law, or Policy:** At this time, the only question of fact/law/policy Moran Minerals believes is at issue is the adequacy and approval of the primary alternative route (Route 10) along the proposed right of way ("ROW").
- C. **Statement of Party's Position on Each Question of Fact/Law/Policy Identified Above:** Moran Minerals opposes the primary alternative route (Route 10). Moran Minerals' position is that Route 10, and segments 14, 16, and 17 ("Moran Impact Segments"), have not been properly or adequately studied and the full impact of the same has not been evaluated or documented. The property of Moran Minerals has no prior electrical ROW of this type, and the use of Moran Impact Segments would not moderate the impact on the affected community and landowners. Allowing a ROW to be placed in the Moran Impacted Segments would be a virgin taking, impacting not only the value and usefulness of the property, but it would also adversely impact domestic stock and wildlife as well as vegetation. If a Moran Impact Segments are used, and the ROW crosses, impacts or boards the Moran Property, Moran Minerals position is that such a route was not chosen so as to minimize the impact to the public safety, community, historical, aesthetic, or environment, and would not work to mitigate the impact on any of these factors.

II. DIRECT TESTIMONY OF MORAN MINERALS COMPANY, LP

A. INTRODUCTION

Q. Please state your name, title and address.

A. My name is Ann Moran. I am the Vice President of Moran Minerals GP, LLC, which is the general partner of Moran Minerals located at 2803 Sacket Street, Houston, TX 77098. Moran Minerals is a protected landowner in this docket.

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

A. I am the person at Moran Minerals most knowledgeable about the property of Moran Minerals. I graduated from the University of Houston in 1976 with BBA in accounting. Subsequently, in 2006 & 2011 I attended Harvard for executive training in negotiations. Prior to going to work for Moran Minerals, I was involved in oil & gas accounting. I was hired as the accounting department of an oil & gas startup owned by Duke Energy and Houston Energy. After Enron and 911 that startup call Elite was dissolved. I went to work for Moran Minerals in 2003 initially in oil and gas

1 accounting. In addition, I have been intimately involved with the management of the
2 subject Property over the past 20 plus years. During this time, multiple improvements were
3 made to enhance the value of the Property, including the construction of several large
4 ponds, an eight-acre lake, the airstrip, two cabins, and several water wells.
5

6 **Q. Have you ever participated or testified in another proceeding before the Public Utility**
7 **Commission of Texas ("PUC")?**

8 A. No.

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

10 A. I am testifying on behalf of Moran Minerals.

11 **Q. Please describe your interest in SOAH Docket No. 473-25-12927 and PUC Docket No.**
12 **57648.**

13 A. Moran Minerals intervened in this proceeding as a potentially affected landowner. Moran
14 Minerals owns property in Montgomery County, Texas which might be impacted by the
15 transmission line proposed to be built by Entergy Texas, Inc. ("Entergy") in this docket
16 (the "Property").

17 **Q. Are you familiar with the Property and this area of Montgomery County, Texas?**

18 A. Yes.

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

20 A. Moran Minerals acquired the Property in 1994 from the Estate of W.T. Moran. The
21 Property has been in the Moran family since the 1950s. The Moran family has owned
22 property in Montgomery County and in the vicinity since the 1930s.

23 **B. PURPOSE OF TESTIMONY**

24 **Q. What is the purpose of your testimony?**

25 A. The purpose of my testimony on behalf of Moran Minerals is to: (i) describe the Property;
26 (ii) describe the expected impact of the proposed transmission line on the Property; (iii) to
27 object to Route 10, which includes segments crossing the Property or using the Moran
28 Impact Segments as defined herein; and to (iv) provide information on other alternative
29 routes.

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

32 A. Yes, it is.
33

**C. DESCRIPTION OF THE PROPERTY AND IMPACT OF THE
TRANSMISSION LINE ON THE PROPERTY**

Q. Please describe the Property.

A. Moran Minerals owns a parcel of land which consists of approximately 238 acres (the "Property"), that will be impacted on the Moran Impact Segments described in the Application for a Certificate of Convenience and Necessity for a proposed transmission line by Entergy filed on or about February 19, 2025, crossing the Property. A survey of the aerial photograph of the Property outlined in red is attached hereto as Exhibit A.

Q. Are there any habitable structures or other improvements on your Property?

A. Yes, there are two rural family residences located on the Property under proposed segment 17. It also has several buildings for well infrastructure, storage buildings, well water systems, extensive irrigation systems for fruit trees and various crops on a historic farming site. There is also a large area constructed, leveled, and maintained for an air strip awaiting FFA approval. There is an extensive network of culverts, spillways and channels to direct runoff into the 8-acre lake to prevent erosion of surrounding areas. Directly under Segment 14, on the hill overlooking the lake, is our planned main residence construction site. We also have an extensive network of rock roads. The main intersection, including cattle guard, would be cut off by the proposed route. Most recent was the completion of an approximately 800m leveled and maintained runway awaiting FAA approval.

Q. Please describe your Property's terrain and any ecological features and how the line might affect that.

A. The Property is extensively wooded with stocked ponds, a lake, and multiple natural creeks with surrounding flora such as ferns etc. which are canopy-covered wildlife migration routes important to wildlife in the area including migration under I-45 east to west and vice versa. In the proposed segment 17 immediately to the south under tree canopy are several buildings and barn structures. Construction of the transmission line with the placement of large concrete footers, electrical towers, electrical wire, and associated fixtures would adversely impact the Property by creating huge intersection and splitting the property near the middle, overlying habitable and storage buildings, water systems pipes and valves for fruit trees crops and erosion control, well houses or houses which are a rural residence in the historic farming site. The wooded area is interspersed with water areas including creeks, sloughs, ponds and lakes, all of which are conducive to wildlife such as bald Eagles, hawks, herons, owls, song birds, waterfowl, and other migratory birds, otters, red fox, grey fox, bobcats, rabbits, frogs, turtles, coyotes, raccoons, opossums, and many native grasses,

berries, and other food stocks/prey. The large trees and water features on the Property are important to wildlife and ecology of the area.

Q. Please describe how the proposed power line may affect the current uses and operations of the Property.

A. The Property is currently used for timber, agriculture, fishery, wildlife and a rural family residence. The residential home on the Property is used as a gathering place for the extended Moran family. The Property will be affected in the following ways:

1. ***Environmental Effects.*** Transmission line placed on the Property along with large concrete footers, electrical lines, and associated fixtures would adversely impact the Property by creating a huge intersection and splitting the property near the middle, overlying habitable and storage buildings, a well water and irrigation system, extensive drainage system, and cut off access over the main intersection of roads. It would also impact our deferred mowing program to protect the native milkweed crucial to the Monarch butterfly migration. An aerial photograph reflecting the location of the current and proposed improvements to the Moran Property overlaying the proposed Moran Impact Segments is attached hereto as Exhibit B.
2. ***Habitat Fragmentation.*** Large, unfragmented tracts of land are important for maintaining the land and minimizing the impact of the wildlife habitat. Clearing for transmission line right-of-ways can upset the ecological balance and alter habitats, separate populations of wildlife, impact migration routes, and invite invasive species plants and animals that threaten the vegetation and wildlife. The extensive drainage/runoff network would be completely fragmented and no longer flow through to the ponds into the nature creeks slowing erosion.
3. ***Timber Production and AG Operation.*** Placing a transmission line on the Property would result in dangerous conditions for its timber and ag operations. In addition to harvesting the timber, Moran Minerals is involved in harvesting fruits, nuts and blueberries from the Property. If any of the proposed Moran Impact Segments are utilized by Entergy, the proposed transmission line would interfere with the current timber management and ag process and inhibit Moran Minerals' ability to use large machinery for timber harvesting near the right-of-way. The clearing of trees for temporary workspaces also affects timber production. Timber in these areas seldom returns to usefulness in a reasonable period of time.

Q. Please describe any planned future uses of the Property.

1 A. Moran Minerals plans to continue the uses stated above. Moran Minerals is seeking FAA
2 approval for the new air strip and intends on building a hangar/barn alongside while
3 focusing on protecting the native wildlife.

4 **Q. Do any existing transmission or distribution lines cross the Property?**

5 A. No.

6 **Q. Would you have to regularly drive under the transmission line if installed on the**
7 **Property?**

8 A. Yes. Additionally, all visitors to the Property would have to regularly drive under the line
9 if any of the following Moran Impact Segments are approved for the line: 14, 16, or 17.

10 **Q. If the transmission line is built on the Property, do you have any other concerns?**

11 A. Yes. This would be a virgin project/taking. Moran Minerals believes that if any route
12 utilizes the Moran Impact Segments, (which are all implicated by the primary alternative
13 Route 10) that the application is deficient and that it fails to adequately demonstrate the
14 effect or even evaluate the impact on: (a) community values; (b) recreation and park areas;
15 (c) historical and aesthetic values; (d) the environment; (e) the probable improvement of
16 service or lowering the cost to consumers. Use of the Moran Impact Segments also would
17 not moderate the impact on the community or landowners. Following an existing route and
18 existing ROW appears to be the first and best step in that inquiry. If a Moran Impact
19 Segment is used, and the ROW crosses, impacts or borders the Property, Moran Minerals
20 position is that such a route was not chosen so as to minimize the impact to the public
21 safety, community, historical, aesthetic, or environment, and would not work to mitigate
22 the impact on any of these factors. Moran Minerals and indeed the Moran family have been
23 long term property owners in Montgomery County and know the community's values, and
24 this taking is not in line with those community values. The Moran Impact Segments related
25 to the Property do not use or parallel existing ROW, roads, highways, railroads, telephone
26 utility ROW, or other natural or cultural features. The Moran Impact Segments cut right
27 through the middle of previously unburdened virgin land. If this Project crosses Moran
28 Minerals, it is a whole new route/virgin taking. Moran Minerals will be highly and
29 detrimentally impacted if the Commission approves any application seeking an alternative
30 route which would impact or cross Moran Minerals, including any which would try to
31 utilize the segments currently identified as 14, 16, or 17.
32

D. CONCLUSIONS AND RECOMMENDATIONS

Q. Please summarize your position in this proceeding regarding Entergy's proposed alternative routes.

A. Moran Minerals opposes the primary alternative Route 10. Moran Minerals opposes the any route using the Moran Impact Segments. As stated above, the application does not adequately evaluate or take into account the community values, historical and aesthetic values, the impact on the environment from what I understand. In fact, I have seen no real evaluation of the Moran Impact Segments other than a desk top analysis. Moran Minerals would be highly and detrimentally impacted if the Commission approves any application seeking an alternative route which would impact or cross the Property, including any which would try to utilize the segments currently identified as 14, 16, or 17.

Q. In particular, why do you oppose Route 10?

A. For all the reasons previously stated, as follows:

i). Route 10 would be a virgin taking that essentially splits the 238-acre Moran Mineral Property down the middle.

ii). Moran Minerals believes that if any route utilizes the Moran Impact Segments, (which are all implicated by the primary alternative Route 10) that the application is deficient and that it fails to adequately demonstrate the effect or even evaluate the impact on: (a) community values; (b) recreation and park areas; (c) historical and aesthetic values; (d) the environment; (e) the probable improvement of service or lowering the cost to consumers.

iii). Use of the Moran Impact Segments also would not moderate the impact on the community or landowners.

iv). Following an existing route and existing ROW appears to be the first and best step in that inquiry. If a Moran Impact Segment is used, and the ROW crosses, impacts or boards the Moran Property, Moran Minerals position is that such a route was not chosen so as to minimize the impact to the public safety, community, historical, aesthetic, or environment, and would not work to mitigate the impact on any of these factors.

v). The Moran Impact Segments related to the Moran Property do not use or parallel existing ROW, roads, highways, railroads, telephone utility ROW, or other natural or cultural features.

vi). If this Project crosses Moran Minerals, it is a whole new route/virgin taking. Moran Minerals will be highly and detrimentally impacted if the Commission approves any

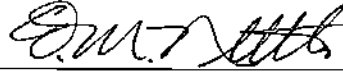
1 application seeking an alternative route which would impact or cross Moran Minerals,
2 including any which would try to utilize the segments currently identified as 14, 16, or 17.

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

4 A. Yes, that concludes my testimony, subject to correction or rebuttal.

CERTIFICATE OF SERVICE

This is to certify that on the 7th day of April, 2025, a true and correct copy of the preceding document was served upon all parties of record in accordance with SOAH Order No. 2 in this docket.

A handwritten signature in black ink, appearing to read "E.M. Nettles", written over a horizontal line.

Eugene M. Nettles



EXHIBIT A

