



Control Number: 37778



Item Number: 462

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

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APPLICATION OF LCRA	§	
TRANSMISSION SERVICES	§	BEFORE THE
CORPORATION TO AMEND ITS	§	
CERTIFICATE OF CONVENIENCE AND	§	STATE OFFICE
NECESSITY (CCN) FOR THE	§	
PROPOSED TWIN BUTTES TO	§	OF
MCCAMEY D 345-KV CREZ	§	
TRANSMISSION LINE IN TOM GREEN,	§	ADMINISTRATIVE HEARINGS
IRION, AND SCHLEICHER COUNTIES,	§	
TEXAS	§	

**M.D. BRYANT FAMILY TRUST'S  
RESPONSES TO LCRA TSC'S  
THIRD SET OF REQUESTS FOR INFORMATION  
TO M.D. BRYANT FAMILY TRUST**

M.D. Bryant Family Trust ("Bryant Trust") files its responses to the aforementioned Requests for Information.

**I. Written Responses**

Attached hereto and incorporated herein by reference are Bryant Trust's written responses to the aforementioned request for information. Each response is set forth on or attached to a separate page on which the request has been restated. All responses are made without waiver of Bryant Trust's right to contest the admissibility of any matters upon hearing. Bryant Trust stipulates that its responses may be treated by all parties as if they were filed under oath.

**II. Inspections**

In those instances where materials are to be made available for inspection or where the materials are voluminous, the response will so state. Voluminous materials and materials available for inspection may be inspected at the offices of McGinnis, Lochridge & Kilgore, L.L.P. Please call Melissa Salhab Sykes in advance for an appointment; telephone 512/495-6029.

462

Respectfully submitted,

McGINNIS, LOCHRIDGE & KILGORE, L.L.P.

Shawn P. St. Clair

Melissa Salhab Sykes

Carl R. Galant

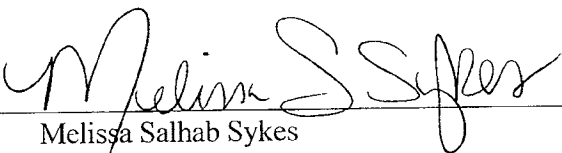
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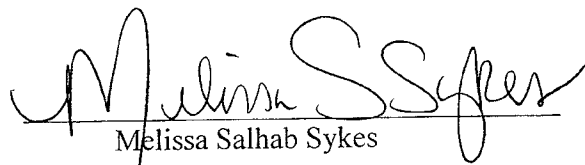
[sstclair@mcginnislaw.com](mailto:sstclair@mcginnislaw.com)

By:   
Melissa Salhab Sykes  
State Bar No. 00797369

ATTORNEYS FOR M.D. BRYANT FAMILY TRUST

**CERTIFICATE OF SERVICE**

I certify that a true and complete copy of the foregoing was served in accordance with the orders in this case and P.U.C. Procedural Rule 22.74, on April 12, 2010.

  
Melissa Salhab Sykes

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3-1 In his direct testimony on behalf of the Bryant Family Trust, Douglas Bryant Ridge proposed a modification to segment A-13 that would move a portion of that segment from the fence line paralleling RM 2335 approximately 500-1000 feet into the Bryant ranch property (segment A-13A) to reduce the number of habitable structures within 500 feet of route TM6.

- a) To accomplish this alternative and should the Commissioners approve a modified TM6 using segment A-13A, do the Bryant Family Trust and all persons or entities having ownership interests in the Spring Creek Ranch property waive all potential claims for damage to the remainder that might result from the movement of the proposed line?
- b) To make a modified Route TM6 which includes the alternative segment A-13A more favorable, are the Bryant Family Trust and all persons or entities having ownerships interests in the Spring Creek Ranch property willing to donate the required easement for the line on the Bryant Ranch?

**RESPONSE:**

3-1(a) No. Bryant Trust understands damages to the remainder are not an issue to be considered in this proceeding. Moreover, Bryant Trust is making a sacrifice by moving the line farther onto its property to increase the distance between the line and a number of habitable structures. Bryant Trust should be compensated, for both the easement and damages to the remainder, for taking the transmission line and ROW on its property.

3-1(b) No. It does not appear that the amount of ROW to be acquired on Bryant Trust property would be any different on link A-13 than on link A-13A. Moreover, according to LCRA TSC's response to Bryant Trust's RFI No. 2-1, use of link A-13A instead of link A-13 is already more favorable, as it would reduce construction costs by \$430,000 and reduce the number of habitable

structures within 500 feet of the centerline by approximately 13. Therefore, it does not seem reasonable to expect Bryant Trust to also donate the required easement on its property.

Co-prepared by: William Armstrong II, Trustee  
Douglas Bryant Ridge  
James F. Ridge, Jr.

Co-sponsored by: Douglas Bryant Ridge  
James F. Ridge, Jr.

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3-2 In the direct testimony on behalf of the Bryant Family Trust, James F. Ridge, Jr. states at page 11 that there should be "no objection to this (Knickerbocker) house being removed from consideration from the A-13 route and any modifications thereof."

- a) How would the Knickerbocker house be "removed from consideration"?
- b) Would the house be physically removed or torn down?
- c) Would the Bryant Family Trust and all persons or entities having ownerships interests in the Spring Creek Ranch property waive any claims for damages regarding the proximity of the transmission line and easement to the Knickerbocker house?

**RESPONSE:**

3-2(a) According to LCRA TSC's response to Bryant Trust's Supplemental Second RFI No. 2-5, and Attachment 1 to that response, the Knickerbocker house (identified as habitable structure number 18) is not within 500 feet of the centerline of link A-13A. Bryant Trust does not object to the location of a transmission line on link A-13 or A-13A, as proposed. Therefore, as long as the Knickerbocker house is not within the right of way of links A-13 or A-13A, the Knickerbocker house should not be regarded as a constraint and should be excluded from the habitable structure count.

3-2(b) No.

3-2(c) Not at this time. Bryant Trust understands that such damages are not an issue to be considered in this proceeding. Moreover, at this time Bryant Trust does not have sufficient information—such as the extent of potential damage and monetary compensation for the

damage—to determine if it would be willing to waive any claims for damages regarding the proximity of the transmission line and easement to the Knickerbocker house.

Co-prepared by: William Armstrong II, Trustee  
Douglas Bryant Ridge  
James F. Ridge, Jr.

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James F. Ridge, Jr.