



Control Number: 38354



Item Number: 2274

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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, § ADMINISTRATIVE HEARINGS
AND KENDALL COUNTIES §

**P-LINE INTERVENTION ASSOCIATION (DONALD NORTHCUTT PARTNERS)
RESPONSES TO STAFF'S
FIRST REQUESTS FOR INFORMATION AND FIRST REQUESTS FOR ADMISSION**

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

WRITTEN RESPONSES

Attached hereto and incorporated herein by reference are Donald Northcutt Partners', a member of the 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
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(512) 494-9500 - Voice
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By:

J. Kay Trostle
J. Kay Trostle

State Bar No. 20238300

**ATTORNEYS FOR P-LINE INTERVENTION
ASSOCIATION**

CERTIFICATE OF SERVICE

I hereby certify that on this 14th 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 *by permission*
J Kay Trostle *cap*

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:

Donald Northcutt Partners Response:

My property (640 acres) is located 8 miles south of Mason on US Highway 87. It is on the west side of the highway. I have approximately 4400 feet of frontage on the Llano River as my south boundary. The line follows an existing Right-of-Way, the AEP 138 kV line. The AEP runs northwest to southeast and crosses the river on the east side of my place.

We have built a new four bedroom home near the river in about the middle of the property. The existing Right-of-Way is about 500-600 yards from the house. We feel that the new line would detract from our view and have a very negative effect on the value of the property. We spend 50% of our time at this house.

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:

Donald Northcutt Partners Response:

Segment P-5 follows the AEP 138 kV Line Right-of -Way through the middle of our property and across our river frontage.

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:

Donald Northcutt Partners Response:

The existing AEP 138 kV line crosses our property for approximately 5000 feet from the northwest to southeast.

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:

Donald Northcutt Partners Response:

See response to question 1-3.

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:

Donald Northcutt Partners Response:

No.

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:

Donald Northcutt Partners 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:

Donald Northcutt Partners Response:

No.

QUESTION NO. 1-8

What are your specific concerns about the proposed transmission line?

P-LINE INTERVENORS RESPONSE:

Donald Northcutt Partners Response:

The view from our property and value of our land. The possible health risk from line.

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:

Donald Northcutt Partners Response:

No.

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:

Donald Northcutt Partners Response:

Yes.

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:

Donald Northcutt Partners Response:

Recreational use – it will be ugly.

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:

Donald Northcutt Partners Response:

Our river frontage is some of the most beautiful in the state. The proposed line will totally change the view of our river.

QUESTION NO. 1-13

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

P-LINE INTERVENORS RESPONSE:

Donald Northcutt Partners Response:

Don Northcutt

Margot Northcutt, wife

Douglas R. Northcutt, son

Hank Northcutt, grandson

Davis Northcutt, grandson

Coleman Northcutt, grandson

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:

Donald Northcutt Partners 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:

Donald Northcutt Partners Response:

Admit, but the route could be close within 1500 feet of my home.

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:

Donald Northcutt Partners Response:

They seem correct.

Dear Sirs:

As you can see, our property borders the Llano River. My husband's golfing foursome loves our river just as we do.

You can see in the background, the high line that we already have on our property, which is 8 miles south of Mason on Hwy 87 towards Fredericksburg. If the transmission line should go through our property, it would be close to the existing line. You can tell by this picture what it would do to our scenery and our lives. The Llano river bridge is not visible in this picture but is just at the far end of the river as you are looking at it. Please consider an alternative route.

Margot and Don Northcutt - 936-544-0383

