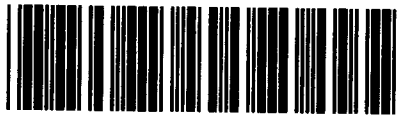




Control Number: 37448



Item Number: 239

Addendum StartPage: 0

SOAH DOCKET NO. 473-10-1097
PUC DOCKET NO. 37448

APPLICATION OF LCRA
TRANSMISSION SERVICES
CORPORATION TO AMEND ITS
CERTIFICATE OF CONVENIENCE AND
NECESSITY FOR THE GILLESPIE TO
NEWTON 345-KV CREZ
TRANSMISSION LINE IN GILLESPIE,
LLANO, SAN SABA, BURNET, AND
LAMPASAS COUNTIES, TEXAS

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BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS

RECEIVED
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FILING CLERK

**POINT PEAK MOUNTAIN RESORT LLC'S RESPONSE TO
COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION**

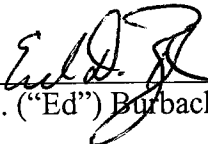
NOW COMES Point Peak Mountain Resort LLC and files this, its Response to Commission Staff's First Request for Information – (BA-1-1 to BA-1-9). This response is timely filed. Point Peak agrees and stipulates that all parties may treat these responses as if the answers were filed under oath.

Respectfully submitted,

By: 
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600 Congress Avenue, Suite 3000
Austin, TX 78701
COUNSEL FOR POINT PEAK
MOUNTAIN RESORT LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on the propounding party on the 30th of November, by electronic transmission, facsimile, First-Class U.S. mail, or by hand delivery.



Edward D. ("Ed") Burbach

**POINT PEAK'S RESPONSES TO COMMISSION
STAFF'S FIRST REQUESTS FOR INFORMATION**

Question No. BA-1-1:

Do you have a habitable structure (According to Subst. Rule 25.101, a habitable structure is a structure that is normally inhabited by humans or intended to be inhabited by humans on a daily or regular basis.) near one or more of the links of the proposed transmission line? If so, describe the structure, identify the link(s) and estimate how far the proposed line is from the habitable structure?

Response No. BA-1-1:

There is no habitable structure on the property, Tract ID C16-030.01.

Sponsoring Witnesses: Barbara R. Barron and Allen R. Paksima

Question No. BA-1-2:

Will one or more of the links of the proposed transmission line cross your property? If so, identify the links and any features like a property line, pipeline, power line or road that the proposed transmission line will follow through your property.

Response No. BA-1-2:

Point Peak believes Link C16 and the easement for Link C16 will cross, at or near, the southeast corner of the property, C16-030.01. There are no features like a property line, pipeline, power line or road that the proposed transmission line will follow through the property.

Sponsoring Witnesses: Barbara R. Barron and Allen R. Paksima

Question No. BA-1-3:

Have you discussed any modifications to the proposed transmission line route on your property with a representative of LCRA TSC? If so, what were the modifications to the proposed route that you suggested and what was the response of LCRA TSC?

Response No. BA-1-3:

Representatives of Point Peak only became aware of the proposed transmission line route on the property on November 3, 2009 when representatives of Point Peak, Barbara R. Barron and Allen R. Paksima, received a package in the mail from LCRA TSC. Due to the late date of receipt, there have been no discussions with any representative of LCRA TSC

regarding modifications to the proposed transmission line route on the property, C16-030.01.

Sponsoring Witnesses: Barbara R. Barron and Allen R. Paksima

Question No. BA-1-4:

What are your specific concerns about the proposed transmission line?

Response No. BA-1-4:

Point Peak has the following specific concerns about the proposed transmission line:

- 1) loss of property value which was purchased on November 30, 2007;
- 2) loss of ability to develop property for future use;
- 3) loss of Lake Buchanan view which will be blocked by proposed transmission line;
- 4) safety concerns due to lightning strikes because Point Peak will almost be situated at the same elevation as the proposed transmission line; and
- 5) safety concerns due to exposure of electric/magnetic fields emanating from the proposed transmission line.
- 6) failure to utilize existing rights of way/easements
- 7) failure to utilize existing transmission routes/lines

Sponsoring Witnesses: Barbara R. Barron and Allen R. Paksima

Question No. BA-1-5:

Did you attend any open houses presented by the utility concerning this proposed transmission line? If so, when and where? Did you provide written comments to LCRA TSC at or after the open house?

Response No. BA-1-5:

No, representatives of Point Peak did not attend any of the open houses due to the fact that no notice of the open houses was received either by mail or publication. Representatives of Point Peak did not receive any published notice of the open houses due to the fact that the representatives of Point Peak did not have access to any local papers at that time and notices were published in newspapers local to the affected area. In addition, representatives of Point Peak did not receive any notice via mail delivery at their normal place of mail delivery in Fort Bend County, Texas. Representatives of Point Peak only became aware of the proposed transmission line route on the property on November 3, 2009 when representatives of Point Peak, Barbara R. Barron and Allen R. Paksima, received a package in the mail from LCRA TSC. No written comments have been provided to LCRA TSC.

Sponsoring Witnesses: Barbara R. Barron and Allen R. Paksima

Question No. BA-1-6:

Are your property boundaries represented accurately on the maps provided by the utility? If not, please explain any discrepancies and provide a modified LCRA TSC map or drawing to indicate the discrepancies.

Response No. BA-1-6:

Representatives of Point Peak believe the boundaries to be accurate.

Sponsoring Witnesses: Barbara R. Barron and Allen R. Paksima

Question No. BA-1-7:

What is the primary use for your property and, in your opinion, will this use be impacted by the proposed transmission line?

Response No. BA-1-7:

The property was purchased on November 30, 2007. At present, the property is used for the raising of cattle, but the purchase was made with the express intent of developing the property as a resort area which would take advantage of the beautiful and unobstructed views of Lake Buchanan. A proposed transmission line built along Section C16 would interfere with Point Peak's ability to develop this property for its intended purpose and contrary to the very reason for the purchase of the property.

Sponsoring Witnesses: Barbara R. Barron and Allen R. Paksima

Question No. BA-1-9:

In your opinion, is there any feature about your land that you believe should be considered when routing a transmission line on your property? If so, please explain.

Response No. BA-1-9:

In our opinion, the main feature that should be considered is Point Peak Mountain. This is a very unique natural feature in Llano County. It is our understanding that the proposed transmission line will be located at an elevation of 1,200 ft. Its accompanying lattice structure will be 180 ft. making the total height of the project about 1,380 ft. The approximate height of Point Peak Mountain is 1,440 ft which would place the structure and Point Peak Mountain at roughly the same height. The distance of the transmission easement from mountain base would be less than 2,000 ft. Environmental features of the property should also be considered. The lack of any existing transmission routes/lines and rights of way/easements should also be considered.

Sponsoring Witnesses: Barbara R. Barron and Allen R. Paksima