



**GILLESPIE COUNTY, TEXAS  
OFFICE OF THE COUNTY JUDGE**

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**FOR IMMEDIATE RELEASE**

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**GILLESPIE COUNTY FILES PETITION TO INTERVENE IN LAWSUIT OPPOSING  
BATTERY ENERGY STORAGE FACILITY IN HARPER**

*County Seeks Court Relief to Protect Students, Citizens, First Responders, and Regional  
Water Resources*

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**FREDERICKSBURG, TEXAS** – On November 25, 2025, Gillespie County filed a Petition in Intervention in the 216th Judicial District Court seeking to join ongoing litigation aimed at stopping construction of a proposed battery energy storage system (BESS) facility near Harper, Texas. The County’s action seeks declaratory and injunctive relief to protect public safety, water resources, and the welfare of approximately 600 schoolchildren attending Harper Independent School District campus, located approximately 1,700 feet from the proposed site.

“As County Judge, I have a fundamental obligation to protect the health, safety, and welfare of Gillespie County residents, particularly our most vulnerable residents—our children,” said County Judge Daniel Jones. “The risks posed by this facility to the students at the Harper ISD campus are simply unacceptable. Our emergency response capabilities are insufficient to protect these children in the event of a battery fire, which can burn for weeks, reach temperatures exceeding 2,000 degrees, and release deadly toxic gases.”

The County's petition details serious public safety risks that exceed the capabilities of local emergency response systems and warrant immediate judicial intervention.

The petition cites multiple critical concerns, including:

- The proposed facility is located within approximately 1,700 feet of Harper ISD's only campus, which serves children ranging from pre-k through 12th grade.
- Lithium-ion battery fire events have been documented in other jurisdictions to burn for extended periods, release hazardous gases, and require specialized fire suppression resources not available in Gillespie County.
- The proximity of the proposed facility raises serious questions about the ability to safely evacuate approximately 600 students and staff within the limited timeframe available during a thermal runaway fire incident.
- Fire suppression runoff could contaminate the Pedernales River watershed, which supplies water to multiple counties and ultimately flows into Lake Travis, a primary water source for the Austin region.

The County's filing follows a unanimous resolution adopted earlier this year by the Gillespie County Commissioners Court opposing the placement of battery energy storage facilities within the county.

The lawsuit is styled *Victor Hollender, et al. v. Rogers Draw Energy Storage, LLC, et al.*, Cause No. 25-18363, pending in the 216th Judicial District Court of Gillespie County, Texas. The petition seeks both temporary and permanent injunctions to prevent construction of the facility and to ensure public safety.

Gillespie County remains committed to responsible development that does not compromise the safety of its citizens, first responders, or essential water resources.