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February 28, 1997

Mr. James R. Galloway  
Filing Clerk  
Public Utility Commission of Texas  
1701 N. Congress Avenue  
Room 7-180  
Austin, Texas 78701

Re: Docket 16874; Application of West Texas Utilities to Amend a Certificate of Convenience and Necessity for a Proposed Transmission Line within Fisher and Scurry Counties, Texas

Dear Mr. Galloway:

Enclosed for filing please find the original and 10 copies of LCRA's Motion to Intervene in the above-referenced case.

Thank you in advance for your attention to this matter.

Sincerely,

Edie Heuss  
Paralegal for Mark A. Walker

Enclosure

**Docket 16874**

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APPLICATION OF WEST TEXAS §  
UTILITIES FOR A CERTIFICATE OF §  
CONVENIENCE AND NECESSITY FOR §  
PROPOSED TRANSMISSION LINE §  
WITHIN FISHER AND SCURRY §  
COUNTIES, TEXAS §

PUBLIC UTILITY COMMISSION  
OF TEXAS

**MOTION TO INTERVENE OF  
LOWER COLORADO RIVER AUTHORITY**

COMES NOW the Lower Colorado River Authority ("LCRA") and respectfully files this Motion to Intervene. As cause for same, LCRA would show as follows:

**I.**

The names and addresses of Movant is:

Lower Colorado River Authority  
3701 Lake Austin Boulevard  
P.O. Box 220  
Austin, Texas 78767-0220

The name, address and telephone number of LCRA's authorized representatives are as follows:

Mark A. Walker  
Attorney  
Lower Colorado River Authority  
P. O. Box 220  
Austin, TX 78767  
(512) 473-3378  
Fax No. (512) 473-4010

Stuart Nelson  
Manager of Project Implementation

TENSCO  
Lower Colorado River Authority  
P. O. Box 220  
Austin, TX 78767  
(512) 473-3257  
Fax No. (512) 473-3578

All inquires and communications concerning this Motion should be directed to the above designated representatives. Copies of all pleadings, briefs, requests for information, correspondence and any other documents related to this proceeding should be served upon Mr. Walker at address provided above.

II.

The name, address and telephone number of the party in whose application this Motion to Intervene is sought is:

Mr. Joe Samples  
Central and South West  
P.O. Box 660164  
Dallas, Texas  
(214) 777-1264

The name, address and telephone number of the authorized legal representative of West Texas Utilities ("WTU") is:

Ms. Nancy Leshikar  
Broyles & Pratt  
A Professional Corporation  
Suite 250, One Northpoint Centre  
6836 Austin Center Blvd.  
Austin, Texas 78731  
(512) 794-2100  
(512) 794-2111 (fax)

### III. Basis for Intervention

On January 9, 1997, WTU filed an application for a certificate of convenience and necessity for transmission lines and substations to be located in Fisher and Scurry Counties. This application was styled by WTU as the "Snyder to Roby project". According to the application, the proposed transmission lines are intended to provide transmission service to the two new substations proposed as part of the application and to Midwest Electric Cooperative's existing Plainview substation.

LCRA moves to intervene pursuant to the Public Utility Regulatory Act of 1995 (PURA), Tex. Rev. Civ. Stat. Ann. art. 1446c-O, Section 2.255(a). LCRA's Motion to Intervene is also grounded in the Rules of Practice and Procedure of the Public Utility Commission of Texas §§ 22.103 and 22.104. Pursuant to §22.104(b), this Motion to Intervene is filed within the intervention deadline of March 20, 1997.

LCRA has a demonstrable economic interest in this proceeding which constitutes a justiciable interest. The Commission's system of transmission service pricing established under PUC Subst.R. §§23.67 and 23.70 and orders issued by the Commission in Docket 15840, requires that LCRA and its ratepayers are responsible for access charges based upon the transmission line investment of CP&L. Due to this direct payment interest, LCRA has an interest in this matter in order to promote efficient construction of transmission facilities.

While LCRA has no interest in burdening this proceeding with unnecessary heavy scrutiny of every detail of site specific issues in this case, under current Commission rules the only opportunity LCRA, or any other ERCOT member, has to have input into the costs of this project is in this CCN proceeding. It is LCRA's hope that this kind of intervention will not be necessary in future transmission projects. Rule-making should be initiated by the Commission to provide affected ERCOT members, and other users of the state transmission system, an appropriate forum to be meaningfully involved in the planning of ERCOT transmission system improvements and expansions needed to address the maintenance, reliability, and growth needs of the system. The ERCOT independent system operator ("ISO") was envisioned in Subst. R. 23.67 and 23.70 to provide for a planning process for the ERCOT system. ERCOT could also develop such a process through the ISO to address system planning where all affected parties can participate. Some process needs to be established to eliminate the need to intervene in every CCN project as a piecemeal transmission cost of service rate case. Until that time, LCRA seeks intervention in this case.

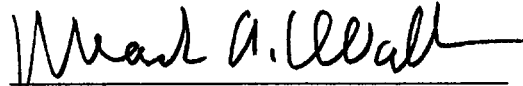
#### IV. Request for Relief

WHEREFORE, PREMISES CONSIDERED, LCRA respectfully requests that it's Motion to Intervene in this proceeding be granted. LCRA also requests such other further relief to which it may be entitled upon further participation in this docket.

RESPECTFULLY SUBMITTED,


GLEN E. TAYLOR  
General Counsel

MARK A. WALKER  
Attorney  
LOWER COLORADO RIVER AUTHORITY  
3700 Lake Austin Boulevard  
Austin, Texas 78703  
512/473-3378  
(Fax) 512/473-4010

By:   
Mark A. Walker  
State Bar No. 20717318

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing pleading was served on all parties of record via first class mail, facsimile or hand delivery, on the 28th day of February, 1997.

  
Mark A. Walker