Preferred Route (GN11)

TPWD Recommended Route (GN6)

Alternate Routes

County Boundaries

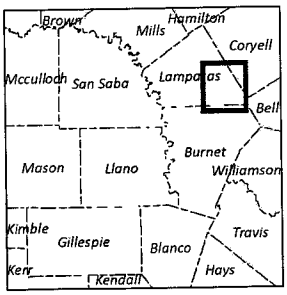
Potential GCW Habitat

Potential Golden-cheeked Warbler Habitat in Relation to Proposed LCRA Transmission Lines

Segments: C29, C30, C31, C31a

50

Aerial Imagery Source:
NAIP 2008



Preferred Route (GN11)

TPWD Recommended Route (GN6)

Alternate Routes

County Boundaries

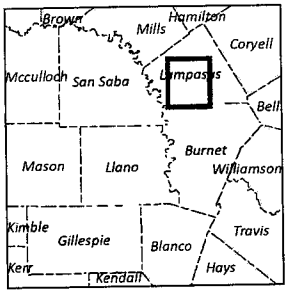
Potential GCW Habitat

Potential Golden-cheeked Warbler Habitat in Relation to Proposed LCRA Transmission Lines

Segments: C15, C16, C20, C22, C23, C24

51

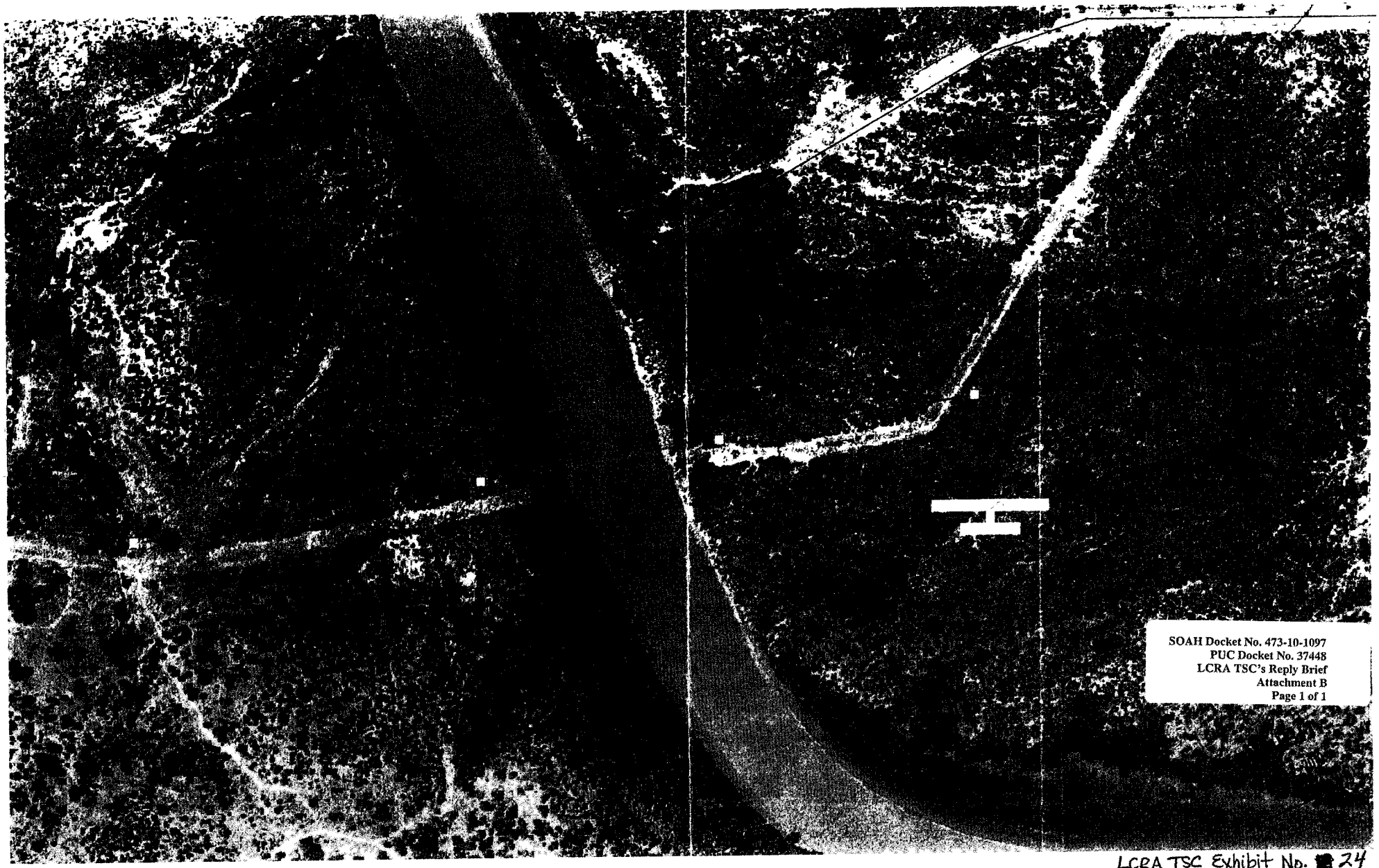
Aerial Imagery Source:
NAIP 2008



ATTACHMENT B

MINOR ROUTE DEVIATIONS ON C21

(LCRA TSC Exhibit Nos. 22 and 24)



SOAH Docket No. 473-10-1097
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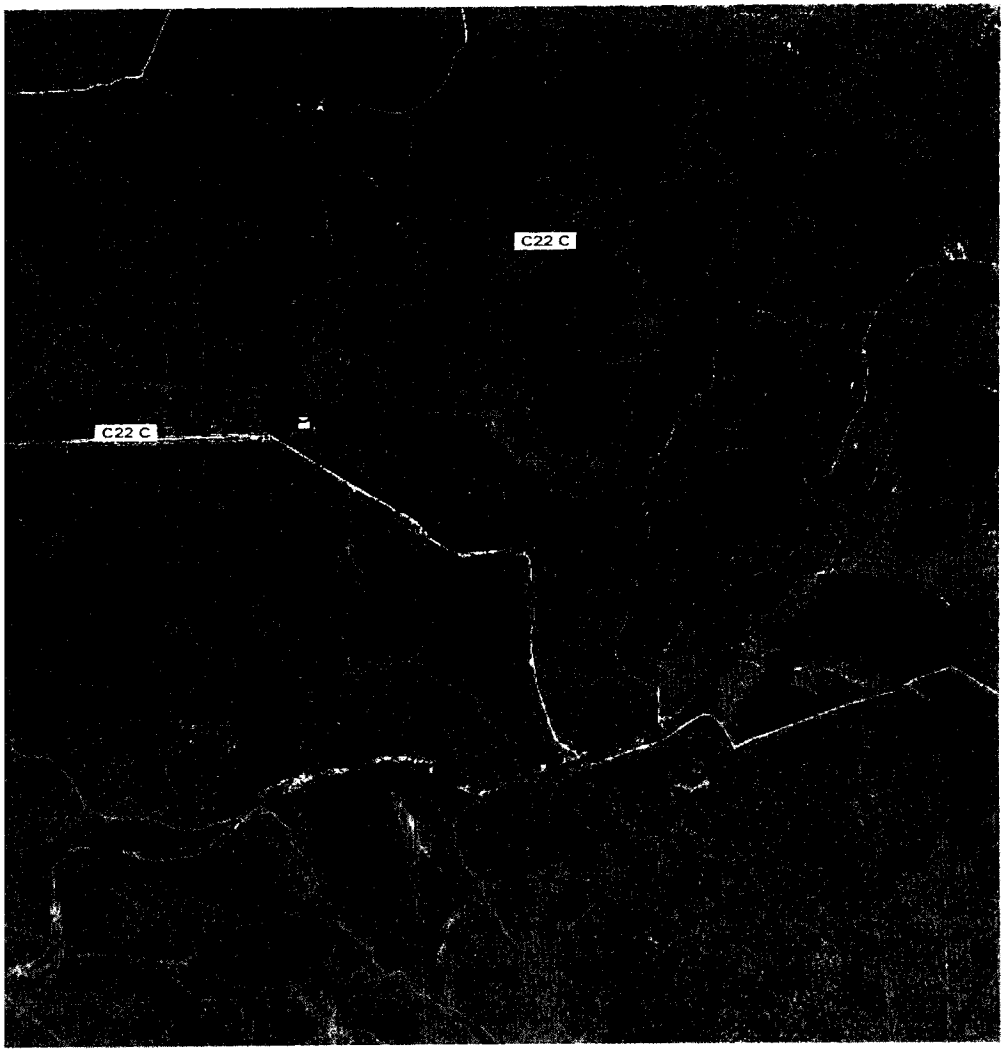
LCRA TSC Exhibit No. 24
admitted 2-12-10



LCRA TSC Exh. 22
admitted 2-12-10

ATTACHMENT C

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND

ORDERING PARAGRAPHS

I. Findings of Fact

Introduction

1. LCRA Transmission Services Corporation (LCRA TSC or Applicant) is a non-profit corporation providing service under Certificate of Convenience and Necessity (CCN) No. 30110.

2. On October 28, 2009, LCRA TSC filed an application to amend its CCN (Application) to include the Gillespie to Newton Competitive Renewable Energy Zone (CREZ) 345-kV transmission line project (Project). The Project was identified by ERCOT in its CREZ Optimization Study (CTO Study), and subsequently assigned to LCRA TSC to construct as a "Priority Project" in Docket No. 35665.

3. The Application requests approval to construct approximately 85 miles of 345 kilovolt ("kV") double-circuit capable transmission line in Gillespie, Llano, Burnet, San Saba and Lampasas Counties ("Proposed Project").

4. LCRA TSC formulated its 11 proposed routes through a series of "links" that may be combined to form as many as 27 different forward progressing routes.

5. Typical structure heights are expected to be approximately 115-185 feet above the ground surface, depending upon the type of structures used.

6. LCRA TSC will not build any new stations for the Project, but LCRA TSC will expand its Gillespie Station, in order to accommodate both the project proposed in this docket and another of its CREZ priority projects (identified in Docket No. 35665) as well as three additional default CREZ projects (identified in Docket No. 36146). LCRA TSC will own, operate and maintain all transmission line facilities for the Project.

Procedural History, Notice, and Jurisdiction

7. Written direct notice of the Application was mailed on October 28, 2009, to each owner of land on the current Gillespie, Llano, San Saba, Burnet, and Lampasas Counties tax appraisal district listings whose property would be directly affected by the proposed transmission line.

8. Written direct notice was mailed on or before November 18, 2009, to several directly affected landowners whose names had not appeared on LCRA TSC's original list (submitted as Attachment 7 to the Application).

9. Written notice was mailed on October 28, 2009, to the municipalities of Bertram, Boerne, Burnet, Cottonwood Shores, Fredericksburg, Granite Shoals, Highland Haven, Horseshoe Bay, Kempner, Lampasas, Llano, Lometa, Marble Falls, Meadowlakes, Richland Springs, San Saba, and Sunrise Beach Village, and to Gillespie, Llano, San Saba, Burnet, and Lampasas Counties.

10. Written notice was mailed to twenty neighboring utilities providing electric service, specifically Bandera Electric Cooperative, Inc., Cap Rock Energy Corporation, Central Texas Electric Cooperative, Inc., City of Boerne, City of Burnet, City of Fredericksburg, City of Lampasas, City of Llano, City of San Saba, City of Copperas Cove, Hamilton County Electric Cooperative, Kerrville Public Utility Board, Pedernales Electric Cooperative, Inc., AEP Texas North Company, AEP Service Corporation, Brazos Electric Cooperative, Inc., Oncor, City of Goldthwaite, City of Brady, and City of Mason.

11. Timely notice of the Application was published in the following newspapers: *The Boerne Star* (November 3, 2009), *The Fredericksburg Standard-Radio Post* (November 4, 2009), *The Comfort News* (November 5, 2009), *The San Antonio Express-News* (November 3, 2009), *The River Cities Daily Tribune* (November 3, 2009), *The Llano County Journal* (November 4, 2009), *The Highlander* (November 3, 2009), *The Burnet Bulletin* (November 4, 2009), *The Burnet Citizens Gazette* (November 4, 2009), *The Picayune* (November 4, 2009), *The Lampasas Dispatch Record* (November 3, 2009), *The Austin American Statesman* (November 3, 2009), *The Harper News* (November 6, 2009), *The Llano News*(November 4, 2009), and *The San Saba News & Star* (November 5, 2009).

12. Pursuant to the requirements of Question No. 27 of the CREZ Application form, LCRA TSC timely provided copies of the Application and the Environmental Assessment compiled for this Project to representatives of the Texas Parks and Wildlife Department ("TPWD").

13. LCRA TSC mailed written and published notice pursuant to P.U.C. PROC. R. § 22.52(a)(4) of its public open-house meetings held in Lampasas, Burnet, Llano, Fredericksburg, and Comfort, Texas on May 4, 5, 7, 11 and 12, 2009, respectively.

Material Deficiencies

14. No material deficiencies exist in the Application.

CREZ Priority Transmission Plan

15. The Application is for a Competitive Renewable Energy Zone (CREZ) priority project.

16. The Project will accomplish the intended results for the CREZ priority project designated as the "Gillespie to Newton transmission line project" and ordered by the Commission in Docket No. 35665, Commission Staff's Petition for Selection of Entities Responsible for Transmission Improvements Necessary to Deliver Renewable Energy from Competitive Renewable Energy Zones, (Order on Rehearing May 15, 2009), and 36801, *Proceeding to Sequence Certificate of Convenience and Necessity Applications for the Priority Projects from the Competitive Renewable Energy Zones* (July 8, 2009).

17. The projected energizing date for the Project is November 2012.

18. In addition to the Project being a CREZ priority project, it will also help minimize existing congestion, and improve reliability west of Austin.

Route

19. LCRA TSC recommended GN11 as its preferred route because it was one of the lowest in cost, it used or paralleled 41% of the total length of the route, it crossed the Colorado River where there was the most favorable topography and it had fewer habitable dwellings than the route to the south which went through Buchanan Dam.

20. GN11 is virtually identical to route GN5 except that the three ending segments are different, GN11 heads toward Newton Station from the south and GN5 heads toward Newton Station from the north.

21. GN5 is superior to GN11 in that it avoids the highly populated areas on or near segments C29 and C30 and instead uses ending segments that have 50% fewer habitable dwellings.

22. GN5 is also superior to GN11 in that it avoids the lengthy paralleling and crossing of Mesquite Creek which occurs on GN11 as it heads to Newton Station from the south.

23. GN5 is also superior to GN11 in that it is cheaper to construct because it is not necessary to install monopoles on GN5 as would be required on the ending segments of GN11 or GN10 modified from the south.

24. GN5 is also superior to GN11 because the primary ending segment, C31, has already been almost completely clear-cut, thus, avoiding disruption of endangered species habitat.

25. GN6 should not be approved, even though it uses more existing right-of-way, because it directly affects more than three times the number of habitable structures including many businesses, residences and a church, and because much of its additional right-of-way is doubtful.

26. The cost differences between GN5 and GN6 are inconclusive due to the lack of solid estimates of right-of-way acquisition costs and habitat mitigation costs.

27. GN6 should not be approved due to the adverse effect it would have on the Buchanan Dam Community and the Mesquite Creek Community.

28. Given the height, width and structure of the proposed lattice towers all habitable dwellings within 500 feet of centerline of C14 and C17 are newly affected.

29. It is not possible to use the right-of-way of T-109 for the proposed 345 kV line due to the need to keep T-109 in service in order to meet the demands of the current loads on that line.

Community Values

30. In order to solicit public input and involvement in its process, LCRA TSC held a series of open house meetings in May of 2009 at locations in Lampasas, Burnet, Llano, Fredericksburg, and Comfort, Texas (on May 4, 5, 7, 11, and 12, 2009, respectively).

31. A total of 694 persons attended the five open houses where they could receive and complete questionnaires about the Project. Approximately 600 completed questionnaires were received by LCRA TSC.

32. Information received from the public open-house meetings and from local, state and federal agencies was considered and incorporated into the routing analysis and the selection of preferred and alterative routes.

33. In addition to the open houses, LCRA personnel also met with numerous public officials, landowners, and interested organizations prior to filing the Application for the Project.

34. Many governmental entities and public officials expressed a preference for monopoles in highly populated areas. This was especially true in Gillespie County and Lampasas County.

35. The Commissioners Court of Lampasas County recommended that the southern route heading into Newton Station not be utilized unless monopoles were installed on segments C27, C28 and C30. Likewise, the State Representative for Lampasas and Burnet Counties in the Texas House of Representatives also expressed a similar community value.

36. PBS&J evaluated habitable structures, city limits, rural subdivisions, lakes and reservoirs, and airports, airstrips, and heliports as areas to avoid if possible when assessing community values.

37. Route GN6 goes through the community of Buchanan Dam where there are 164 habitable structures, which is more than four times as many as are impacted by GN5.

38. Maximizing the distance from habitable structures is an important community value. Much of the hearing time in this proceeding dealt with determining the number of habitable structures on Route GN6.

39. Route GN5 best complies with the community value expressed of valuing maximizing the distance of the line from residences.

40. Using monopoles along Link C3 through the Buchanan Dam community is reasonable to mitigate the impact of the line.

41. No airports, airstrips or heliports present any insurmountable constraint on routing along Route GN5.

Recreational and Park Areas

42. In order to consider impacts upon recreational and parks areas, LCRA TSC's routing consultant, PBS&J, reviewed USGS topographic maps, TxDOT County Highway maps, the Texas Parks & Wildlife Department's "Texas Outdoor Recreation Inventory," recent aerial photography and also conducted limited field reconnaissance.

43. Route GN5 does not pass near any parks or recreation areas.

44. Route GN5 uses links that are the farthest links from Enchanted Rock.

45. Route GN5 uses links that has no impact on the Colorado Bend State Park or Inks Lake State Park.

46. Route GN5 does not cross Inks Lake.

47. Route GN5 does not cross, parallel or abut Mesquite Creek.

Historical and Aesthetic Values

48. All of LCRA TSC's 11 alternative routes for the Project cross one or more recorded historic or pre-historic sites. Seven routes cross at least 14 or more such sites. In addition, the 11 routes all have additional recorded historic or pre-historic sites within 1,000 feet of the ROW centerline, with numbers ranging between 6 and 22 such sites.

49. Route GN5 does not pass within the visual foreground zone ("VFZ") for any park or recreational area.

50. Route GN5 protects the aesthetics of Enchanted Rock, Colorado Bend State Park, Inks Lake and Inks Lake State Park

51. The aesthetic harm can be mitigated by using monopoles on Alternate Link C3 and within 200 feet of a habitable structure.

52. It is reasonable to use monopoles in these locations to address aesthetic concerns.

Environmental Integrity

53. LCRA TSC's consultant, PBS&J, examined a wide range of environmental information in its Environmental Assessment and Alternative Route Analysis (EA), which was researched and analyzed through a variety of methods and by representatives of various environmental disciplines.

54. Because the geographic locations of environmentally sensitive and other restrictive areas within the study area were located and considered during the transmission line route delineation process, the overall impact of alternative routes has been greatly reduced.

55. LCRA TSC used the Loomis Report to identify potential golden-cheeked warbler habitat.

56. LCRA TSC used data from three transmission line projects within the same geographic range as the Project to estimate the percentage of each link that would cross through potential vireo habitat.

57. LCRA TSC properly considered endangered species habitat as well as habitat for species classified as threatened, protected, or a species of concern by either the state or federal government.

58. The project is not expected to adversely impact populations of any federally-listed endangered wildlife species and it is unlikely that the proposed project will result in adverse impacts to federal and state listed or threatened species.

59. Whether any habitat is occupied by a threatened or endangered specie will not be known until on-ground assessments are made. At this juncture it is highly speculative as to whether there are any threatened or endangered species on any of the primary routes under consideration.

60. All alternate routes avoid, to the extent practicable, known habitat of endangered species.

61. The possibility of soil erosion during construction can be mitigated through the use of a Storm Water Pollution Prevention Plan (SWPPP) and re-vegetation.

62. LCRA TSC will develop and implement a SWPPP.

63. Route GN5 crosses the Colorado River at an existing pipeline easement where wildlife habitat has already been fragmented.

64. Route GN5 uses ending segment C31 that has already been clear-cut.

Goal for Renewable Energy

65. The Project is necessary to deliver renewable energy generated in the CREZ.

Engineering Constraints

66. LCRA TSC will design and construct the proposed transmission line to meet nationally recognized guidelines and specifications, including the applicable version of the National Electrical Safety Code (NESC), as well as established regional electric system planning criteria to address various categories of contingency conditions and applicable PUC rules, in order to operate the proposed transmission line in a safe and reliable manner.

67. Route GN5 presents no major engineering constraints.

68. Route GN5 would have little or no effect on aviation operations in the area.

69. Route GN5 avoids the construction challenges associated with routing through highly populated areas, such as in the Buchanan Dam Community and the route ending segments south of the City of Lampasas near Kempner.

70. Route GN5 avoids the construction challenges associated with routing over a substation in the Buchanan Dam Community.

71. Route GN5 avoids the construction challenges associated with routing near the Cassie VFD Heliport.

72. Route GN5 avoids the construction challenges associated with routing the line over Inks Lake where water releases from the dam may wash away construction materials.

Costs

73. Route GN5 is projected to cost approximately $176.2 million.

74. The two most important variables in estimating the cost of a route are the cost of right-of-way acquisition and the cost of habitat mitigation.

75. ROW costs estimated by LCRA TSC did not use data from the counties the Project will cross and are inaccurate.

76. Right-of-way acquisition cost per acre was estimated on a per link or segment basis at $60,000 or $30,000.

77. The record evidence does not support the basis for distinguishing the links so that one is $30,000 per acre and another is $60,000. As such, there is insufficient evidence to support the estimate of $60,000 per acre for Link C31 and the estimates used for other links.

78. LCRA TSC did not sponsor a witness with any expertise in making estimates for right-of-way acquisition within the Study Area of the Gillespie-Newton Line.

79. Reliance on cost estimates to differentiate the routes is undermined by the failure to provide probative evidence for the basis for the pricing differentials between links as far as right-of-way acquisition cost estimates are concerned.

80. Reliance on the cost estimates to differentiate routes is further undermined by the speculative nature of the cost estimates for habitat mitigation between the links and routes.

81. Given the infirmities with the cost estimates, there is no basis for saying that GN6, GN10 modified, GN11 or GN5 are superior in comparison to other routes on the basis of cost.

82. The cost estimates for the installation of monopoles (spun concrete) significantly dropped in price after LCRA TSC's application for a CCN was filed in this case.

83. The installation of spun concrete monopoles, with 600-feet spans, increases the cost estimates by $89,000 per mile in sand and by $96,000 per mile in limestone. Construction costs would increase by $160,000 per mile in sand and by $287,000 per mile in limestone.

84. Habitat mitigation costs are significant throughout the Project.

85. Two methods were used to calculate mitigation costs for the two different species, and mitigation acreage costs of $12,000 per acre were included in costs according to mitigation acreage ratios. The ratios included mitigation for direct effects to habitat as well as indirect effects. As a result, cost comparisons between routes reflect different attributes of the routes.

Using Existing Compatible ROW, Paralleling Compatible ROW, and Paralleling Other Features

86. 39% of route GN5 uses existing right-of-way. This is very similar to GN11 and GN10 modified.

87. Route GN6 uses more right-of-way than Route GN5 but the amount and quality of existing right-of-way on Links C14 and C17 are uncertain due to the language in existing easements dating as far back as 1937 and due to much of the right-of-way on C14 not being overgrown with bushes and shrubs.

88. The additional right-of-way used or paralleled on Route GN6 is not enough to offset the other advantages of Route GN5 as far as habitable structures are concerned, including the avoidance of businesses, a church, and residences in very close proximity to the centerline of Links C14 and C17 on Route GN6.

89. Along Links C3, 5, 9, 11, and 12, the line would be constructed in the ROW of an existing transmission line.

90. The existing T-109 138 kV transmission line ROW cannot be used to construct the new transmission line.

Prudent Avoidance

91. LCRA TSC's proposed alternative routes minimize, to the extent reasonable, the number of habitable structures located in close proximity to the routes.

92. Route GN6 comes within 500 feet of the highest number of habitable structures at 164. Route GN11 impacts 48 habitable structures. Routes GN10 and GN10M impact 42 and 41 habitable structures, respectively.

93. Route GN5 comes within 500 feet of 36 habitable structures, significantly fewer than Route GN6.

94. Links C25 and C31 have half the number of habitable structures within 500 feet of centerline of route GN5, than, Links C26, C27, C28 and C30 on Route GN11, making Route GN5 a better choice than Route GN11 as the approved route.

95. Links C25 and C31 go through rural areas of Lampasas County whereas Links C29 and C30 are in highly populated areas of Lampasas County, south and east of the City of Lampasas.

96. Route GN5 best complies with the Commission's prudent avoidance policy.

Alternate Routes with Less Negative Impact

97. The Gillespie Substation Intervenors and LCRA TSC agreed to move Link C3 slightly to the northwest where it crossed their properties. Moving the line in this manner will move the line away from the Gillespie Substation Intervenors' homes and habitable structures. Alternate Link C3 would move the line further from Fredericksburg and would move the line off the summit of the hilltops on the Gillespie Substation Intervenors' lands, making the line less visible from Fredericksburg.

98. The additional cost of Alternate Link C3 is $300,000, which is reasonable.

99. The Gillespie Substation Intervenors have not agreed to offset any of the additional cost of Alternate Link C3.

100. It is reasonable for LCRA TSC to use monopoles on Alternate Link C3.

Proposed Modifications to CREZ Order

101. LCRA TSC's proposed Gillespie to Newton project meets the requirements of the ERCOT CTO Study and does not deviate in transmission project components from the original transmission specifications in the ERCOT CTO Study.

CTO Study Cost Discrepancies

102. ERCOT had estimated the cost for the CREZ Gillespie to Newton project at $136.5 million and 105 miles in length.

103. LCRA TSC's estimated cost for Route GN5 is $176.2 million, with estimated costs for all 11 evaluated routes ranging from $161.0 million to $207.1 million.

104. LCRA TSC's estimates include capitalized interest and habitat mitigation costs, which were not included in the ERCOT estimate.

105. LCRA TSC's estimated construction costs are higher due to maneuvering equipment in rugged terrain with little public access and drilling foundations in harder geologic substrates typical in the Hill Country area.

106. LCRA TSC's estimated ROW acquisition costs could be higher in the Hill Country compared to what LCRA TSC would estimate for ROW acquisition in some other areas.

107. LCRA TSC's estimated costs are reasonable even though they vary from ERCOT's estimate.

TPWD Comments, Recommendations

108. TPWD submitted a letter addressing the Project and recommendations on December 23, 2009.

109. The letter addressed issues related to ecology and the environment. TPWD did not consider other factors that the Commission and utilities must consider and balance in CCN applications, including the numerous routing criteria that involve direct effects on people.

110. LCRA TSC avoided specific known occupied habitat locations in the process of delineating preliminary route links and alternative routes.

111. Once the Commission approves a route, LCRA TSC can access private property and perform a survey of the area, and if permits are necessary, apply for and comply with all permit conditions.

112. LCRA TSC does not have access to private property prior to the selection of a route.

113. TPWD recommended Route GN6 particularly to avoid Enchanted Rock, Colorado Bend State Park, and previously undisturbed river crossings.

114. There is possible habitat on Links C17l, C18, C27 and C29 for both Golden Cheeked Warblers and Black Capped Vireos. Thus, endangered species may be present on route GN6. This possibility was not investigated by TPWD.

115. With the selection of Route GN5, many of TWPD's concerns are addressed.

116. No requirement exists for a particular methodology for assessment of endangered species for the examination by the Commission of the "environmental integrity" factor. The Commission's acceptance of the "known habitat" analysis is not prohibited by any regulatory requirements.

117. LCRA TSC must comply with all applicable environmental laws and regulations governing erosion control, endangered species, storm water prevention, and all other environmental concerns.

118. Conditions or limitations related to TPWD's comment letter should not be included in the Final Order.

119. The Ordering Paragraphs are sufficient to address TPWD's recommendations or requests.

II. Conclusions of Law

1. LCRA TSC is an electric utility as defined in PURA §§11.004 and 31.002(6).

2. The Commission has jurisdiction over this matter pursuant to PURA §§14.001, 32.001, 37.051, 37.053, 37.054, 37.056, and 39.203(e).

3. LCRA TSC filed its CREZ CCN Application in this docket on October 28, 2009 in conformance with the Commission's standard CREZ CCN Application form and the Commission's Orders in P.U.C. Docket Nos. 33672 and 35665. LCRA TSC's Application has met the filing requirements set forth in P.U.C. SUBST. R. § 25.216(g)(2) and (3).

4. LCRA TSC provided proper notice of the Application in compliance with PURA §37.054 and P.U.C. PROC. R. 22.52(a).

5. LCRA TSC's Application is sufficient under PUC SUBST. R. 25.216(g)(2) and (3) and LCRA TSC's notice was adequate.

6. SOAH exercised jurisdiction over this docket pursuant to PURA §14.053 and TEX. GOV'T CODE ANN. §2003.049.

7. This docket was processed in accordance with the requirements of PURA and the Administrative Procedure Act, TEX. GOV'T CODE ANN. Chapter 2001.

8. LCRA TSC is entitled to approval of the Application, as described in the findings of fact, using Route GN5, taking into consideration the factors set out in PURA §37.056 and P.U.C. SUBST. R. 25.101.

9. Route GN5 complies with all aspects of PURA §37.056 and P.U.C. SUBST. R. 25.101, including the Commission's policy of prudent avoidance.

10. The Project, as a CREZ transmission project identified in Docket No. 35665, is exempt under PURA §§39.203(e) and 39.904(h) and P.U.C. SUBST. R. 25.174(d)(2) from the requirement of proving that the construction ordered is necessary for the service, accommodation, convenience, or safety of the public and need not address the adequacy of existing service, the need for additional service, the effect of granting the certificate on the recipient of the certificate and any electric utility serving the proximate area, and the probable improvement of service or lowering of cost to consumers in the area if the certificate is granted.

11. The Proposed Project is consistent with the Commission's goals for the CREZ program and PUC SUBST. R. § 25.174 in that it provides (1) long-term cost effective solutions consistent with the Final Order in Docket No. 35665, and (2) transmission facilities consistent with ERCOT's recommendations to be constructed as soon as possible to relieve existing and growing constraints in delivering wind generation and placed in service.

12. The Project is consistent with and in furtherance of the goals and mandates of Section 39.904 of PURA.

13. Pursuant to P.U.C. SUBST. R. 25.174(d)(10), the level of financial commitment by generators is sufficient under PURA §39.904(g)(3) to grant LCRA TSC's Application for a CCN in this docket.

III. Ordering Paragraphs

FINDINGS OF FACT AND CONCLUSIONS OF LAW, THE COMMISSION ISSUES THE FOLLOWING ORDERS:

1. LCRA TSC's CCN No. 37448 is amended and LCRA TSC's Application to build a new 345-kV double-circuit transmission lines that extend from the existing Gillespie Switching Station to the new Newton Switching Station is approved. The Project will

follow the route described as Route GN5, with the adjustments to Link C3 to create Alternate Link C3 with monopoles, the adjustment at the Llano River crossing, and the use of monopoles anywhere the line runs within 200 feet of a habitable structure.

2. LCRA TSC shall implement erosion control measures as appropriate. LCRA TSC shall return each affected landowner's property to its original contours and grades except to the extent necessary to establish appropriate right-of-way, structure sites, setup sites, and access for the transmission line or unless otherwise agreed to by the landowner.

3. In the event LCRA TSC or its contractors encounter any archaeological artifacts or other cultural resources during construction of the Project, LCRA TSC shall cease work immediately in the vicinity of the resource and report the discovery to the Texas Historical Commission (THC) and take action as directed by the THC.

4. LCRA TSC shall follow the procedures outlined in the following publications for protecting raptors: *Suggested Practices for Avian Protection on Power Lines, The State of the Art in 2006*, Avian Power Line Interaction Committee (APLIC), 2006 and the *Avian Protection Plan Guidelines* published by APLIC in April 2005.

5. LCRA TSC shall install bird diverters at all river crossings.

6. LCRA TSC shall minimize the amount of flora and fauna disturbed during construction of the Project, except to the extent necessary to establish appropriate right-of-way clearance for the transmission line. LCRA TSC shall re-vegetate using native species considering landowner preferences and avoid adverse environmental impacts to sensitive plant and animal species and their habitats as identified by TPWD and USFWS. LCRA TSC may use non-native species to re-vegetate only to control erosion.

7. LCRA TSC shall exercise extreme care to avoid affecting non-targeted vegetation or animal life when using chemical herbicides for controlling vegetation within the right-of-way and that such herbicide use comply with rules and guidelines established in the *Federal Insecticide, Fungicide and Rodenticide Act* and with the Texas Department of Agriculture regulations.

8. LCRA TSC shall cooperate with directly affected landowners to implement minor deviations in the approved route to minimize the impact of the Project. Any post-order minor deviations in the approved route shall only directly affect landowners who received notice of the transmission line in accordance with P.U.C. PROC. Rule 22.52(a)(3) and shall directly affect only those landowners that have agreed to the post-order minor deviations.

9. LCRA TSC shall update the reporting of this project on their monthly construction progress report prior to the start of construction to reflect final estimated cost and schedule in accordance with P.U.C. Subst. R. 25.83(b). In addition, LCRA TSC shall provide final construction costs, with any necessary explanation for cost variance, after completion of construction and when all charges have been identified.

10. All other motions, requests for entry of specific findings of fact and conclusions of law, and any other requests for general or specific relief, if not expressly granted, are denied.