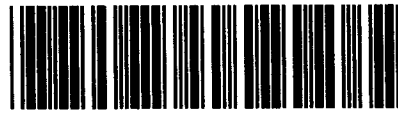


Control Number: 37778



Item Number: 453

Addendum StartPage: 0

SOAH DOCKET NO. 473-10-2461  
PUC DOCKET NO. 37778

APPLICATION OF LCRA TRANSMISSION §  
SERVICES CORPORATION TO AMEND §  
ITS CERTIFICATE OF CONVENIENCE §  
AND NECESSITY FOR THE PROPOSED §  
TWIN BUTTES TO MCCAMEY D CREZ §  
345 k-V TRANSMISSION LINE IN TOM §  
GREEN, IRION, AND SCHLEICHER §  
COUNTIES, TEXAS §

BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

PUBLIC UTILITY COMMISSION  
FILING CLERK

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**INTERVENOR ANDREW L. ALLEN'S RESPONSES TO COMMISSION STAFF'S  
FIRST REQUESTS FOR INFORMATION**

TO: Public Utility Commission of Texas, by and through their attorneys of record, Margaret Uhlig Pemberton, Attorney – Legal Division, 1701 N. Congress Avenue, P. O. Box 13326, Austin, Texas 78711-3326

ANDREW L. ALLEN, intervenor in the above entitled and numbered cause, presents his response to the COMMISSION STAFF'S First Requests For Information, such responses being for the purpose of this action only.

Respectfully submitted,

**JOE WILLIAM ROSS, P.C.**

P. O. Box 5376  
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(325) 227.4915 - Fax  
Email: joewill@jwrosslaw.com

By: 

Joe William Ross

State Bar No. 24037397

ATTORNEY FOR INTERVENOR, ANDREW  
L. ALLEN

453

**CERTIFICATE OF SERVICE**

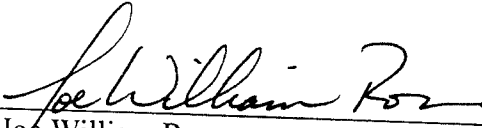
This is to certify that on this 1<sup>st</sup> day of April 2010, a true and correct copy of the foregoing was served as follows:

*(Federal Express)*

Public Utility Commission of Texas  
Filing Clerk  
Central Records  
1701 N. Congress Avenue  
Austin, Texas 78711-3326

*(Email)*

Margaret Uhlig Pemberton  
Attorney – Legal Division  
Public Utility Commission of Texas  
1701 N. Congress Avenue  
P. O. Box 13326  
Austin, Texas 78711-3326

  
\_\_\_\_\_  
Joe William Ross

## COMMISSION STAFF'S FIRST REQUESTS FOR INFORMATION

Andrew L. Allen is the sponsoring witness for each of the responses below. He stipulates that his responses may be treated as under oath.

**Staff-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 segments of the proposed transmission line? If so, describe the structure, identify the segment(s) and estimate how far the proposed line is from the habitable structure? For your convenience, you may mark and label the location of the habitable structure(s) on the attached map (Exhibit A) and return the map with your answers.

**Response:**

**Yes, my wife and I live on our ranch. Our house is about .75 miles north of Link A26. I have circled and labeled our house and headquarters area on the attached map, Exhibit A. My son also lives on the ranch. His house is about 200 yards west of my house. It is also enclosed in the circle of my house.**

**Staff-1-2** Do any existing transmission lines cross your property? If so, please describe how and where they cross your property. For your convenience, you may mark and label the location of any transmission lines on the attached map (Exhibit A) and return the map with your answers.

**Response:**

**No overhead transmission lines currently cross my ranch. Langford Wind Power, LLC has some buried transmission lines connecting the seven wind turbines on my ranch. It is hard for me to describe where the buried transmission line is. I have produced a survey that Langford gave me in my supplemental responses to the Steen Estate's first set of requests for information. It is marked as Exhibit C. The survey shows where the buried transmission line is. I am filing my supplemental responses simultaneously with these responses. The actual survey document is oversized.**

**Staff-1-3** Are any existing transmission lines visible from your property? If so, please describe from where the lines are visible, approximately how far away the lines are located and how the current lines affect your property, if at all.

**Response:**

**The only overhead transmission line that is visible from my ranch is the Langford line that is on the McGregors' and Hallman brothers' ranches. It parallels my eastern fence line with the McGregors and then turns west onto the Hallman brothers' ranch along my south fence. This line is not on my ranch. I cannot see these lines from my house.**

**Staff-1-4** Please describe the location of the seven wind turbines located on your property. For your convenience, you may mark and label the wind turbines on the attached map (Exhibit A) and return the map with your answers.

**Response:**

**I will try to mark the approximate location of the seven wind turbines on my ranch. I have placed an "X" for their approximate locations. For a more accurate location of them, however, please see Exhibit C that is attached to my first supplemental responses to the Steen Estate's first set of requests for information that I am filing simultaneously with these response.**

**Staff-1-5** Please describe the location of the oil wells on your property. For your convenience, you may mark and label the oil wells on the attached map (Exhibit A) and return the map with your answers. For each well, please state whether it is working, unplugged or plugged.

**Response:**

**I have marked and labeled the two oil wells on my ranch on Exhibit A. They are marked as "OW."**

**Staff-1-6** Are you aware of or believe that any Affected Landowner did not receive notice of the proposed transmission line project from LCRA TSC? If so, please identify the landowner.

**Response:**

**I do not believe that Langford Wind Power, LLC received notice of the proposed transmission line.**

**Staff-1-7** 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.**

**Staff-1-8**      What are your specific concerns about the proposed transmission line?

**Response:**

As I stated in my direct testimony, there are a number of things I am worried about with this transmission line if it comes down Link A26. First, I am worried about breaching my contract with Langford. The non-obstruction easement clause prevents me from erecting or allowing anyone else to erect something taller than 25 feet above the base of a turbine for a one-mile radius. Langford has not given me consent. Second, I am worried that Link A26 would come very close to three of the wind turbines on the west side of my ranch. Link A24 would also fall within the one-mile radius of three of the turbines on along my north fence. Third, I am worried about the effects of electromagnetic forces on humans and animals. Fourth, Link A26 appears to cross near or over a water windmill and watering spot for my livestock south and west of my house. I buried one of my good friends, John Camillus Larkin, under a big live oak tree less than 100 feet from that windmill. You can see his gravesite and marker in the photographs, Exhibits D and E, which I attached to my direct testimony. (Dkt. Item No. 174, pp. 12 & 13). Fifth, I plan to be buried under another big live oak tree on the northwest side of my ranch. My favorite dog and horse are already buried there. It appears that Link A26 will come very close to that tree. Last, Link A26 generally follows the bottom of Bois D'Arc draw as it heads out on my ranch before it flows onto the southeast across the McGregor Ranch and further southeast. I have seen this draw flood many times in my lifetime. I know what damage floods cause. The water can get very high in Bois D'Arc draw, not only on my ranch, but all along its flood plain to the southeast. We have been trapped in our house several times during floods. I am worried that a big flood will damage the transmission line if it follows Link A26.

**Staff-1-9**      Did you attend any open houses presented by LCRA TSC 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.**

**Staff-1-10** Please explain how the proposed transmission line will affect your property differently than the wind turbines on your property, if you so assert.

**Response:**

**As explained above, I am worried about EMF effects on humans and animals. There will be over two miles of the transmission line on my ranch if Link A26 is selected.**

**Staff-1-11** 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:**

**As explained in my direct testimony on page 5 and in my response to RFI 1-8, I am worried that a transmission line that follows the bottom of Bois D'Arc draw could have disastrous results from flooding.**

**Staff-1-12** Please identify all persons with an ownership interest in your property and the percentage their interest.

**Response:**

**I own 100% of my ranch.**

**Staff-1-13** Please provide a copy of the lease or other contract agreement and any easements associated with the wind turbines on your property.

**Response:**

**Please see the redacted contract that I attached as Exhibit B to my responses to the Steen Estate's first set of requests for information (Dkt. Item No. 281, Ex. B).**

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EXHIBIT  
A

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