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PUC DOCKET NO. 34611

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PUBLIC UTILITY COMMISSION
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APPLICATION OF KELSON
TRANSMISSION COMPANY, LLC
FOR A CERTIFICATE OF
CONVENIENCE AND NECESSITY
FOR THE AMENDED PROPOSED
CANAL-TO DEWEYVILLE 345 KV
TRANSMISSION LINE WITHIN
CHAMBERS, HARDIN, JASPER,
JEFFERSON, LIBERTY, NEWTON
AND ORANGE COUNTIES

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BEFORE THE
PUBLIC UTILITY COMMISSION
OF TEXAS

STATE OF TEXAS' MOTION TO INTERVENE

The State of Texas (the "State"), by and through the Office of the Attorney General, Consumer Protection and Public Health Division, Public Agency Representation Section, files this motion to intervene in accordance with PUC PROC. R. §§ 22.103 & 22.104. Pursuant to Order No. 20, this Motion is timely filed.

1. A large number of State agencies and institutions are located in the Electric Reliability Council of Texas ("ERCOT"), including the CenterPoint ("CNP") service area, and pay rates based in part upon the ERCOT and CNP tariffs. Because Kelson's proposed transmission line would interconnect with ERCOT and CNP, and is projected to provide power into their transmission systems, it appears that the cost of the proposed line may ultimately affect the ERCOT and/or CNP costs paid by State agencies and institutions. In addition, Kelson's application identifies a number of state agencies, including without limitation the Texas Department of Transportation and the Texas Parks and Wildlife Department. The State therefore has a justiciable interest in this proceeding.

2. The Attorney General is charged with representation of the interests of the State. This responsibility and duty is founded in the Texas Constitution, Article IV, § 22, and TEX. GOV'T CODE §§ 402.021 and 402.023(b) (Vernon Supp. 2007). See also *State v. Thomas*, 766 S.W.2d 217, 219 (Tex. 1989). Therefore, the Office of the Attorney General has standing to intervene in this proceeding to represent the State's interests as a consumer.

3. The State's representatives for purposes of this proceeding are the following Assistant Attorneys General, who should be served with all pleadings:

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Susan M. Kelley
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4. The State respectfully requests that it be granted leave to intervene in this proceeding, and that it receive all notices, pleadings, orders and all other documents filed herein.

Dated: May 15, 2008

Respectfully submitted,

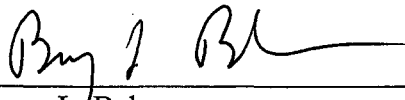
GREG ABBOTT
Attorney General of Texas

KENT C. SULLIVAN
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PAUL D. CARMONA
Chief, Consumer Protection and Public Health Division

MARION TAYLOR DREW
Public Agency Representation Section Chief



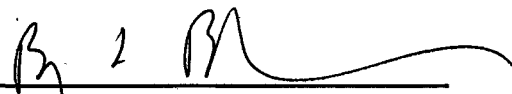
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of **State of Texas' Motion to Intervene** has been served upon all parties of record by hand delivery, facsimile, or email, and First Class U.S. Mail on or before May 15, 2008.



Bryan L. Baker