

Control Number: 38290



Item Number: 122

Addendum StartPage: 0

SOAH DOCKET NO. 473-10-4790
PUC DOCKET NO. 38290

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PUBLIC UTILITY COMMISSION
FILING OFFICE

APPLICATION OF SHARYLAND § BEFORE THE STATE OFFICE
UTILITIES, L.P., TO AMEND ITS §
CERTIFICATE OF CONVENIENCE §
AND NECESSITY FOR THE §
HEREFORD TO WHITE DEER § OF
345-KV CREZ TRANSMISSION LINE §
(FORMERLY PANHANDLE AB TO §
PANHANDLE BA) IN ARMSTRONG, §
CARSON, DEAF SMITH, OLDHAM, § ADMINISTRATIVE HEARINGS
POTTER AND RANDALL COUNTIES §

**RABAH RESOURCES, LTD.'S
RESPONSE TO COMMISSION STAFF'S FIRST SET OF
REQUESTS FOR INFORMATION AND
FIRST SET OF REQUESTS FOR ADMISSIONS**

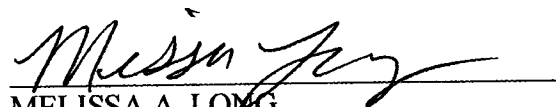
Rabah Resources, Ltd. ("Rabah Resources") files this response to the Public Utility Commission Staff's ("Staff") First Set of Requests for Information ("RFI") and First Set of Requests for Admissions ("RFA") to all Intervenors. This response may be treated by all parties as if it was filed under oath. This response is timely filed.

Respectfully submitted,

**LLOYD GOSSELINK ROCHELLE
& TOWNSEND, P.C.**

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Austin, Texas 78701
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GEORGIA N. CRUMP
State Bar No. 05185500



MELISSA A. LONG
State Bar No. 24063949

ATTORNEYS FOR RABAH RESOURCES, LTD.

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was provided to the Public Utility Commission Staff by hand delivery, email, facsimile, and/or First Class Mail, on this 29th day of July, 2010.


MELISSA A. LONG

**SOAH DOCKET NO. 473-10-4790
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**RABAH RESOURCES, LTD.'S
RESPONSE TO COMMISSION STAFF'S
FIRST REQUEST FOR INFORMATION
TO ALL INTERVENORS**

Staff-1-1 Do you have a habitable structure, as defined by P.U.C. SUBST. R. 25.101(a)(3), 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 segments are from the habitable structure. P.U.C. SUBST. R. 25.101(a)(3) defines "habitable structures" as follows: "Structures normally inhabited by humans or intended to be inhabited by humans on a daily or regular basis. Habitable structures include, but are not limited to, single-family and multi-family dwellings and related structures, mobile homes, apartment buildings, commercial structures, industrial structures, business structures, churches, hospitals, nursing homes, and schools."

RESPONSE:

Yes, we have a single-family home approximately $\frac{3}{4}$ mile from proposed link AA, and approximately 1.4 miles from proposed link V. There is also an additional single-family home (currently used as an office) approximately $1\frac{1}{3}$ miles from proposed link AA, and approximately $\frac{3}{4}$ miles from proposed link V.

Prepared by: Tom Mechler
Sponsored by: Tom Mechler

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Staff-1-2 Does one or more of the segments of the proposed transmission line cross your property? If so, identify the segments and any features including but not limited to a property line, pipeline, power line or road that the segments follow through your property.

RESPONSE:

Yes. Proposed link AA crosses my property diagonally. It does not follow any property line, pipeline, power line, or road.

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Sponsored by: Tom Mechler

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**RABAH RESOURCES, LTD.'S
RESPONSE TO COMMISSION STAFF'S
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Staff-1-3 Do any existing transmission or distribution lines cross your property? If so, please describe how and where they cross your property.

RESPONSE: No.

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Sponsored by: Tom Mechler

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**RABAH RESOURCES, LTD.'S
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Staff-1-4 Are any existing transmission or distribution 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: No.

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Sponsored by: Tom Mechler

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Staff-1-5 Do you currently have any windmills located on your property? If so, please describe the location of the windmills and how many are located on your property.

RESPONSE: Yes, there are two on my property. One of the windmills is located on the south end of the property approximately $\frac{1}{4}$ mile SE of proposed link AA and $1\frac{1}{3}$ miles E of proposed link V, the other is located on the north end approximately $1\frac{1}{2}$ miles NW of proposed link AA and 1 mile E of proposed link V.

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**RABAH RESOURCES, LTD.'S
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Staff-1-6 Are you aware of any directly affected landowner that did not receive notice of the proposed transmission line project from Sharyland? If so, please identify the landowner and describe as best possible the location of the property affected. A directly affected landowner is any landowner from which Sharyland would need to obtain an easement or other property interest if it built the transmission line using one or more of the segments of the proposed transmission line, or whose land contains a habitable structure that is within 500 feet of the centerline of one or more of the segments of the proposed transmission line.

RESPONSE: No.

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Sponsored by: Tom Mechler

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Staff-1-7 Have you discussed any modifications to the proposed transmission line route on your property with a representative of Sharyland? If so, what were the modifications to the proposed route that you suggested and what was the response of Sharyland?

RESPONSE: No.

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**RABAH RESOURCES, LTD.'S
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Staff-I-8 What are your specific concerns about the proposed transmission line?

RESPONSE:

The proposed routing of the transmission line across my property will destroy my plans for development of this property, which were initiated in early Spring 2006, and will make the existing municipal utility district (Randall County MUD #1) non-viable. The crossing of the line as proposed will render the property completely valueless for the planned residential development. The crossing of the canyon as proposed by Sharyland will destroy all views of the canyon for existing property owners and for the future property owners in the MUD. Additionally, it will result in a reduced property value for my personal residence which is located on the north rim of the Palo Duro Canyon.

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Staff-I-9 Did you attend any open houses presented by Sharyland concerning this proposed transmission line? If so, when and where? Did you provide written comments to Sharyland at or after the open house? If so, please provide them.

RESPONSE:

Yes, I attended the open house in Amarillo. I also met with two representatives of Sharyland in my office on March 9, 2010 and outlined the extent of the Master Planned Community which I have invested in, and gave them a tour of the affected property. Handouts were provided to the representatives, which I have included as Attachment A.

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Staff-1-10 Are your property boundaries for the property you own represented accurately on the maps provided by Sharyland in its Application? If not, please explain any discrepancies and provide a modified Sharyland map or drawing to indicate the discrepancies. Online versions of the maps can be viewed at http://www.sharylandutilities.com/hereford_whitedeer.asp. In addition, Sharyland will provide hard copies of these maps at each location where its Application is available for public review (such locations are listed in Sharyland's notice) and will provide a hard copy to any party upon request.

RESPONSE:

No. Sharyland's maps do not even attempt to show my property boundaries. I will be preparing an accurate map that will be attached to my direct testimony.

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Staff-1-11 What is the primary use for your property and, in your opinion, will this use be impacted by the proposed transmission line?

RESPONSE:

The primary use of the property within the Randall County MUD #1 is residential with substantial amenities including parks, community buildings, greenbelts, nature refuge along the rim of the canyon, and a golf course.

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Staff-1-12 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:

The location of my property in relation to the Palo Duro Canyon is its primary feature. The canyon views and an associated golf course to future property owners within the MUD are the most valuable aspects of my property, and are the aspects that will be completely destroyed by the construction of the proposed transmission line.

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Staff-1-13 Please identify all persons with an ownership interest in your property and describe the nature and amount of their interest.

RESPONSE:

Rabah Resources, Ltd. owns the property directly affected by the transmission routes. Additionally, my wife and I own 94 acres, which includes our home, along the north rim of the Palo Duro Canyon, which will also be affected by the line.

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Staff-1-14 If the transmission line is routed on your property, please identify specifically the location that you would prefer for the right-of-way of the line. Use a map to show the location. Online versions of the maps can be viewed at http://www.sharylandutilities.com/hereford_whitedeer.asp. In addition, Sharyland will provide hard copies of these maps at each location where its Application is available for public review (such locations are listed in Sharyland's notice) and will provide a hard copy to any party upon request.

RESPONSE:

There is no location on my land that would be suitable for the transmission line. Any routing along my property line would necessarily still cross the Palo Duro Canyon, which is unacceptable at any location. Also, any routing along my property line would still destroy the views and scenic aspects of all areas of the property.

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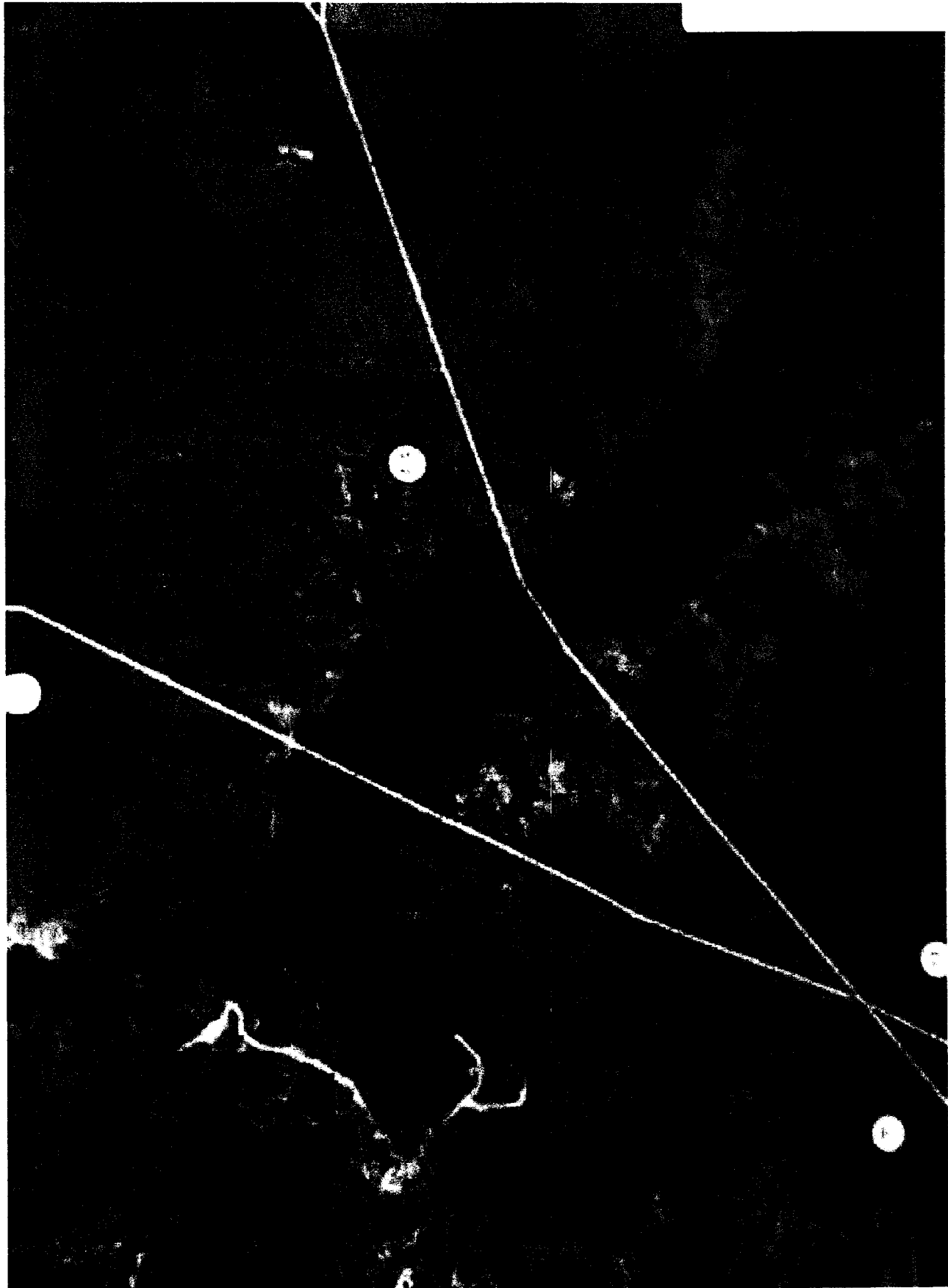
**RABAH RESOURCES, LTD.'S RESPONSE
TO COMMISSION STAFF'S
FIRST REQUEST FOR ADMISSIONS
TO ALL INTERVENORS**

Staff RFA 1-1: Admit or deny that you do not own or reside in a habitable structure within 500 feet of the centerline of any proposed transmission line route in this docket.

RESPONSE: Admit.

Staff RFA 1-2: Admit or deny that the property boundaries for the property(ies) you own are accurately represented on the maps provided by Sharyland.

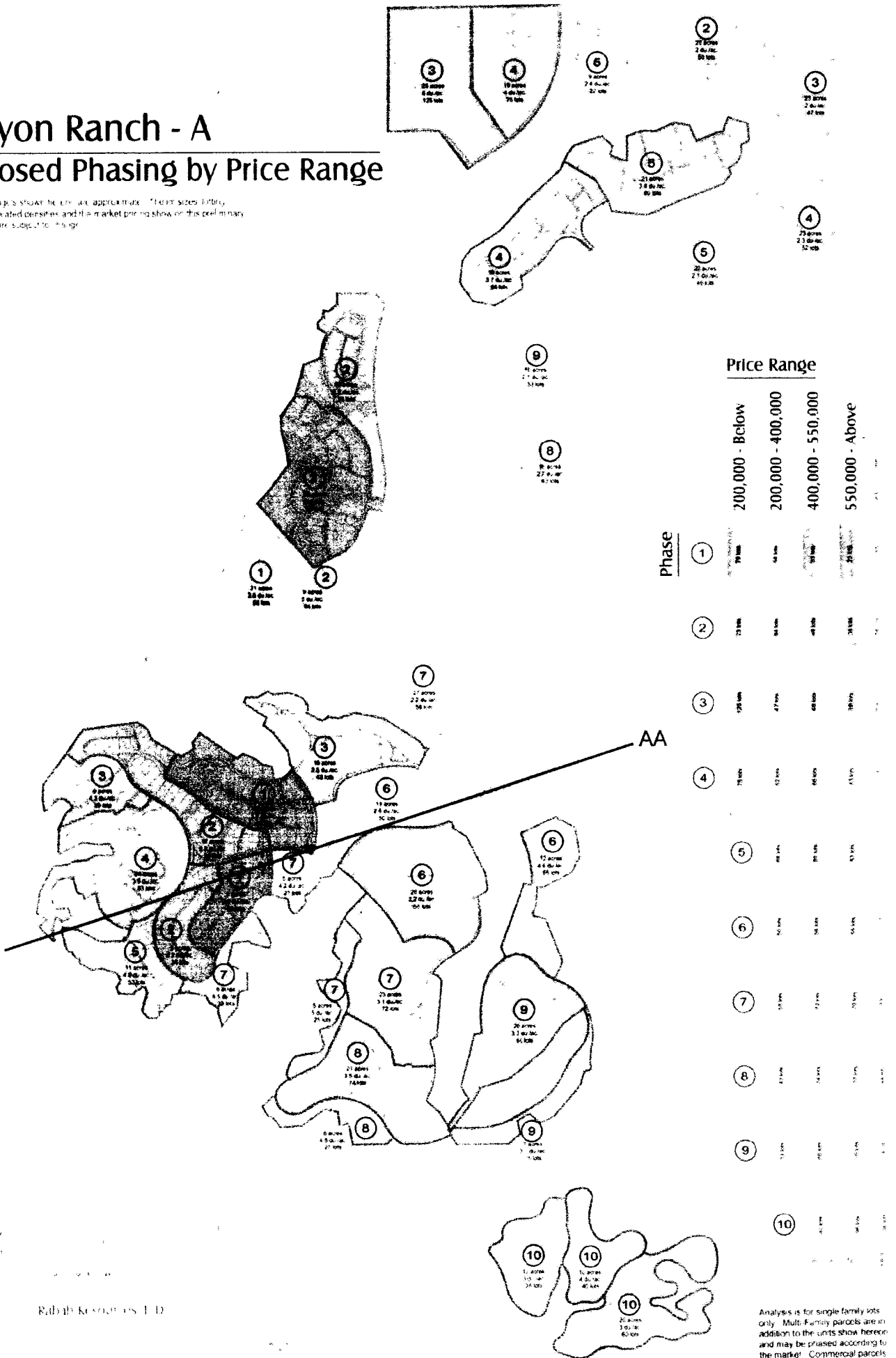
RESPONSE: Deny.



Canyon Ranch - A

Proposed Phasing by Price Range

All parcel layouts shown here are approximate. Their sizes, lot sizes, concepts, the related densities and the market price shown on this preliminary pricing study are subject to change.



Ralph K. ...

Analysis is for single family lots only. Multi-Family parcels are in addition to the units show here and may be phased according to the market. Commercial parcels may be developed per the market.