



Control Number: 37049



Item Number: 140

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UTAH UTILITY COMMISSION
FILING CLERK

**37049 – Various comments –
Concerning the Lower Colorado
River Authority Transmission
Service Corporation's Proposed
CREZ priority Transmission
Lines.**

Smitherman, Barry

To: Peter Pincoffs
Subject: RE: Proposed LCRA Transmission line through Mason County - PUC Docket Number 37049

Dear Peter:

Nice to hear from you and thank you for your email raising your concerns about the proposed LCRA line. Because the application for a CCN will be filed here at the Commission, I will file a copy of your email and my response in Project No. 37049. I appreciate your concerns about preserving the beauty of the Hill Country. My family had a ranch in the Hill Country when I was a boy and I have very fond memories of that beautiful property.

Based on the feedback received by LCRA during public meetings and discussions with landowners and groups in the area, LCRA requested that it delay the application to the Public Utility Commission of the Twin Buttes to McCamey to Kendall transmission line through the Hill Country. LCRA indicated that it would expand the study area to include areas both north and south of the original study area to evaluate new potential routes. At an open meeting on September 24, the Commission approved this request, giving LCRA until January 15, 2010 to file its application for the Twin Buttes to McCamey segment, and until July 6, 2010 to file its application for the McCamey to Kendall segment. While the expanded study area now includes most of Menard and Mason Counties in addition to areas along I-10, LCRA has not indicated to the Commission what routes, if any, it would propose in the expanded study area or the cost of any new routes. When LCRA files its applications, the Commission will evaluate the proposed routes based on the factors set out in statute and Commission rules, and attempt to minimize the impact of the line on landowners and the cost of the line to ratepayers.

Thanks for your public service. At the appropriate time, let's grab a cup of coffee.

Sincerely,
Barry
(512) 936-7025

From: Peter Pincoffs [mailto:ppincoffs@wortham-austin.com]
Sent: Monday, October 05, 2009 10:49 AM
To: Smitherman, Barry
Cc: sara.morgenroth@lcra.org; tmason@lcra.org; rphilips@lcra.org
Subject: Proposed LCRA Transmission line through Mason County - PUC Docket Number 37049

Dear Chairman:

Barry, I hope this email finds you well, and I appreciate the great work you're doing leading the PUC. As you many know, after my TPFA service I was appointed to the LCRA Board in 1995 by Gov. Bush and served as Chair in 1999-2000. I have been following through the news media the proposed routes of the 345kva transmission line being proposed to run through Mason County. My wife and I have owned and enjoyed very much property we bought in 1996 along the Llano River in Mason County.

We ranch and are recreational users of our beautiful stretch of the Llano through this beautiful part of the hill country. We have spent considerable time and money working to protect the habitat and to encourage the diversity of wildlife in our area. The bird watching is wonderful and the River is a wonderful resource for camping and public enjoyment. The proposed location of the line impacts the beautiful and historic town of Mason. Mason is in my opinion, one of the most beautiful and well preserved towns in the State of Texas. Mason depends greatly on heritage and recreational tourism, and in that regard, I would consider this location of the line to be a detriment to our area.

For those reasons and many others not listed above, we are very much opposed to locating the line on this route. We appreciate your consideration, and if I can assist in providing additional information, please let me know.

Peter

Peter Pincoffs

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Fax: 512-407-3225
ppincoffs@wortham-austin.com
www.wortham-austin.com

1. The individual may be asked to provide a written statement, adding only the individual's own findings and not the content of the interview. The interview should be conducted in a confidential manner, and the individual should be informed of the purpose of the interview. The individual should be informed that the interview is confidential and that the information provided will be used for the purpose of the investigation. The individual should be informed that the interview is confidential and that the information provided will be used for the purpose of the investigation. The individual should be informed that the interview is confidential and that the information provided will be used for the purpose of the investigation.

Smitherman, Barry

To: J. Dennis Cavner
Subject: RE: PUC Docket Number 37049, Menard-Mason-Gillespie Route

Dear Mr. Cavner:

Thank you for your email raising your concerns about the proposed LCRA line. Because the application for a CCN by the LCRA to build transmission lines will be filed here at the Commission, I have filed a copy of your letter and my response in Docket No. 37049. I appreciate your concerns about preserving the beauty of the Hill Country. My family had a ranch in the Hill Country when I was a boy and I have very fond memories of that beautiful property.

As Chairman of the Public Utility Commission, one of the most important factors I consider when evaluating applications for transmission lines is the impact that the line would have on landowners. Statutes require that the Commission must consider various factors when evaluating an application for a transmission line, such as the community, historical, and aesthetic values, and the environmental integrity associated with the transmission line. Commission rules also include other factors for consideration, such as whether the proposed routes utilize or parallel existing compatible rights-of-way, property lines or other features, and whether the routes conform to the policy of prudent avoidance. The Commission can also evaluate different ways to construct the lines, such as the use of monopole structures or lattice structures, despite what is proposed by LCRA, and weigh the costs versus the benefits in the decision.

Based on the feedback received by LCRA during public meetings and discussions with landowners and groups in the area, LCRA requested that it delay the application to the Public Utility Commission of the Twin Buttes to McCamey to Kendall transmission line. LCRA indicated that it would expand the study area to include areas both north and south of the original study area to evaluate new potential routes. At an open meeting on September 24, the Commission approved this request, giving LCRA until January 15, 2010 to file its application for the Twin Buttes to McCamey segment, and until July 6, 2010 to file its application for the McCamey to Kendall segment. While the expanded study area now includes parts of Menard and Mason Counties in addition to areas along I-10, LCRA has not indicated what routes, if any, it would propose in the expanded study area. At this point, LCRA is evaluating possible routes and has not proposed any lines to the Commission. When LCRA files its applications, the Commission will evaluate the proposed routes based on the factors set out in statute and Commission rules, and attempt to minimize the impact of the line on landowners and the cost of the line to ratepayers.

Thank you again for writing.

Sincerely,

Chairman Barry Smitherman
Public Utility Commission of Texas
(512) 936-7025

From: J. Dennis Cavner [mailto:dcavner@waxmancavner.com]
Sent: Saturday, October 03, 2009 11:48 AM
To: Smitherman, Barry
Cc: troy.fraser@senate.state.tx.us; harvey.hilderbran@house.state.tx.us; sara.morgenroth@lcra.org
Subject: PUC Docket Number 37049, Menard-Mason-Gillespie Route

Dear Chairman Smitherman,

I am writing this in opposition to the proposed route of the 345-kilovolt transmission lines through Mason and Gillespie counties.

I am a property owner and part-time resident in Castell, Texas, on the western border of Llano County. I am a frequent recreational user of the Llano River and the roads (as a cyclist and sightseer) in the areas that would be affected by the colossal 180 foot tall towers carrying these lines. The construction, maintenance and visual impact of these lines in the heart of the Texas Hill Country would be devastating to the environment, would negatively impact eco-tourism in the region, and would forever scar one of the most magnificent parts of Texas.

I oppose this route in the strongest possible terms, and encourage you to consider an alternative route for this project. If I can be helpful in that regard, please feel free to call on me.

Thank you for your consideration.

Dennis Cavner
WaxmanCavnerLawson

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