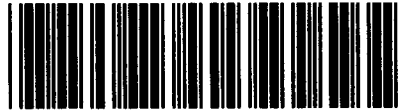




Control Number: 37049



Item Number: 180

Addendum StartPage: 0

Barry T. Smitherman  
Chairman



Rick Perry  
Governor

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PUBLIC UTILITY COMMISSION  
FILING CLERK

*Public Utility Commission of Texas*

December 14, 2009

Michael J. Pledger  
Pledger & Pledger  
701 Brazos, Suite 500  
Austin, Texas 78701

Dear Mr. Pledger;

Thank you for your letter 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.

LCRA originally developed several routes for the proposed transmission line in a study area within a narrow corridor from south of San Angelo to a location between Kerrville and Fredericksburg. Based on comments received during public meetings in the area, LCRA requested that it delay the application to 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, allowing LCRA to file its application by July 6, 2010. The expanded study area now includes larger parts of Menard and Mason Counties and areas along I-10. However, at this time, LCRA has not filed its application with the Commission, has not indicated what routes, if any, it will propose within the expanded study area, and has not indicated the proposed costs of any new lines. LCRA will conduct more public meetings on the revised proposal in early 2010.

When LCRA files its application for the transmission line, the Commission, as required by statute, must consider various factors in its evaluation, 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, regardless of what is proposed by the applicant, and weigh the costs versus the benefits in its decision.

I understand that this process can be difficult and emotional for landowners. That is why it is important that we follow the criteria listed in both statute and Commission rule. When making its decision, the Commission will evaluate the proposed routes based on these factors, 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,

A handwritten signature in black ink, appearing to read "B. Smitherman".

Barry T. Smitherman



180

**PLEDGER & PLEDGER**  
701 Brazos, Suite 500  
Austin, Texas 78701  
Phone 512-441-1027  
Fax 512-597-0726  
Email [pledgerlaw@aol.com](mailto:pledgerlaw@aol.com)

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DEC 02 2009  
Chairman's Office

November 30, 2009

Mr. Barry Smitherman, Chairman  
Texas Public Utilities Commission  
P.O. Box 13326  
Austin, TX 78711-3326

RE: Docket No. 37049

Dear Mr. Smitherman:

I am writing in opposition to the proposal to route the new CREW power line through Mason County. Although my law office is in Austin, I own property and reside in Mason County.

I believe this alternative would be more disruptive to the residents and the environment of Mason County, and certainly less efficient and cost-effective than the logical route along Hwy. 277 and IH-10, and would suggest that there is no sound reason to route it through Mason County.

Thank you for your consideration in this matter, and we Mason County residents have every confidence that the commission will handle this matter logically and effectively.

Sincerely,



Michael J. Pledger

cc: Sarah Morgenroch, LCRA  
Sen. Troy Fraser  
Rep. Harvey Hilderbran