

Control Number: 37448



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*Public Utility Commission of Texas*

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PUBLIC UTILITY COMMISSION  
FILING CLERK

May 26, 2010

Mr. Marvin G. Pipkin  
1020 N.E. Loop 410, Suite 810  
San Antonio, Texas 78209

Dear Mr. Pipkin:

Thank you for your letter regarding the Commission's recent decision on LCRA's Gillespie to Newton transmission line. Unfortunately, because this is still an active case at the Commission, I am unable to discuss any substantive issues relating to the proceeding. However, I have asked the Electric Reliability Council of Texas (ERCOT) to conduct a thorough re-evaluation of the need for the Gillespie to Newton transmission line. ERCOT is the administrator of the transmission grid in Texas and the entity that originally developed the plan to connect the competitive renewable energy zones in West Texas to the rest of the transmission grid. The Gillespie to Newton line is part of this plan.

I have filed your letter in Docket No. (37448) along with this response, so that the other parties in this case are aware of your concerns.

Thank you again for writing.

Sincerely,

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

Barry T. Smitherman



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APR 28, 2010  
Chairman's Office

**MARVIN G. PIPKIN**  
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April 26, 2010

Mr. Barry Smitherman, Chairman  
Public Utility Commission of Texas  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326

*Via Regular Mail and  
via E-mail*

Chairman Smitherman,

Thank you for your comments and for your actions at the Friday PUC hearing on the LCRA wind power transmission power lines. Word of the hearing began spreading immediately throughout the network of interested landowners on Friday afternoon and there was a tremendous sense of relief that somebody was listening to landowner concerns and comments.

At a meeting several months ago at the Gillespie Law Enforcement Center in Fredericksburg, I asked the LCRA representatives why the power line did not take the much more direct and straightforward route directly from McCamey D to the Lampasas substation. We were informed at the time that it was too late to even start that discussion.

Frankly, none of the landowners in the Menard/Kimball/Kerr/Kendall and Gillespie areas understand why the power was not first routed directly to Lampasas. Such a route would avoid the ongoing fragmentation of the Texas Hill Country and would be more direct and more economical. Additionally, such a route would avoid imposing upon Gillespie County, the most expensive land in the Texas Hill Country, the burden of three different transmission line routes.

For these reasons, we renew our request for reconsideration of the direct routing of the transmission lines to Lampasas. If, in fact, the power must be routed south to Gillespie and to Kendall, a single line dropping south from Lampasas would be much less disruptive to the environment, countryside and landowners who have built their lives and futures around their land ownership in these counties in the Texas Hill Country.

Alternatively, we believe the existing US 277 and Interstate 10 corridors best fit the parameters to be followed for route selection to transmit the power from McCamey D subdivision to the Kendall station. This would avoid additional land fragmentation and minimize disruption to

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landowners. Particularly, in regard to the longest stretch of this route which would be the Interstate 10 route, the adjoining landowners are extremely restricted on the accessibility of their property from Interstate 10 by the applicable federal statutes and, therefore, there are many fewer homes and structures adjacent to I-10 which would be affected by this use of this right-of-way and corridor.

For the citizens of Menard, Mason and Gillespie counties, the proposed routes which follow in part existing power lines make no sense because they do not follow "compatible" rights-of-way as required by the standards. Following a right-of-way which leads to the wrong place, as evidenced by one of the proposed deviations from that line, is not a compatible right-of-way and LCRA will not be able to meet its burden on compatibility. There is no logic to following a right-of-way to the Gillespie station when the line does not even connect at that station.

The Commissioners Court of Menard, Mason and Gillespie counties have all expressed their opposition to the proposed cross-country routing through those counties and we believe that such unanimous input from those governing bodies is an enormous factor which cannot be overlooked by the LCRA and PUC.


For all of these reasons, we request the LCRA and PUC give serious consideration to the following issues:

1. Is the McCamey D substation even necessary or can the power be transmitted directly to Lampasas from the origin of generation?
2. If the McCamey D substation is required, why would not a direct route to Lampasas be most compatible with the standards and factors required to be followed for route selection?
3. If the power is taken directly to Lampasas and, in the event that such power must be routed to Gillespie and Kendall counties, why could not a single line be dropped south from Lampasas to make that delivery? Although this route would still impose the burden of two transmission lines on the citizens of Gillespie County in particular, it would minimize the invasion of this process upon the landowners of the Texas Hill Country.
4. If a decision is made that there is no alternative to routing the project directly from McCamey D to Comfort, all factors suggest that the proper route, as determined by the very standards to be followed, will be to follow the existing corridors for US Highway 277 and Interstate 10.

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I would look forward to any comments or suggestions which you might have.

Sincerely,

  
Marvin G. Pipkin

MGP/ad

cc: Ms. Sara Morgenroth

*Via Facsimile*