



Control Number: 38324



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**S.O.A.H. DOCKET NO. 473-10-4789  
P.U.C. DOCKET NO. 38324**

**APPLICATION OF ONCOR  
ELECTRIC DELIVERY COMPANY  
LLC TO AMEND A CERTIFICATE  
OF CONVENIENCE AND  
NECESSITY FOR THE WILLOW  
CREEK-HICKS 345-KV CREZ  
TRANSMISSION LINE IN  
DENTON, PARKER, TARRANT,  
AND WISE COUNTIES, TEXAS**

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**BEFORE THE STATE OFFICE**

**OF**

**ADMINISTRATIVE HEARING**

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**DR. ANGELO MENDEZ' STATEMENT OF POSITION**

In lieu of pre-filing direct testimony, Dr. Angelo Mendez submits this Statement of Position pursuant to Order No. 4, issued on July 29, 2010, and P.U.C. PROC. R. 22.124.

Dr. Mendez takes no position on the western half of the study area. With regard to the eastern portion of the study area Dr. Mendez supports the preferred route. Dr. Mendez does not oppose use of any other route in the eastern portion of the study area, so long as the alternative route does not utilize the link JJJJ.<sup>1</sup> It is Dr. Mendez's position that the preferred route in the eastern portion of the study better meets the criteria established in PURA § 37.056 and P.U.C. SUBST. R. 25.101(b).

In fact, as proposed by Oncor, only one route incorporates Link JJJJ, that is Route 278. In general Route 278 using Link JJJJ is one of the longest proposed routes<sup>2</sup> and is higher in cost than the preferred route.

P.U.C. SUBST. R. 25.101(b)(3)(B)(i)-(iii) requires that the Commission consider whether proposed routes use existing compatible rights of way, including the use of vacant positions on existing multiple-circuit transmission lines, whether the routes

<sup>1</sup> Currently there is only one alternative route that utilizes Link JJJJ which is Route 278.

<sup>2</sup> Per the CCN Application the longest proposed route is 49.4 miles Route 278 using Link JJJJ is 48.7 miles long. In contrast the preferred route for example is approximately 6.1 miles shorter than the longest route which is significant considering the proposed transmission line will be no longer than 50 miles total.

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parallel existing compatible rights of way, and whether the routes parallel property lines or other natural or cultural features. Focusing on the eastern portion of the study area, the preferred route follows an existing transmission line corridor. This is preferable to use of Route 278 which does not follow compatible corridors for a significant portion of the route in the eastern portion of the study area. In keeping with court precedence<sup>3</sup> once again other routes appear preferable to Route 278 utilizing Link JJJJ.

Specifically, Dr. Mendez' small tract of land (tract 2020.1) would be diagonally bisected by Link JJJJ, contrary to the goals of the substantive rule previously mentioned. The angle of the proposed line would yield no usable tract of land on either side of the transmission line. Link JJJJ would negatively affect this property which is prime for commercial development along Highway 114.

Respectfully Submitted,

*Catherine J. Webking*

Catherine J. Webking  
State Bar No. 21050055  
webking@webmclaw.com

*w/ permission  
BW*

WEBKING McCLENDON PC  
1301 Nueces St., Suite 200  
Austin, Texas 78701  
(512) 651-0515 phone  
(512) 651-0520 fax


**ATTORNEY FOR DR. ANGELO MENDEZ**

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<sup>3</sup> See for example P.U.C. Docket 37464: *Application of Oncor Electric Delivery Company LLC to Amend a Certificate of Convenience and Necessity for the Tonkawa-Sweetwater East-Central Bluff 345-kv CREZ Transmission Line in Brown, Mills, Lampasas, McCulloch, and San Saba Counties, Texas*, and P.U.C. Docket 37407: *Application of Oncor Electric Delivery LLC to Amend a Certificate of Necessity for the Tonkawa-Sweetwater East-Central Bluff 345-kv CREZ Transmission Line in Scurry, Mitchell, Fisher, Nolan, and Taylor Counties, Texas*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing motion has been served in accordance with the procedural orders in this proceeding on this 3<sup>rd</sup> day of September 2010.

  
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Brett Nelson