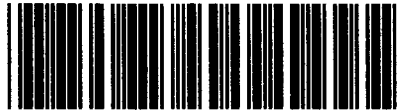


Control Number: 37448



Item Number: 968

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

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FILING CLERK

ORDER NO. 15

OBJECTIONS TO TESTIMONY

LCRA's Objections to Direct Testimony of Rodney Wenzel

P.5, line 23 Overruled  
P.6, line 17-18 Overruled  
P. 11, line 18-19 Overruled  
P. 9, line 4-8 Sustained  
P.10, line 21- P. 11, line 2 Overruled  
P.9, line 15-P.10, line 10 Overruled  
P. 12, line 1-4 Overruled  
Attachment RW-1 Overruled  
P. 12, line 21-23 Overruled  
P.12, line 17-18 Overruled

LCRA's Objections to Direct Testimony of Daniel Smith

P. 10, line 17-19 Overruled  
P. 11, line 9-10 Overruled  
P. 13, line 1-3 Sustained as to "Birds can collide with, and be electrocuted by transmission lines. And "which would be diminished by a transmission line."

Attachment DS-3 Overruled

P. 5, line 17-30 Overruled

P. 9, line 3-5 Overruled

P. 9, line 11-13 Overruled

P. 10, line 10-13 Overruled

P. 10, line 19 Overruled

P. 11, line 6-7 Overruled

P. 15, line 10-12 Overruled as to foundation

P. 7, line 3-6 Sustained

P. 7, line 23-25 Overruled

P. 8, line 6-9 Overruled

P. 8, line 19-26 Overruled

P. 9, line 6-7 Overruled

P. 10, line 24-25 Sustained

P. 13, line 22- P. 14, line 14 Overruled

P. 15, line 2-3 Sustained

P. 15, line 6-7 Sustained

P. 15, line 9-19 Sustained

**LCRA's Objections to Direct Testimony of Lynne Rathman**

P. 6, Paragraph 18 Objections Sustained as to "Unfortunately" through "tower" and "A tower" through "crossover"

Exhibit A-2, Testimony P. 11, Second full paragraph "So" through "tower" Sustained

Exhibit A-2, Testimony P. 11, Fifth full paragraph Overruled

Exhibit A-2, Testimony P. 11, First paragraph, "The National" through "lines" Sustained

P. 4, Paragraphs 8-12 Sustained as to Paragraph 10 "There is gossip" through "us"

Exhibits A-3 and A-4 Overruled

Exhibit A-2, Testimony P. 10 Sustained as to "and all" through "problems."

**LCRA's Objections to Direct Testimony of Malcom Long**

P. 8, line 45- P. 9, line 1 Sustained

P. 9, line 1-3 Sustained

P. 9, line 5-7 Overruled on both grounds

P. 9, line 28-29 Overruled on both grounds

P. 9, line 12-14 Sustained

P. 9, line 24-25 Overruled as to lack of personal knowledge and unqualified opinion

P. 9, line 25 Sustained as to improper valuation testimony "including its value"

**Objections to Direct Testimony of Richard Proctor on behalf of Proctor Brothers**

All objections sustained.

**Objections to Direct Testimony of Richard Proctor on behalf of Norman Proctor Estate**

All objections to future property uses are sustained

All objections to improper valuation testimony are overruled except, P.3, 4<sup>th</sup> answer, 10<sup>th</sup> line "which" through 11<sup>th</sup> line "property" is sustained.

**Robert T. Payne's Objections to Direct Testimony of T. Brian Almon**

Specific testimony is not cited, but objections to testimony generally Overruled

**Joseph J. Grisafi Jr.'s Objections to Direct Testimony of T. Brian Almon**

P. 29, line 3-7 Overruled

P. 33, line 5-9 Overruled

**James Dudley Morse's Objections to Direct Testimony of T. Brian Almon**

P. 13, line 3-8 Overruled

P. 13, line 9-10 Overruled

P. 14, line 8-14 Overruled

P. 14, line 16-19 Overruled

P. 19, line 9-11 Overruled

P. 19, line 13-17 Overruled

P. 19, line 21, P.20, lines 1-2 Overruled

P. 21, line 11-10 Overruled

P. 22, line 20, P.23, line 4 Overruled

P. 23, line 8-17 Overruled

P. 23, line 21, P. 24, line 5 Overruled

P. 24, line 9-14 Overruled

P. 24, line 20, P.25, lines 1-2 Overruled

P. 26, line 7-15 Overruled

P. 28, line 10-14 Overruled

P. 28, line 17-22 Sustained, speculative as to LCRA's mitigation plans.

P. 29, line 5-7 Overruled

P. 29, line 10-18 Overruled

P. 30, line 19-20 Overruled

P. 31, line 3-7 Overruled

P. 32, line 9-19 Overruled

P. 32, line 22, P.3, line 3 Overruled

P. 34, line 3-12 Overruled

P. 34, line 15-16 Overruled

Attachment BA-4 Overruled

**Kane-Glensprings Ranch, Ltd.'s Objections to Direct Testimony of T. Brian Almon**

P. 13, line 3-8 Overruled  
P. 14, line 15-19 Overruled  
P. 16, line 20-22 and P.17, line 1-2 Overruled  
P. 19, line 7-22 Overruled  
P. 20, line 20 through P.27, line 7 Overruled  
P. 21, line 10-20 Overruled  
P. 22, line 20-22, P.23, line 1-4 Overruled  
P. 23, line 5-17 Overruled  
P. 26, line 3-15 Overruled  
P. 31, line 2-7 Overruled  
P. 32, line 8-12 Overruled  
P. 32, line 8-26 Overruled  
P. 33, line 1-3 Overruled  
P. 34, line 1-16 Overruled  
Attachment BA-4 Overruled

**J17 Ranch's and KDCB Garrett Ranch, LTD's Objections to Direct Testimony of T. Brian Almon**

P. 19, line 7-11, P. 34, line 13-15 Overruled  
P. 20, line 10 through P.21, line 8 Overruled  
P. 28, line 5-14 Overruled

**Yates and Boultinghouse's Objections to Direct Testimony of T. Brian Almon**

P. 13, line 3-8 Overruled  
P. 14, line 15-19 Overruled  
P. 16, line 20-22, P.17, 1-2 Overruled  
P. 19, line 7-22, P.20, line 1-2 Overruled  
P. 22, line 20, through P.27, line 7 Overruled

## REMOVALS FROM SERVICE LIST

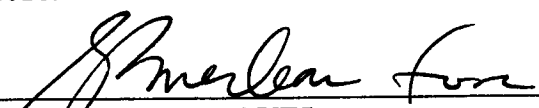
During the prehearing conference and in Order No. 4, parties were informed that they either had to file direct testimony or position statements by the deadline for filing intervenor testimony, which was January 7, 2010. By that deadline, numerous intervenors had filed either direct testimony or a position statement. The remaining intervenors filed nothing. As a consequence, and in accordance with P.U.C. PROC. R. 22.124 and 22.161 and Order No. 4, the following parties are dismissed from this proceeding for failing to file either direct testimony or a position statement by January 7, 2010: Robert and Staria Carroll, John and Susan Colvin, Willis Richard Landers, Anna Lois Landers, Hubert and Lorene Wilde, Erin Howard Mitchell, Marianne Parker, Alan and Diana Fisch, Ann Johnson, Betty Simon, Ferdinand Hoepner, Terry Spicer, Curt Rhodes, Mark Sutton, Dudley Wenzel, Susan Jenkins, Robby Vann, Virginia Terril, David Friedberg, Jack Linder, Charles and Deborah Slangal, Olney Wallis, Julie Clark, Thomas-Davenport Partnership, Henry Campbell, Kenneth and Pearl Smith, and Ronald Griffin. These parties are removed from the service list.

Those individuals listed as part of a group in Staff and LCRA TSC's Joint Response filed January 22, 2010, will be combined on the service list as part of their aligned groups.

## PROTECTIVE ORDER

The Amended Draft Protective Order as filed on January 11, 2010, is adopted to govern the disclosure and use of confidential and highly confidential material in this docket.

SIGNED February 2, 2010.

  
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WENDY K. L. HARVEL  
ADMINISTRATIVE LAW JUDGE  
STATE OFFICE OF ADMINISTRATIVE HEARINGS