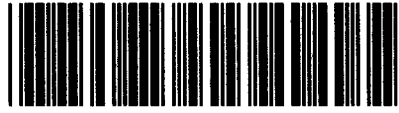


Control Number: 38484



Item Number: 166

Addendum StartPage: 0

APPLICATION OF WIND ENERGY	§	BEFORE THE STATE OFFICE
TRANSMISSION TEXAS, LLC	§	
(WETT) FOR A CERTIFICATE OF	§	
CONVENIENCE AND NECESSITY	§	
FOR THE SCURRY COUNTY SOUTH-	§	OF
LONGDRAW-GRELTON-ODESSA	§	
345Kv CREZ TRANSMISSION LINES	§	
IN SCURRY, MITCHELL, BORDEN,	§	
HOWARD, DAWSON, MARTIN,	§	ADMINISTRATIVE HEARINGS
MIDLAND AND ECTOR COUNTIES	§	

**RESPONSE OF MARCIA CLARK BROWN, INTERVENOR, TO OBJECTION OF WIND ENERGY TRANSMISSION TEXAS, LLC, AND MOTION TO STRIKE PORTION OF INTERVENOR'S PREFILED DIRECT TESTIMONY**

Marcia Clark Brown hereby files this Response to the objection and motion to strike certain portions of her pre-filed Direct Testimony of October 19, 2010, made by Wind Energy Transmission Texas LLC (WETT.)

Pursuant to Order No. 7, Response to Objections to Intervenor Direct Testimony must be filed on or before November 05, 2010. Accordingly, this response is timely. Marcia Clark Brown agrees and stipulates that all parties may treat this statement of response as having been filed under oath.

WETT contends that the Witness has not established any public records attesting to the presence of an LPG site in the vicinity of the Oncor microwave communications tower and her property; thus her testimony in this regard is "hearsay."

The testimony of the Witness is that she confirmed the presence of the site by direct contact with the Railroad Commission of Texas (RRC), both by telephone and by accessing the public web site of the agency to obtain a map of the said LPG site provided by that agency to the public, and submitted with her testimony.

The public record of this specific LPG site is established in the form of an internet-downloaded map submitted as Exhibit "A," with Direct Testimony of this

166


Witness. This map manifests a public report issued by the Railroad Commission of Texas, the regulatory agency of the state having jurisdiction over LPG sites which compiles and maintains such information in various forms, including publicly accessible data. RRC provides access for on-line research queries at [www.rrc.state.tx.us/](http://www.rrc.state.tx.us/) "Public GIS Map Viewer for Oil & Gas Wells, Pipeline Data and LP Gas Sites." Information such as was used in the Witness' Direct Testimony is easily and freely available to anyone from the Railroad Commission of Texas without requiring any special knowledge or expertise in any profession. Witness believes that such information obtained from the Railroad Commission of Texas would commonly be deemed reliable.

In addition to RRC LPG site data, Witness did further personally seek and receive corroboration of the presence and purpose of said LPG site by telephone in conversation with representatives of Oncor in both Dallas, TX and on the site location in Snyder, TX. Both contacts confirmed that the specific LPG site was existent, and was there for the purpose of serving as a fuel source for Oncor's emergency generator at the tower site.

The Witness, Marcia Clark Brown, presents the issue of the LPG site as part of her testimony only in an effort to accommodate informed deliberation regarding the advisability and safety of locating the subject power transmission line in the immediate vicinity of said LPG site; believing that such prudent consideration is incumbent upon all parties to these deliberations.

These premises considered, Marcia Clark Brown respectfully requests that the Objection of WETT and Motion to Strike Portions of Intervenor's Prefiled Direct Testimony be denied.

Respectfully submitted on November 02, 2010

  
MARCIA CLARK BROWN