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

BEFORE THE

STATE OFFICE OF

ADMINISTRATIVE HEARINGS

**CROSS REBUTTAL TESTIMONY OF JAMES E. STOKER ON BEHALF OF
CLEAR FORK CREEK RANCH, LLC, STOKER REAL ESTATE, L.P., AND THE
MEMBERS OF THE CLEAR FORK CREEK ALLIANCE**

JAMES E. STOKER files this Cross Rebuttal Testimony on behalf of Clear Fork Creek Ranch, LLC, Stoker Real Estate, L.P., and the Members of the Clear Fork Creek Alliance, and stipulates that all parties may treat this testimony as though filed under oath.

Respectfully submitted,

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**ATTORNEYS FOR THE MEMBERS OF THE
CLEAR FORK CREEK ALLIANCE**

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document has been filed in the records of Docket 57648 on this 18th day of April 2025.

A handwritten signature in black ink, appearing to read 'Soledad M. Valenciano', written over a horizontal line.

Soledad M. Valenciano

1 **PLEASE STATE YOUR NAME FOR THE RECORD.**

2 James E. Stoker, on behalf of Clear Fork Creek Ranch, LLC, Stoker Real Estate, L.P.,
3 and the members of Clear Fork Creek Alliance.

4 **DID THESE TWO ENTITIES AND ALL OF THE MEMBERS OF THE CLEAR FORK**
5 **CREEK ALLIANCE INTERVENE AND TIMELY SUBMIT DIRECT TESTIMONY?**

6 Yes.

7 **WHAT IS THE PURPOSE OF YOUR CROSS-REBUTTAL TESTIMONY.**

8 I am responding to the Direct Testimony of John S. Neal and Mohammed Ally. Further I
9 want to set forth the position of the Clear Fork Creek Alliance with respect to several of
10 the competing routes and respond to testimonies regarding the location of the Running
11 Bear Substation site.

12 **WHY DO YOU TAKE ISSUE WITH THE DIRECT TESTIMONY OF JOHN NEAL?**

13 Mr. Neal's direct testimony could be summarized as "don't put the transmission line on
14 my property, put it on someone else's property." I am sure that Mr. Neal and his family
15 have a beautiful property with wonderful attributes. However, as set forth in the direct
16 testimonies of the members of the Clear Fork Creek Alliance, we too have beautiful
17 properties with water features, homes and other wonderful attributes. Mr. Neal's solution
18 to avoid a route using Segments 121 and 128 includes suggesting routes that would
19 impact Segments 150 and/or 151. Notably, there are at least 8 habitable structures within
20 500 feet of Segment 150. And, Segment 121 does not even cross Mr. Neal's property.

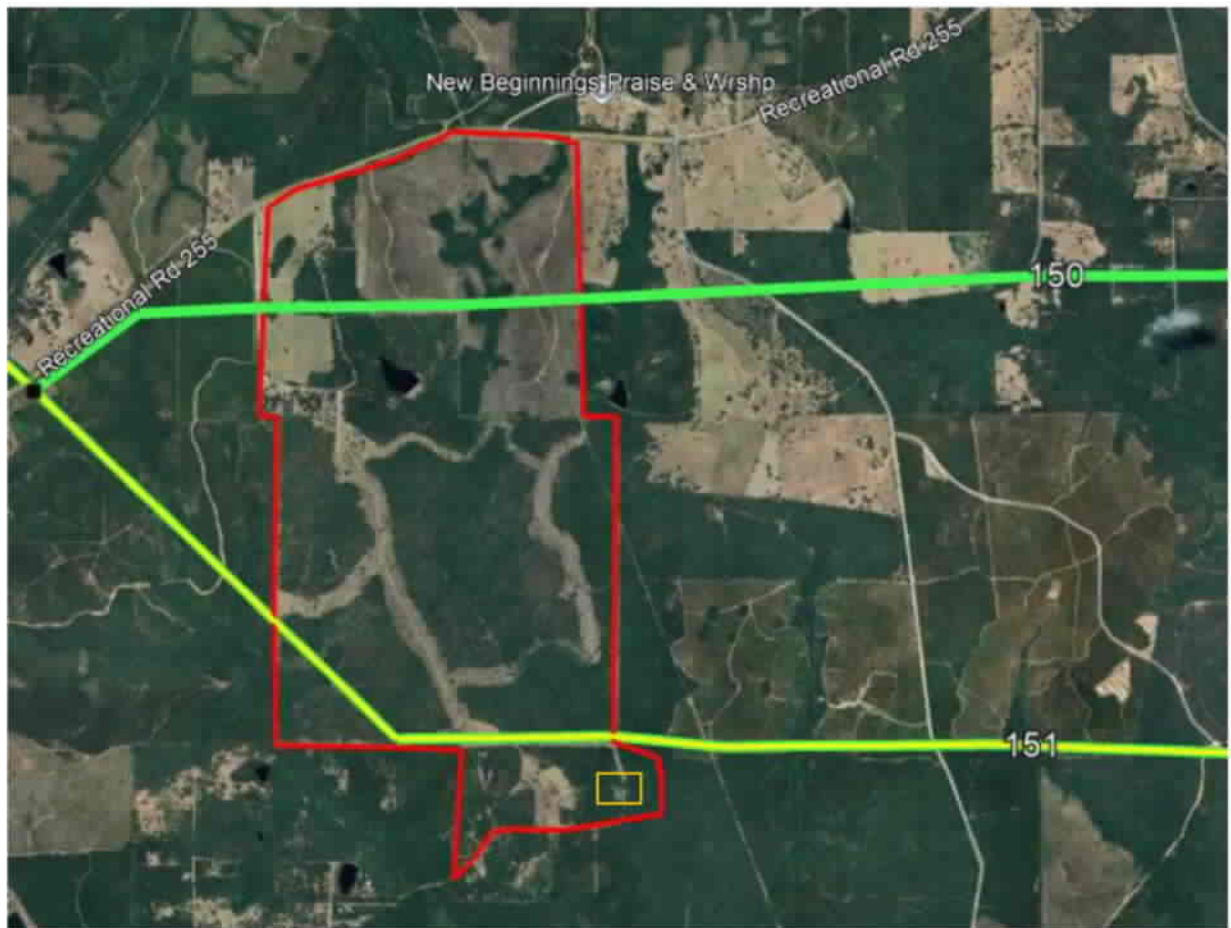
21 **WHY DO YOU TAKE ISSUE WITH THE DIRECT TESTIMONY OF MOHAMMED ALLY?**

22 Mr. Ally is apparently the paid expert witness hired by John Neal and his family. Mr. Ally's
23 testimony seems to focus entirely on suggesting a route that avoids his client's property.

1 This can be seen by the fact that Mr. Ally fails to even analyze or discuss Route 31, which
2 is a very viable route that has been advocated for by other parties in this proceeding.

3 **WHAT IS THE CLEAR FORK CREEK ALLIANCE'S POSITION IN THIS CASE?**

4 The Clear Fork Creek Alliance opposes routes that use Segments 150 and 151. Of those
5 two segments, Segment 150 is by far the most devastating segment. While the Clear Fork
6 Creek Alliance would prefer that no routes are approved that use Segments 150 or 151,
7 if forced to choose, the Clear Fork Creek Alliance would strongly prefer that Segment 151
8 be chosen and not Segment 150. Of the members of the Clear Fork Creek Alliance, it is
9 only Clear Fork Creek, LLC, my property, shown below, that is impacted by Segment 151.
10 Notably, Segment 151 (noted in yellow) is very close to my home (noted in orange).



11 *Exhibit 1 – with home noted*
12

1 JOHN NEAL AND MOHAMMED ALLY HAVE SUGGESTED THAT EITHER ROUTE 37
2 OR ROUTE 39 BE SELECTED, DO YOU AGREE?

3 No, Route 37 uses Segment 150 which as explained in our direct testimonies would be
4 devastating upon the members of the Clear Fork Creek Alliance. Segment 39 uses
5 Segment 151.

6 IF FORCED TO CHOOSE BETWEEN ROUTES 37 AND 39 WHICH ROUTE DOES THE
7 CLEAR FORK CREEK ALLIANCE PREFER?

8 The Clear Fork Creek Alliance strongly opposes Route 37 as it uses Segment 150. Route
9 39 uses Segment 151. Although we oppose Route 39, we strongly prefer Route 39 over
10 Route 37.

11 DO YOU BELIEVE THAT ROUTES 37 AND 39 ARE THE TWO BEST ROUTES?

12 Absolutely not.

13 PLEASE EXPLAIN.

14 There was a lot of direct testimony discussing the location of the Running Bear
15 Substation. Many of the intervenors including several witnesses associated with Caldwell
16 Properties have suggested Running Bear Substation Sites A, B and C are not viable and
17 that only Running Bear Substation Site D is a viable option. I assume that ETI will respond
18 to this assertion.

19 MR. ALLY SUGGESTED ROUTE 39. WHAT RUNNING BEAR SUBSTATION SITE
20 DOES ROUTE 39 UTILIZE?

21 Running Bear Substation Site B.

22 IF RUNNING BEAR SUBSTATION B SITE IS CHOSEN, DO YOU BELIEVE THAT
23 ROUTE 39 WOULD BE THE BEST ROUTE?

1 Absolutely not. Route 10 is clearly superior to Route 39.

2 **IF RUNNING BEAR SUBSTATION D MUST BE UTILIZED WOULD ROUTES 37 AS**
3 **SUGGESTED BY MR. NEAL AND MR. ALLY BE THE BEST ROUTE?**

4 Absolutely not.

5 **PLEASE EXPLAIN.**

6 Routes 26, 31, Route 10-Modified-D and the Modified Route 31s – the various
7 modifications to Route 31 that have been proposed by the parties – all use Running Bear
8 Substation Site D. Routes 26, 31, Route 10-Modified-D and the Modified Route 31s are
9 all superior routes to Route 37. Route 26 has the most favorable paralleling. Route 31
10 has a lower cost than Route 37 and only a slightly higher habitable structure count. Route
11 10-Modified-D has an even lower habitable structure count. Those routes should be
12 chosen above Route 37 if Running Bear Substation Site D is selected as the substation
13 site.

14 **IF THE COMMISSION IS INCLINED TO ORDER A ROUTE THAT BEGINS WITH**
15 **RUNNING BEAR SUBSTATION SITE D AND AVOIDS SEGMENTS 121 AND 128**
16 **OPPOSED BY THE NEAL FAMILY, WOULD ROUTE 37 THEN BE THE BEST ROUTE?**

17 No, in that situation the Administrative Law Judges and the Commission should order
18 Route 38 – or some of the variations of Route 38 that have recently been proposed by
19 Caldwell Properties and Mr. Neal – over Route 37. Route 38 and Route 37 are nearly
20 identical in composition, except that Route 38 uses Segments 151 and 165 and Route 37
21 uses Segments 150 and 164. More specifically, Route 38 avoids Segment 150 and has
22 a lower habitable structure count. There are 8 habitable structures within 500 feet of
23 Segment 150. There are zero habitable structures within 500 feet of Segment 151,

1 although one of my homes is very close to Segment 151 as shown on Exhibit 1.

2 **IN SUMMARY, WHAT ROUTES DOES THE CLEAR FORK CREEK ALLIANCE**
3 **OPPOSE AND WHICH ROUTES DOES THE CLEAR FORK CREEK ALLIANCE**
4 **SUPPORT?**

5 The Clear Fork Creek Alliance opposes any routes that use Segments 150 and/or 151.

6 As stated above, if forced to choose, the Clear Fork Creek Alliance would strongly prefer
7 a route that uses Segment 151 and not Segment 150. The Clear Fork Creek Alliance
8 strongly opposes Route 37 and any other route that uses Segment 150. If Running Bear
9 Substation Site B is a viable option, then Route 10 is clearly more favorable than Route
10 37. If Running Bear Substation Site D is the only available option for the Running Bear
11 substation site then Routes 26, 31, Route 10-Modified-D, Route 25, Route 25M, or the
12 Modified Route 31s should be selected, not Route 37.

13 **DO YOU HAVE ANY FINAL COMMENTS WITH REGARD TO YOUR CROSS-**
14 **REBUTTAL TESTIMONY?**

15 Yes. Again, the Neal family's position seems to be that Segments 121 and 128 cannot
16 be utilized. I don't believe that is the case. Their solution is to advocate for a route that
17 impacts other landowners who also do not want the transmission across their property.
18 An objective review of the costs and environmental data clearly show that Route 37 is
19 **not** the best route for which to advocate.