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SOAH DOCKET NO. 473-10-0399  
PUC DOCKET NO. 37407

APPLICATION OF ONCOR ELECTRIC  
DELIVERY COMPANY, LLC TO AMEND  
A CERTIFICATE OF CONVENIENCE AND  
NECESSITY FOR THE TONKAWA-  
SWEETWATER EAST-CENTRAL BLUFF  
CREZ 345 KV TRANSMISSION LINE IN  
SCURRY, MITCHELL, FISHER, NOLAN  
AND TAYLOR COUNTIES, TEXAS

BEFORE THE STATE OFFICE  
OF  
ADMINISTRATIVE HEARINGS

EXCEPTIONS TO THE PROPOSAL FOR DECISION

TO THE HONORABLE STEVEN D. ARNOLD, ADMINISTRATIVE LAW JUDGE

I am Roberta L. Hammack-Smith, and I am respectfully filing these  
exceptions to the Proposal for Decision for myself and for my husband, Lindell K. Smith.

Throughout this action, we have tried to explain that we fear this CREZ line so close to our home. It is not simply that we "would prefer that the Project not cross or go near" our property. We FEAR the possibilities of the alleged illnesses and problems it would cause. Specifically, we FEAR for the health of our grandchild. We FEAR the alleged problems with our health. We FEAR how this CREZ line—in such close proximity to our home—could affect our lives. I am not an attorney, and perhaps I do not know how to make a "legal" case for this fear, but I do think it ought to be taken into consideration.

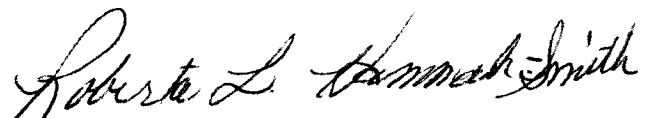
We are relieved that the route next to our home (SE-CB 13) was not included in the PUC's recommendation, or in the Proposal for Decision. However, as has been stated, Mr. & Mrs. Finch have many of the same fears as we do, and I would not be a good neighbor if I did not state that these fears should be taken into consideration for their property as well.

There has been much said about the wind turbines. We will only present one more issue. We were given a choice about having a wind turbine on our private property. We had the right to say no. This CREZ line is being forced upon us, and we

have no ability to direct its location, other than to go to considerable expense of time, money and effort to fight it in this action. We are not foolish. We understand the need for this CREZ line. However, as the community that will house this portion of the CREZ line, we should be able to direct to some extent where that CREZ line will be placed.

We have repeatedly asked that route SE-CB15 be used in this CREZ line. Admittedly, it is a more expensive route. However, ONCOR has stated that the expense is within acceptable guidelines, and has stated that they simply wish to have a line approved—even route SE-CB 15. While there would be more expense in the initial cost of the line construction, there will be profit for the lifetime of the line. All parties of this action (with the exception of the PUC) have agreed that route SE-CB 15 is an acceptable route. The reason the PUC has disagreed is the initial costs. It is more expensive. However, we feel that it is not acceptable that we, as private property owners and citizens of this great state, should have to live in fear each and every day for the rest of our lives, especially when there is a route that minimizes the effects of this CREZ line on us, our families and our community. Granted, it costs more money, but exactly how much are the lives and rights of private citizens worth? Those of us living in this area have fought a hard battle to have property here, to maintain our property, and to live in a safe and secure environment—without the fear of a CREZ line. We are asking that our rights do not get crushed in this process.

Respectfully submitted on February 16, 2010.

A handwritten signature in black ink, reading "Roberta L. Hammack-Smith". The signature is written in a cursive, flowing style.

Roberta L. Hammack-Smith  
Lindell K. Smith  
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