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Addendum StartPage: 0

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

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

BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

**P-LINE INTERVENTION ASSOCIATION (CLARENCE PATRICK ZIRIAX AND LISA
LYNN ZIRIAX) RESPONSES TO STAFF'S
FIRST REQUESTS FOR INFORMATION AND FIRST REQUESTS FOR ADMISSION**

COMES NOW P-Line Intervention Association ("P-Line Intervenor") (Clarence Patrick Ziriak and Lisa Lynn Ziriak) and submit these Responses to Staff's First Requests for Information ("RFIs") and First Requests for Admissions ("RFAs").

WRITTEN RESPONSES

Attached hereto and incorporated herein are written responses to the aforementioned RFIs by Clarence Patrick Ziriak and Lisa Lynn Ziriak, members of P-Line Intervenor. 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 Intervenor 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 Intervenor on September 1, 2010 via facsimile.

Respectfully submitted,

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

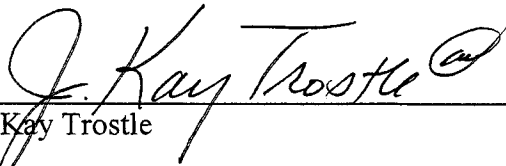
By:

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 12th day of October, 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. 25.10 1(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:

Clarence Patrick Ziriaux and Lisa Lynn Ziriaux Response:

Yes, our primary residence is located on this property.

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:

Clarence Patrick Ziriaux and Lisa Lynn Ziriaux Response:

Yes, the segment P-3 crosses our property. There is also an existing AEP-138 kV line that crosses our property. ROW is clearly visible because of existing poles and lines.

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:

Clarence Patrick Ziriak and Lisa Lynn Ziriak Response:

There is an existing AEP-138 kV transmission line that crosses our property. The poles are H-frame, wooden, and they cross the southern portion of our property.

5

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:

Clarence Patrick Ziriaux and Lisa Lynn Ziriaux Response:

The AEP-138 kV line crosses our property; it is actually located on our property.

6

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:

Clarence Patrick Ziriaux and Lisa Lynn Ziriaux Response:

Yes, we have one water windmill. There are no wind turbines located on our property.

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:

Clarence Patrick Ziriaux and Lisa Lynn Ziriaux Response:

No.

8

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:

Clarence Patrick Ziriaux and Lisa Lynn Ziriaux Response:

No.

QUESTION NO. 1-8

What are your specific concerns about the proposed transmission line?

P-LINE INTERVENORS RESPONSE:

Clarence Patrick Ziriaux and Lisa Lynn Ziriaux Response:

My main concern is the devaluation of the value of our property. Another concern is the health concern regarding our livestock and wildlife, two of the main sources of our livelihood. See also, attached letter to Chairman Barry Smitherman.

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:

Clarence Patrick Ziriaux and Lisa Lynn Ziriaux Response:

Yes, I attended the open house in Menard, Texas on Tuesday, February 16, 2010 and also the open house in Mason, Texas on Wednesday, February 17, 2010.

Yes, I sent letters, see Attachment 1-8.

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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:

Clarence Patrick Ziriaux and Lisa Lynn Ziriaux Response:

Yes, accurately represented.

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:

Clarence Patrick Ziriaux and Lisa Lynn Ziriaux Response:

This property is our primary source of income. We have a cow/calf operation and lease our land for hunting purposes. In my opinion, a transmission line across our property will endanger the reproductive health of our livestock and wildlife.

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:

Clarence Patrick Ziriaux and Lisa Lynn Ziriaux Response:

The AEP transmission line that presently crosses our property runs across the highest point of our property and already obstructs a beautiful view of the rolling valley below. Any other line that would cross this area would only serve to further damage this view.

QUESTION NO. 1-13

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

P-LINE INTERVENORS RESPONSE:

Clarence Patrick Ziriak and Lisa Lynn Ziriak Response:

Clarence Patrick Ziriak

Lisa Lynn Ziriak

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:

Clarence Patrick Ziriaux and Lisa Lynn Ziriaux Response:

There is no location on our property that we would specifically prefer for the right-of-way line.

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:

Clarence Patrick Ziriaux and Lisa Lynn Ziriaux Response:

Our home is more than 500 feet and less than 5000 feet from the proposed transmission line route.

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:

Clarence Patrick Ziriaux and Lisa Lynn Ziriaux Response:

The property lines are correct.

ATTACHMENT 1-8

Pat and Lisa Ziriak
250 Blair Road
Hext, Texas 76848
February 21, 2010

Mr. Barry T. Smitherman
Chairman, Public Utilities Commission of Texas
P. O. Box 13326
Austin, Texas 78711-3326

Re: Docket Number 37049

Dear Mr. Smitherman:

As a landowner of Menard County, I am deeply disturbed by the PUC/LCRA proposal to route the new CREZ power line through Menard. The 180 foot tall lattice towers and the 200 feet of cleared right of way will be a permanent scar on one of the most beautiful parts of Texas.

Menard County derives much of its income from recreational use of ranch and river properties and tourism supports many of our local businesses. What was once a thriving town, Menard now struggles to keep "alive" and our historical significant sites and recreational use is what keeps our area "alive." The looming lattice power line towers will mar much of the charm which makes Menard a tourist destination. The clear cutting of the right of way will adversely affect wildlife, farming, and livestock operations. This is what our family's livelihood is; this is all that we depend upon. A county that is economically deprived is just not able to withstand further economic devastation by a project of this magnitude.

Other routes have been proposed by the LCRA and several public officials. These alternatives are less destructive to the landscape and more cost effective for LCRA. The 277/IH-10 route is much less disruptive to the environment than the Menard plan and is also acceptable to many landowners in Kimble County. All of us here in Menard urge you and the Commission to choose one of these alternate routes. Indeed, our very livelihood hinges on the choice.

Thank you for your time and attention to my letter.

Sincerely,

Pat and Lisa Ziriak

Cc:
Sara Morgenroth
LCRA
P. O. Box 220-BTC 151
Austin, Texas 78767

Sen. Troy Fraser
P. O. Box 12068
Capitol Station
Austin, Texas 78711

Rep. Harvey Hilderbran
Room CAP GW 12
P. O. Box 2910
Austin, Texas 78768

Governor Rick Perry
Office of the Governor
P. O. Box 12428
Austin, Texas 78711-2428

Attachment Question 1-8 20