



Control Number: 32707



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DOCKET NO. 32707

**APPLICATION OF RAYBURN
COUNTRY ELECTRIC
COOPERATIVE, INC. FOR A
CERTIFICATE OF CONVENIENCE
AND NECESSITY (CCN) FOR A
PROPOSED TRANSMISSION LINE IN
HENDERSON AND VAN ZANDT
COUNTIES, TEXAS**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

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**ORDER NO. 8
FINDING PUBLICATION OF NOTICE SUFFICIENT AND REQUIRING
ADDITIONAL FILING OF PROOF OF PUBLICATION**

On July 7, 2006, Rayburn Country Electric Cooperative, Inc. (RCEC) filed with the Public Utility Commission of Texas (Commission) an application for a certificate of convenience and necessity (CCN) for a proposed 138-kV transmission line in Henderson and Van Zandt Counties, Texas.

Notice. On September 5, 2006, RCEC filed publisher's affidavits verifying publication of notice. On September 13, 2006, Commission Staff filed its recommendation regarding sufficiency of published notice in this proceeding. Commission Staff noted that the copies of the proof of publication provided to Staff and entered on the AIS/Interchange systems for notice published by RCEC in the Van Zandt News are incomplete and omit a part of the original as filed in Central Records. Specifically, both publications, dated August 20 and August 27, 2006, end with "Continued on page 6B" while describing Route 4 and before describing Route 9. Commission Staff affirmed that the original tear sheets from the newspapers filed in Central Records are complete and finds that published notice as provided by RCEC is sufficient. However, Commission Staff does recommend that Applicant be required to file nine complete photocopies of the original proof of publication so that the AIS/Interchange system will contain a complete copy.

RCEC has provided notice in this proceeding in accordance with Order No. 2 and P.U.C. PROC. R. 22.52(a). In accordance with Commission Staff's recommendation, notice is deemed sufficient. RCEC shall make a supplemental filing of the affidavits and tear sheets so that a full

and complete copy of the tear sheets suitable for scanning into the Commission's AIS/Interchange system are available for viewing.

Procedural Timeline. Pursuant to P.U.C. SUBST. R. 25.101(b) the Commission shall render a decision approving or denying an application for a certificate within one year of the date of filing a complete application. P.U.C. PROC. R. 22.52(a)(5) states "that failure to provide notice in accordance with this section shall be cause for day-for-day extension of deadlines for intervention and for Commission action on the application." Therefore, the one year period for review of the application does not commence until Applicant has both submitted a complete application and provided adequate notice. RCEC's application and notice are now deemed sufficient.

SIGNED AT AUSTIN, TEXAS the 18th day of September 2006.

PUBLIC UTILITY COMMISSION OF TEXAS



MICHAEL E. FIELD
DIRECTOR, DOCKET MANAGEMENT