



Control Number: 38230



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**SOAH DOCKET NO. 473-10-4398
DOCKET NO. 38230**

**APPLICATION OF LONE
STAR TRANSMISSION, LLC
FOR A CERTIFICATE OF
CONVENIENCE AND NECESSITY
FOR THE CENTRAL A TO CENTRAL
C TO SAM SWITCH/NAVARRO
PROPOSED CREZ TRANSMISSION
LINE**

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**BEFORE THE STATE OFFICE OF
ADMINISTRATIVE HEARINGS**

RECEIVED
10 JUN 23 AM 10:39
PUBLIC UTILITY COMMISSION
FILING CLERK

**LONE STAR TRANSMISSION LLC'S REQUEST FOR CLARIFICATION
CONCERNING MOTIONS TO INTERVENE**

TO THE HONORABLE LILO POMERLEAU, ADMINISTRATIVE LAW JUDGE:

Lone Star Transmission, LLC ("Lone Star" or "Company") files this Request for Clarification to the Motions to Intervene of David H. Kincannon, Earl W. O'Neil, III, Robert Buntin, Shin Oak Ranch LLC, and Janey A. Milhollin ("Intervenors"). Lone Star received these Motions on June 24 and 25th, 2010. Since this Motion is being filed within three working days of that date, it is timely filed. Lone Star respectfully shows as follows:

On May 24, 2010, Lone Star filed its Application for a Certificate of Convenience and Necessity ("CCN Application") and served notice upon all directly affected landowners as stated in the current county tax rolls, pursuant to PUC PROC. R. 22.52 (a)(3). Lone Star's CCN Application listed the affected landowners in Attachment 8. Due to certain gaps in the tax roll information, Lone Star performed deed research after May 24th to find additional ownership information, and has provided notices to individuals whose ownership interests were discovered in this manner.¹

David H. Kincannon

Mr. Kincannon filed his Motion, in the standard intervention form contained in the Commission's standard brochure for landowners and checked the box for "I own property with a habitable structure near one or more of the utility's proposed routes for a

¹ Lone Star described this research in its Response to Order No. 1, filed June 2, 2010.

transmission line.” Mr. Kincannon’s Motion did not state the location of a parcel of property nor habitable structure in which he has an ownership (or any other) interest affected by any of the transmission line routes proposed in Lone Star’s CCN Application. The relevant county tax roll(s) do not indicate that Mr. Kincannon owns property affected by any of the proposed routes nor did Lone Star’s additional deed research identify Mr. Kincannon as having such an interest. Lone Star would request the ALJ direct Mr. Kincannon to clarify how his property is affected. At this point, Mr. Kincannon’s Motion would not appear to have described a justiciable interest sufficient to confer standing in this proceeding.

Earl W. O’Neil III

Mr. O’Neil filed his Motion, in the standard intervention form contained in the Commission’s standard brochure for landowners and checked the box for “I own property with a habitable structure near one or more of the utility’s proposed routes for a transmission line.” Mr. O’Neil’s Motion did not state the location of a parcel of property nor habitable structure in which he has an ownership (or any other) interest affected by any of the transmission line routes proposed in Lone Star’s CCN Application. The relevant county tax roll(s) do not indicate that Mr. O’Neil owns property affected by any of the proposed routes nor did Lone Star’s additional deed research identify Mr. O’Neil as having such an interest. Lone Star would request the ALJ direct Mr. O’Neil to clarify how his property is affected. At this point, Mr. O’Neil’s Motion would not appear to have described a justiciable interest sufficient to confer standing in this proceeding.

Robert Buntin

Mr. Buntin filed his Motion, in the standard intervention form contained in the Commission’s standard brochure for landowners and checked the box for “One or more of the utility’s proposed routes would cross my property.” Mr. Buntin’s Motion did not state the location of a parcel of property in which he has an ownership (or any other) interest affected by any of the transmission line routes proposed in Lone Star’s CCN Application. The relevant county tax roll(s) do not indicate that Mr. Buntin owns property affected by any of the proposed routes nor did Lone Star’s additional deed

research identify Mr. Buntin as having such an interest. Lone Star would request the ALJ direct Mr. Buntin to clarify how his property is affected. At this point, Mr. Buntin's Motion would not appear to have described a justiciable interest sufficient to confer standing in this proceeding.

Shin Oak Ranch LLC

Shin Oak Ranch filed its Motion, in the standard intervention form contained in the Commission's standard brochure for landowners and checked the box for "One or more of the utility's proposed routes would cross my property." Shin Oak Ranch's Motion did not state the location of a parcel of property in which it has an ownership (or any other) interest affected by any of the transmission line routes proposed in Lone Star's CCN Application. The relevant county tax roll(s) do not indicate that Shin Oak Ranch owns property affected by any of the proposed routes nor did Lone Star's additional deed research identify Shin Oak Ranch as having such an interest. Lone Star would request the ALJ direct Shin Oak Ranch to clarify how its property is affected. At this point, Shin Oak Ranch's Motion would not appear to have described a justiciable interest sufficient to confer standing in this proceeding.

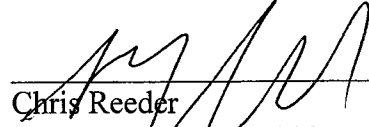
Janey A. Milhollin

Ms. Milhollin filed her Motion, in the standard intervention form contained in the Commission's standard brochure for landowners and checked the box for "I own property with a habitable structure near one or more of the utility's proposed routes for a transmission line." Ms. Milhollin's Motion did not state the location of a parcel of property nor habitable structure in which she has an ownership (or any other) interest affected by any of the transmission line routes proposed in Lone Star's CCN Application. The relevant county tax roll(s) do not indicate that Ms. Milhollin owns property affected by any of the proposed routes nor did Lone Star's additional deed research identify Ms. Milhollin as having such an interest. Lone Star would request the ALJ direct Ms. Milhollin to clarify how her property is affected. At this point, Ms. Milhollin's Motion would not appear to have described a justiciable interest sufficient to confer standing in this proceeding.

Lone Star does not wish to prevent parties who possess a justiciable interest from intervening in this proceeding. Notwithstanding, Lone Star hereby requests that the ALJ direct the Intervenors to provide the location of their affected property so Lone Star and the Commission can ascertain whether they have standing to participate as a party. As part of this request, Lone Star urges the ALJ to direct the Intervenors to list the number of their property tract on their notice received, if any. Pending clarification, Lone Star reserves its right to object to any of the Intervenor's Motions to Intervene should they lack standing.

Lone Star therefore requests that the ALJ grant this Request for Clarification and direct the Intervenors to provide additional information about the nature of their interest concerning this proceeding.

Respectfully Submitted,



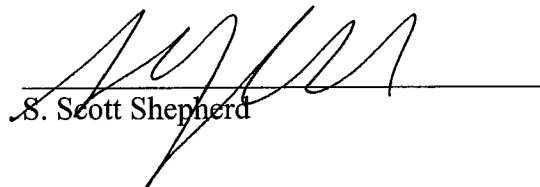
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ATTORNEYS FOR LONE STAR
TRANSMISSION, LLC

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing has been hand delivered or sent via overnight delivery or first class United States mail, postage prepaid, to Commission Staff and all potential parties of record in this proceeding on this 29th day of June, 2010.



S. Scott Shepherd