



Control Number: 38354



Item Number: 2023

Addendum StartPage: 0

SOAH DOCKET NO. 473-10-5546  
PUC DOCKET NO. 38354

APPLICATION LCRA TRANSMISSION § BEFORE THE STATE OFFICE  
SERVICES CORPORATION TO AMEND §  
A CERTIFICATE OF CONVENIENCE §  
AND NECESSITY FOR THE MCCAMEY § OF  
D TO KENDALL TO GILLESPIE 345-KV §  
CREZ TRANSMISSION LINE IN §  
SCHLEICHER, SUTTON, MENARD, §  
KIMBLE, MASON, GILLESPIE, KERR, §  
AND KENDALL COUNTIES § ADMINISTRATIVE HEARINGS

**P-LINE INTERVENTION ASSOCIATION (DON KOTHMANN) RESPONSES TO  
STAFF'S  
FIRST REQUESTS FOR INFORMATION AND FIRST REQUESTS FOR ADMISSION**

COMES NOW P-Line Intervention Association ("P-Line Intervenors") (Don Kothmann) and submits these Responses to Staff's First Requests for Information ("RFIs") and First Requests for Admissions ("RFAs").

**WRITTEN REPONSES**

Attached hereto and incorporated herein by reference are Don Kothmann's, a member of P-Line Intervenors, written responses to the aforementioned RFIs. Each response is set forth on or attached to a separate page upon which the request has been restated. Such responses are made in the spirit of cooperation without waiving P-Line Intervenor's right to contest the admissibility of any such matters upon hearing. P-Line Intervenors hereby stipulate that these responses may be treated by all parties exactly as if they were filed under oath. The Staff's RFIs were served on P-Line Intervenors on September 1, 2010 via facsimile therefore these responses are timely filed.

Respectfully submitted,

**SMITH TROSTLE LLP**  
707 West Avenue, Ste. 202  
Austin, Texas 78701  
(512) 494-9500 - Voice  
(512) 494-9505 - Fax

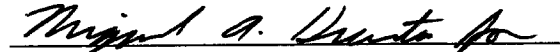
By: Miguel A. Trostle for  
J. Kay Trostle  
State Bar No. 20238300

**ATTORNEYS FOR P-LINE INTERVENTION  
ASSOCIATION**

2023 1

**CERTIFICATE OF SERVICE**

I hereby certify that on this 13<sup>th</sup> day of September, 2010, a true and correct copy of the foregoing document is being served via facsimile, U.S. mail and/or hand delivery to the propounding party and filed on the PUC Interchange, in accordance with SOAH Order No. 1.

  
J. Kay Trostle

**QUESTION NO. 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."

**P-LINE INTERVENORS RESPONSE:**

Don Kothmann Response:

Yes. Our family home is approximately 4000' south west from the line.

**QUESTION NO. 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.

**P-LINE INTERVENORS RESPONSE:**

Don Kothmann Response:

Yes. Segment P3, parallel to the existing 138 KV line.

**QUESTION NO. 1-3**

Do any existing transmission or distribution lines cross your property? If so, please describe how and where they cross your property.

**P-LINE INTERVENORS RESPONSE:**

**Don Kothmann Response:**

Yes. A 138KV transmission line and various distribution lines to our home and range water sources.

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**QUESTION NO. 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.

**P-LINE INTERVENORS RESPONSE:**

Don Kothmann Response:

Yes. The 138KV Transmission Line and it is unsightly.

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**QUESTION NO. 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.

**P-LINE INTERVENORS RESPONSE:**

**Don Kothmann Response:**

Yes. There are two windmills to produce water. There are no wind turbines.



**QUESTION NO. 1-6**

Are you aware of any directly affected landowner that did not receive notice of the proposed transmission line project from LCRA TSC? 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 LCRA TSC 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.

**P-LINE INTERVENORS RESPONSE:**

Don Kothmann Response:

No.

**QUESTION NO. 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?

**P-LINE INTERVENORS RESPONSE:**

Don Kothmann Response:

No.

**QUESTION NO. 1-8**

What are your specific concerns about the proposed transmission line?

**P-LINE INTERVENORS RESPONSE:**

**Don Kothmann Response:**

1. Reduction in Property value.
2. Damage to spring flows due to cave structure destruction.
3. Reduction in recreational value of the ranch.

**QUESTION NO. 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? If so, please provide them.

**P-LINE INTERVENORS RESPONSE:**

Don Kothmann Response:

Yes. Comments are no longer available.

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**QUESTION NO. 1-10**

Are your property boundaries for the property you own represented accurately on the maps provided by LCRA TSC in its Application at Attachment No. 3 (Sheets 1-28)? If not, please explain any discrepancies and provide a modified LCRA TSC map or drawing to indicate the discrepancies.

**P-LINE INTERVENORS RESPONSE:**

Don Kothmann Response:

They appear to be.

**QUESTION NO. 1-11**

What is the primary use for your property and, in your opinion, will this use be impacted by the proposed transmission line? If so, please explain.

**P-LINE INTERVENORS RESPONSE:**

Don Kothmann Response

1. Recreation
2. Ranching
3. Wealth management.

Yes the above uses will be impacted by the power line especially long term reduction in value and impact on the aquifer and spring flows.

**QUESTION NO. 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.

**P-LINE INTERVENORS RESPONSE:**

Don Kothmann Response:

Fragile limestone structure.

**QUESTION NO. 1-13**

Please identify all persons with an ownership interest in your property.

**P-LINE INTERVENORS RESPONSE:**

Don Kothmann Response:

Don Kothmann

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**QUESTION NO. 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.

**P-LINE INTERVENORS RESPONSE:**

Don Kothmann Response:

None.

**QUESTION NO. 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.

**P-LINE INTERVENORS RESPONSE:**

Don Kothmann Response:

Admit.

**QUESTION NO. RFA 1-2**

Admit or deny that the property boundaries for the property(ies) you own are accurately represented on the maps provided by LCRA TSC in its Application at Attachment No. 3 Sheets 1-28.

**P-LINE INTERVENORS RESPONSE:**

Don Kothmann Response:

Admit.