

Control Number: 38354



Item Number: 318

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*Public Utility Commission of Texas*

March 18, 2010

Kerry and Dameon Rustin  
7831 El Pastel Dr.  
Dallas, Texas 75248

Dear Mr. and Mrs. Rustin:

Thank you for your letter raising your concerns about the proposed LCRA transmission line. Because the application for a CCN by the LCRA to build transmission lines will be filed here at the Commission, I have filed a copy of your letter and my response in Project No. 37049.

LCRA has developed several proposed routes for the transmission line through the Hill Country; however, LCRA has not yet filed an application with the Commission, so the Commission has not made a decision on which route will be used. When the application is filed, the Commission, as required by statute, will consider various factors in its evaluation of the proposed routes, such as the community, historical, and aesthetic values and the environmental integrity associated with the transmission line. Commission rules also include other factors for consideration, such as whether the proposed routes utilize or parallel existing compatible rights-of-way, property lines or other features, and whether the routes conform to the policy of prudent avoidance. The Commission can also evaluate different ways to construct the lines, such as the use of monopole structures or lattice structures, and will weigh the costs versus the benefits of different options in its decision.

I understand that this process can be difficult and emotional. That is why it is important that we follow the criteria listed in both statute and Commission rule. When making its decision, the Commission will evaluate the proposed routes based on these factors, and attempt to minimize the impact of the line on landowners and the cost of the line to ratepayers.

Thank you again for writing.

Sincerely,

A handwritten signature in cursive script, reading "Barry T. Smitherman".

Barry T. Smitherman

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RECEIVED

MAR 11, 2010

Chairman's Office

March 2, 2010

To: 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:

This letter is an emphatic protest against PUC/LCRA's proposal to route the new CREZ power line through Mason County. The 180 foot tall lattice towers and the 200 foot cleared right of way will be a permanent scar on one of the most beautiful parts of Texas, and will have a significantly negative impact upon the area's economy. Please do all within your power to prevent this line from being built in Mason County.

I grew up in Mason. From this place, the people, the land and the culture I learned the unmistakable value of the land and its history. I learned that the land and all it holds must be cared for, respected and protected just as any beloved family member would be. I learned that this reverence for our county's beauty is a moral and ethical responsibility. I accept that responsibility – that privilege – willingly. I implore PUC/LCRA to accept it as well.

My husband Dameon and I live in Dallas at this time, and we currently own land in Mason County that would be significantly affected should this transmission line be built. We plan to retire in Mason within 6 – 8 years to enjoy all the qualities of life that Mason County can provide. We purchased our 37 acres of land specifically for the breath-taking views it affords of Mason, Kimble, Gillespie (and maybe even Llano) counties. This transmission line will mar these views! Also, the value of the real estate investments there factored significantly into our decision. Dameon and I have a choice about where we put our real estate investments and our retirement dollars, as well as about where we currently chose to spend our money. I am quite sure that reliable statistics show we're not alone in this choice. We are among many who plan to retire to this wonderful place. This transmission line, however, will affect these choices. It will prompt serious reconsideration.

I believe that this transmission line through Mason County will have a significantly negative impact on Mason's economic well-being. Mason County derives much of its income from recreational use of ranch and river properties, and tourism supports many of our local businesses. The looming lattice power line towers will mar much of the charm and beauty which makes Mason a popular tourist destination. The clear cutting of the right of way will adversely affect wildlife and livestock operations. Real estate values will drop and people like us (and there are many) will chose not to live in Mason County. That means they will make conscious choices – because of this transmission line – not to spend their money, both now and for many years to come, in Mason County.

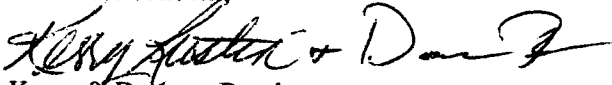
This transmission line will have a significant negative impact on my life and my family as well. It would be a financial tragedy and a moral tragedy. You wouldn't go into a national park and erect 180 foot tall lattice towers and a 200 foot cleared right of way. Just because this beautiful land isn't designated as a national park doesn't mean it shouldn't be treated as one. At what point does the pursuit of profit cease to overrun the protection of beauty and quality of life? I suggest that point is now. I suggest this be the place where that pursuit stops.

I ask for heartfelt consideration of the ethical issues here, as well as the economic ones. Would the PUC/LCRA place this line in their own backyards? In their own retirement havens? Would they prefer to gaze at these structures out of their living room and kitchen and bedroom windows? I venture that the most honest answer would be "no", they would not choose that at all. The line of logic here is clear - if you won't choose it for yourself, you have no right to choose it for others. In fact, you must *not* choose it for others.

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 Mason plan and is also acceptable to many landowners in Kimble County.

I welcome any opportunity to protest this PUC/LCRA proposal to route the new CREZ power line through Mason County. Please understand the passion behind my viewpoint, as it reflects the viewpoint of many others as well.

In sincere concern,

  
Kerry & Darneon Rustin



Ms. Kerry G. Rustin  
7831 El Pastel Dr.  
Dallas, TX 75248-3122

cc:

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The Honorable Troy Fraser  
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Mr. Thomas G. Mason  
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LCRA  
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The Honorable Harvey Hilderbran  
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Donna Nelson, Commissioner  
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The Honorable Rick Perry  
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