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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 STAFF OFFICE
FILING CLERK

OF

ADMINISTRATIVE HEARINGS

**REPLY OF J17 RANCH AND KDCB GARRETT RANCH, LTD.
TO STAFF'S RESPONSE REGARDING OBJECTIONS
TO TESTIMONY OF T. BRIAN ALMON**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

COME NOW Intervenor J17 Ranch and KDCB Garrett Ranch, Ltd. ("KDCB Garrett Ranch") and file this Reply to the Public Utility Commission Staff's ("Staff") combined response to various Intervenor's objections to the prefiled testimony of T. Brian Almon, P.E.

In combining its response to various Intervenor's objections to the testimony of Mr. Almon, the Staff has overlooked the substance of, and authorities supporting, the Objections filed by J17 Ranch and KDCB Garrett Ranch to such testimony (Interchange Item No. 860).¹

There is extensive briefing in the objections filed by J17 Ranch and KDCB Garrett Ranch on the unreliability of any ultimate or statutory balancing conclusions about a preferred route due to the failure of the witness to consider any potential environmental harm to endangered or threatened species or their habitat. See Objections, Part I, footnote 1, which expressly incorporates by reference the argument and authorities contained in the Motion to Exclude Testimony of Rob R. Reid and Dennis Palafox, previously filed herein (Interchange Items Nos.

¹ In its Response, the Staff also erroneously attributes some objections to J17 Ranch and KDCB Garrett Ranch which they did not make.

657 and 759). As Staff's Response states, Mr. Almon relies primarily on the information provided by LCRA and PBS&J in this case. Because Mr. Almon used the same information and defective methodology as did LCRA and PBS&J, his opinion and conclusions are likewise unreliable.

As stated in the authorities cited by J17 Ranch and KDCB Garrett Ranch, it is the burden of the Staff to prove the admissibility of Mr. Almon's expert testimony.² Specifically, unless the Staff proves that the methodology used by Mr. Almon is reliable under the applicable rules of evidence, it is not admissible and is not evidence.

CONCLUSION

WHEREFORE, PREMISES CONSIDERED, J17 Ranch and KDCB Garrett Ranch respectfully request that their objections to the Direct Testimony of Brian Almon be sustained. J17 Ranch and KDCB Garrett Ranch also request any other relief to which they may be entitled.

Respectfully submitted,

CARDWELL, HART & BENNETT, L.L.P.

Jeffery L. Hart

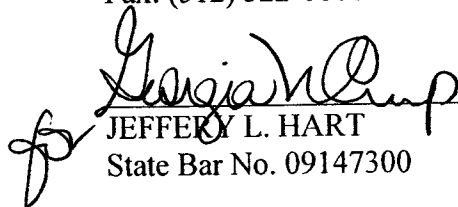
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² If the Staff has any substantive responses to the objections to Mr. Almon's testimony, they should be stated. The statement that J17 Ranch and KDCB Garrett Ranch have not asserted "a single evidentiary objection" and have offered "no legal authority" is inaccurate and is not a valid ground upon which to overrule any of the objections.

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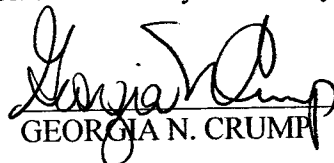
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on all parties as provided by Orders No. 5 and 6, on this 29th day of January, 2010, via facsimile, email and/or First Class Mail.



GEORGIA N. CRUMP