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APPLICATION OF SAM
HOUSTON ELECTRIC
COOPERATIVE, INC., FOR A
CERTIFICATE OF
CONVENIENCE AND NECESSITY
FOR A PROPOSED
TRANSMISSION LINE IN SAN
JACINTO COUNTY, TEXAS

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PUBLIC UTILITY COMMISSION
FILING CLERK
BEFORE THE PUBLIC
UTILITY COMMISSION
OF TEXAS

MOTION FOR PARTIAL HEARING IN SAN JACINTO COUNTY

To The Honorable Administrative Law Judge, Tommy Broyles:

COMES NOW George Russell, on his behalf and on behalf of Sollie Jackson, Jr., Lone Star Sierra Club, Natural Area Preservation Association, Terri Reed, Kenneth Russell, Marjorie H. Russell, Suzanne B. Russell, and the Universal Ethician Church in the above-entitled and numbered cause, and files this motion to have at least a day of hearing in this docket in San Jacinto County. In support thereof, movant respectfully shows the following:

I. Background

On September 20, 2004, you set the procedural schedule for this docket and established the dates of the Hearing on Merits for March 7th, 8th and 9th of 2005. Order No. 5. This order also established the location of Hearing on Merits as the State Office of Administrative Hearings Facility, 300 West 15th Street, 4th floor, Austin, Texas.

II. Need for Change of Location

The CCN Application that is subject to this docket concerns the people of San Jacinto County. The many of the people party to this docket reside within San Jacinto County. Additionally, many of the witnesses to this docket who are required to be

present at the Hearing on Merits reside in San Jacinto County. There are 18 witnesses in this docket; at least thirteen of these witnesses live and/or work in or nearby San Jacinto County.

Several of the witnesses who submitted testimony on behalf of the parties represented by Mr. Russell are low-income residents of the Waterwood and Point Blank area. Because of both time and money constraints, attending the hearing in Austin will be of great difficulty for these witnesses. Attendance at the Austin hearing would not only be costly but might be impossible, because not all of the witnesses will be able to take enough time off of work to both travel to and attend the Hearing. Pursuant to PUC Rule 22.201, the public interest should be taken into account when determining the location of evidentiary hearings.

Because the local witnesses present facets of the public interest and have first-hand knowledge of information from which community values may be determined, they should have an opportunity to attend and participate at the hearing. Holding the hearing in San Jacinto for one day would make it more reasonable for all witnesses to attend the hearing.

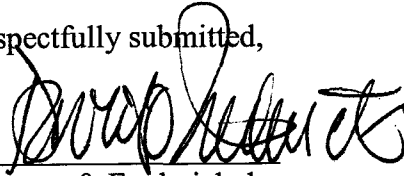
Also, much of the information in this docket concerns the type of land and aesthetics in the study area that would be affected by the proposed transmission line. In order to have the best visualization and, thereby, understanding of the various issues involved in this docket, it would be best to actually see at least some of the area that is being discussed. Accordingly, holding the hearing in San Jacinto offers the additional benefit of providing you with an opportunity to see the study area.

This motion requests at least one day's hearing in San Jacinto County. However, were you to decide all three days should be held there or were you to decide to break the hearing into two parts (to allow a travel day, for example), those or similar options would also be completely acceptable to the Russell Intervenors.

III. Conclusion and Proposed Change of Location for the Hearing on Merits

Wherefore, premises considered, Mr. Russell respectfully moves that the hearing on merits be held for one day (or more, as you might decide) at The Waterwood Country Club, 90 High Dr., Point Blank, Texas 77364 in a meeting room to be determined. There is no fee for the rental of the room. My staff stands ready to help your office with logistics, as you might decide.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David Frederick", written over a horizontal line.

Lowerre & Frederick, by
David Frederick
44 East Ave., Ste. 102
Austin, Texas 78701
(512) 469-6000
(512) 482-9346 facsimile

COUNSEL FOR INTERVENOR
GEORGE RUSSELL

CERTIFICATE OF SERVICE

By my signature above, I, David Frederick, certify that a true and correct copy of the foregoing was sent, via fax or prepaid U.S. mail, on February 10, 2005 to the following parties:

PARTIES	REPRESENTATIVE/ADDRESS
PUBLIC UTILITY COMMISSION	LEGAL DIVISION PUBLIC UTILITY COMMISSION 1701 N. CONGRESS AVENUE SUITE 8-110 AUSTIN, TX 78711-3326 512-936-7260 512-936-7268 (FAX)
SAM HOUSTON ELECTRIC COOPERATIVE, INC.	MARK C DAVIS BRICKFIELD BURCHETTE RITTS & STONE 1005 CONGRESS AVE STE 400 AUSTIN TX 78701 2415 (512) 472-1081 (512) 472-7473 (FAX)
BEVERLY MCMURREY	BEVERLY MCMURREY 1007 COUNTY ROAD 410 LEXINGTON TX 78947 979-773-2627 979-773-4449 (alternate #)
GEORGE & KENNETH & MARJORIE & SUZANNE RUSSELL, SIERRA CLUB (LONE STAR CHAPTER), NATURAL AREA PRESERVATION ASSOCIATION, UNIVERSAL ETHICIAN CHURCH, TERRI REED AND SOLLIE JACKSON, JR.	GEORGE RUSSELL 1401 19TH STREET HUNTSVILLE, TEXAS 77340 (936) 295-5767 (936) 294-0233 (FAX)
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