



Control Number: 37448



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Filing Clerk, Public Utility Commission of Texas, 1701 N. Congress Avenue, P.O. Box 13326, Austin, Texas 78711-3326

SOAH DOCKET NO. 473-10-1097

PUC DOCKET NO. 37448

REBUTTAL TO JOINT RESPONSE OF STAFF AND LCRA TSC PROVIDING LIST OF INTERVENORS WHO DID NOT FILE TESTIMONY OR STATEMENT OF POSITION AND WHO SHOULD BE REMOVED FROM THE SERVICE LIST

THOMAS-DAVENPORT PARTNERSHIP, LTD STATEMENT OF POSITION

TO THE HONORABLE WENDY K. L. HARVEL:

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2010

I, Claude J. Davenport III, Co-manager of the Thomas-Davenport Partnership, Ltd will give our position in writing that may be treated as being under oath.

NOW COMES Thomas-Davenport Partnership, Ltd "Thunderhill Ranch" and files this Statement of Position in accordance with Order No. 4 in the above-referenced proceeding. Today 01.22.2010, I realized that this statement was due 01.07.2010 when I read Item Number 780 listing intervenors who did not file Testimony or Statements of Position in a timely fashion. I did not realize that the Statement was required because I was presenting answers, etc. to all required correspondence as I received it as a named Intervenor. See Item Numbers 226, 280, 325 that we generated and our answer to Item Number 665 that was mailed to the PUC Office 01.19.2010.

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Thomas-Davenport Partnership, Ltd. dba "Thunderhill Ranch" is a 940 acre ranch located in Llano, County with frontage on the Llano River. We have two habitable structures within 400-500 feet of the Proposed Line C-13. One of the structures is the "Barn" with a full apartment on the second floor, the second is the "Hunters Cabin". Both structures are used year around for guests of the ranch.

Proposed Lines C-12, C-13 and C-14 all cross our property. Proposed transmission line C-12 follows existing line T-130, line C-14 follows existing line T-267 and line C-13 does not follow any existing right-of-way, but is a new proposed cross country line that comes very close to habitable structures as-well-as our deer breeding facilities.

We have not discussed any modifications to the proposed transmission line route on our property with a representative of LCRA TSC.

Not only do we have two habitable structures within 500 ft of proposed transmission line C-13, but we also have a +/- \$1,000,000 deer breeding facility of +/- 300 whitetail deer that the proposed line C-13 will cross over on the facilities west side. This will be a significant problem to our deer breeding operation and hunting operation.

We did not attend any open houses presented by the utility concerning this proposed transmission line. We did not provide any written comments to LCRA TSC at or after the open houses. All written correspondence has been since we became an Intervenor in December 2009.

We do not have any map, provided by the utility, that accurately represents our property boundaries. We can not comment on any discrepancies without the map asked about by Commission Staff's Second Set of Requests for Information to all Intervenors. We used the October 28, 2009 letter and documents that were a part of that letter, including figure 1, 2, & 3 showing the Primary and Alternate Routes Gillespie-Newton Project to answer any questions. Additionally, we used the Gillespie-Newton web site " map" to determine the exact proposed line routing.

The primary use of our property is agricultural and hunting. This use will be impacted by the proposed transmission line C-13.

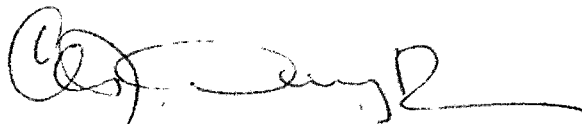
Based on common sense, our position is that the existing high voltage lines T-130 and T-267, the existing sub station at their intersection, and their existing rights-of way should be used. Alternate Route GN6 which uses these existing rights-of-way is preferable. Proposed line C-14 would also utilize the existing T-267 right-of-way.

Thomas-Davenport Ltd specifically reserves its right to present evidence on any other relevant issues in Intervenor Cross-Rebuttal and during the hearing on the merits in accordance with the procedures governing this matter.

We pray that you will reinstate Thomas-Davenport Partnership as an Intervenor. I appoligize for my error.

DATE:

1222410 Respectfully Submitted,



Claude J. Davenport III co-manager

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