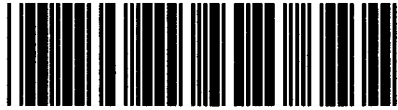


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Addendum StartPage: 0

OPEN MEETING COVER SHEET

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MEETING DATE: September 15, 2010

DATE DELIVERED: September 8, 2010

AGENDA ITEM NO.: 8-10

CAPTION:


Docket No. 38484, SOAH Docket No. 473-10-5919 Application of Wind Energy Transmission Texas, LLC for a Certificate of Convenience and Necessity for the Scurry County South - Long Draw - Grelton - Odessa 345 -kV CREZ Transmission Lines in Scurry, Mitchell, Borden, Howard, Dawson, Martin, Midland, and Ector Counties

Docket No. 38494, SOAH Docket No. 473-10-5924 Application of Electric Transmission Texas, LLC to Amend its Certificate of Convenience and Necessity for the Telsa to Riley 345-kV CREZ Transmission Line in Childress, Hardeman, and Wilbarger Counties



Docket No. 38517, SOAH Docket No. 473-10-5923 Application of Oncor Electric Delivery Company LLC to Amend its Certificate of Convenience and Necessity for The Clear Crossing to Willow Creek 345-kV CREZ Transmission Line in Haskell, Jones, Throckmorton, Shackelford, Young, Stephens, Jack, Palo Pinto, Wise, and Parker Counties

ACTION REQUESTED: Discussion and possible action with respect to Draft Supplemental Preliminary Order

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Kenneth W. Anderson, Jr.
Commissioner



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Public Utility Commission of Texas

TO: Chairman Barry T. Smitherman
Commissioner Donna L. Nelson
Commissioner Kenneth W. Anderson, Jr.

All Parties of Record

FROM: Heidi Jackson *HJ*

RE: Draft Supplemental Preliminary Order, Docket Nos. 38484, 38494, and 38517,
SOAH Docket Nos. 473-10-5919, 473-10-5924, and 470-10-5923

DATE: September 8, 2010

Please find enclosed the draft supplemental preliminary order filed by Commission Advising in the above-referenced dockets. The Commission will consider this draft supplemental preliminary order at the September 15, 2010 open meeting. Parties shall not file responses or comments addressing this draft supplemental preliminary order.

Any modifications to the draft supplemental preliminary order that are proposed by one or more Commissioners will be filed simultaneously prior to the consideration of the matter at the September 15, 2010 open meeting.

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**SOAH DOCKET NO. 473-10-5919
PUC DOCKET NO. 38484**

APPLICATION OF WIND ENERGY	§	PUBLIC UTILITY COMMISSION
TRANSMISSION TEXAS, LLC FOR A	§	
CERTIFICATE OF CONVENIENCE	§	OF TEXAS
AND NECESSITY FOR THE SCURRY	§	
COUNTY SOUTH - LONG DRAW -	§	
GRELTON - ODESSA 345-kV CREZ	§	
TRANSMISSION LINES IN SCURRY,	§	
MITCHELL, BORDEN, HOWARD,	§	
DAWSON, MARTIN, MIDLAND, AND	§	
ECTOR COUNTIES	§	

**SOAH DOCKET NO. 473-10-5924
PUC DOCKET NO. 38494**

APPLICATION OF ELECTRIC	§	PUBLIC UTILITY COMMISSION
TRANSMISSION TEXAS, LLC TO	§	
AMEND ITS CERTIFICATE OF	§	OF TEXAS
CONVENIENCE AND NECESSITY FOR	§	
THE TESLA TO RILEY 345-KV CREZ	§	
TRANSMISSION LINE IN CHILDRESS,	§	
HARDEMAN, AND WILBARGER	§	
COUNTIES	§	

**SOAH DOCKET NO. 473-10-5923
PUC DOCKET NO. 38517**

APPLICATION OF ONCOR ELECTRIC	§	PUBLIC UTILITY COMMISSION
DELIVERY COMPANY LLC TO	§	
AMEND ITS CERTIFICATE OF	§	OF TEXAS
CONVENIENCE AND NECESSITY FOR	§	
THE CLEAR CROSSING TO WILLOW	§	
CREEK 345-KV CREZ TRANSMISSION	§	
LINE IN HASKELL, JONES,	§	
THROCKMORTON, SHACKELFORD,	§	
YOUNG, STEPHENS, JACK, PALO	§	
PINTO, WISE, AND PARKER	§	
COUNTIES	§	

DRAFT SUPPLEMENTAL PRELIMINARY ORDER

This order addresses the Commission's direction to include as an issue to be addressed the paralleling 345-kV transmission right-of-way in making routing determinations. P.U.C. SUBST. R. 25.101(b)(3)(B)(i) and (ii) require that, in the selection of a utility's preferred and alternate routes, the factors of whether the routes use existing compatible rights-of-way, including vacant positions on existing multiple-circuit transmission lines, and whether the routes parallel existing compatible rights-of-way, be considered.

I. Supplemental Issues to be Addressed

The Commission must provide to the administrative law judge (ALJ) a list of issues or areas to be addressed in any proceeding referred to the State Office of Administrative Hearings (SOAH).¹ After discussion in open meeting on September 1, 2010 regarding the Commission's interest in the issue of when it is advisable and appropriate to route segments of a transmission line in parallel with 345-kV transmission right of way, the Commission identifies the following issues that must be addressed in this docket:

1. If this application proposes segments of routes that travel parallel to existing 345-kV transmission lines for some portions of the proposed routes but not others, what circumstances justify the disparate treatment?
2. If this application does not propose any segments of routes that travel parallel to existing 345-kV transmission lines, why not?
3. What are the potential ramifications to system reliability when 345-kV transmission lines are sited adjacent to each other?

¹ TEX. GOV'T CODE ANN. § 2003.049(e) (Vernon 2000).

- a. Under what circumstances is it appropriate and advisable to parallel 345-kV right-of-way with a new transmission line?
- b. Under what circumstances is it inadvisable to parallel 345-kV right-of-way with a new transmission line?
- c. Are there limits to the length of 345-kV right-of-way that can be safely paralleled?

II. Effect of Supplemental Preliminary Order

This Order is preliminary in nature and is entered without prejudice to any party expressing views contrary to this Order before the SOAH ALJ at hearing. The SOAH ALJ, upon his or her own motion or upon the motion of any party, may deviate from this Order when circumstances dictate that it is reasonable to do so. Any ruling by the SOAH ALJ that deviates from this Order may be appealed to the Commission. The Commission will not address whether this Order should be modified except upon its own motion or the appeal of a SOAH ALJ's order. Furthermore, this Order is not subject to motions for rehearing or reconsideration.

SIGNED AT AUSTIN, TEXAS the _____ day of September 2010

PUBLIC UTILITY COMMISSION OF TEXAS

BARRY T. SMITHERMAN, CHAIRMAN

DONNA L. NELSON, COMMISSIONER

KENNETH W. ANDERSON, JR., COMMISSIONER