



Control Number: 37049



Item Number: 96

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*Public Utility Commission of Texas*

September 18, 2009

Kim Paxson  
P.O. Box 282  
Junction, Texas 76849

RECEIVED  
SEP 21 AM 9:44  
PUBLIC UTILITY COMMISSION  
FILING CLERK

Dear Ms. Paxson,

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 from the Twin Buttes to McCamey to Kendall substations will be filed here at the Commission in the near future, I have filed a copy of your letter and my response in Docket No. 37049. I appreciate your concerns about preserving the Hill Country property. My family had a ranch in the Hill Country when I was a boy and we still have very fond memories of that beautiful property.

As a Commissioner and, more recently, 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 designated the LCRA to construct this transmission line as part of a legislative requirement to develop renewable resources in areas of West Texas and the Panhandle. The legislation also requires that the Commission make a decision on any application within 180 days, otherwise the proposal is deemed approved. Despite the short timeframe, the Commission will fully evaluate the application and make a decision based on the statutory and regulatory factors within the deadline. You should know that the Commission, at our July 30 Open Meeting, directed the LCRA to consider as many route options as possible in its application on this transmission line. Also, earlier this week, LCRA filed a request to delay the filing date of its application to "expand the study area to adequately study additional routes and routing concepts." When the application is filed, the Commission will evaluate the routes using the statutory and regulatory 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 "Barry T. Smitherman".

Barry T. Smitherman



September 8, 2009

RECEIVED  
SEP 11 2009  
Chairman's Office

Mr. Barry T. Smitherman  
Chairman  
Public Utility Commission of Texas  
PO Box 13326  
Austin, Texas 78711

**Reference: PUC Control Number 37049**

For the 345kV transmission line – LCRA and CREZ McCamey D to Westwind to Kendall Project

Chairman Smitherman;

I would like to point out that pipeline and electrical transmission lines ROWs are not comparable.

The most northern route proposed by LCRA runs along a portion of Longhorn Pipeline. The myth is that the owners of large ranches welcome the money paid for easements.

This could not be further from the truth. Making a living herding livestock is a thing of the past. Ranchers depend on hunters and a growing eco-tourism trade to make ends meet and to that end, now manage their land for greater biodiversity with a strong emphasis on forbs and grasses.

High power transmission lines will greatly impacts their income. With time ranch owners will opt for dividing their land to sell resulting in more fragmentation of precious habitat.

The other pipeline in LCRA's study area is the 1928 Texas-New Mexico line. This easement has not been maintained as best as I can tell since the 1940's... meaning there is no discernable easement except on paper. The line goes right through Native American Seed, through medium size properties and traverses several large ranches. Most landowners along this route have managed their land for optimum biodiversity.

Again, the more valuable the land, the more motivated the landowner is to properly manage his property. Fragmentation is harder on wildlife and water resources.

Why should this matter? Because Kimble County is the watershed for the Llano River and numerous other rivers, streams and seeps. We are the headwaters that help supply the Highland Lakes. In short, Kimble County contributes to your water.

What is the solution? Simple. Access Interstate <sup>I-10</sup> via the existing 69kV transmission lines and follow I-10 to the Comfort substation. Or support Representative Harvey Hilderbran's alternative route outside the study area that accesses I-10 at Sonora. Either way, both Texas Senator Troy Fraser and Representative Harvey Hilderbran support I-10 as a possible route, as does the Kerr County Resolution.

  
Kim Paxson  
PO Box 282 , Junction, Texas 76849

Cc: Governor Rick Perry, Senator Troy Fraser, Representative Harvey Hilderbran, LCRA