



Control Number: 38484



Item Number: 91

Addendum StartPage: 0

RECEIVED

10 SEP 20 AM 9:03

APPLICATION OF WIND ENERGY  
TRANSMISSION TEXAS, LLC FOR A  
CERTIFICATE OF CONVENIENCE  
AND NECESSITY FOR THE SCURRY  
SOUTH-LONGDRAW-GRELTON-  
ODESSA 345-kV CREZ TRANSMISSION  
LINE IN SCURRY, MITCHELL,  
BORDEN, HOWARD, DAWSON,  
MARTIN, MIDLAND AND ECTOR  
COUNTIES

§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§

BEFORE THE STATE OFFICE  
PUBLIC UTILITY COMMISSION  
FILING CLERK

ADMINISTRATIVE HEARINGS

DAVID L. COX MOTION TO INTERVENE

DAVID L. COX files this Motion to Intervene pursuant to the Public Utility Regulatory Act (PURA), Tex. Util. Code Ann. §§ 11.001 et seq., and §§ 22.102, 22.103(b), and 22.104 of the Commission's Procedural Rules. DAVID L. COX respectfully shows as follows:

- The address of DAVID L. COX is:  
 David L. Cox  
 1301 N. County Rd. 1050  
 Midland, Texas 79706  
 (432) 686-1994 Office  
 (432) 230-9778 Cell  
 dcox@stormpeakenergy.com

All pleadings and other documents should be served upon David L. Cox.

- On July 23, 2010, Wind Energy Transmission Texas (WETT) filed an application to for a Certificate of Convenience and Necessity (CCN) for the Scurry County South - Long Draw - Grelton - Odessa (Scurry County to Odessa) 345-kV CREZ transmission line in Scurry, Mitchell, Borden, Howard, Dawson, Martin, Midland and Ector Counties.

91

3. WETT's application identifies David L. Cox as a directly affected landowner for the **Alternative Route Link EU4** segment of the proposed line. David L. Cox owns surface property that will be crossed by this segment with the following detrimental effects:

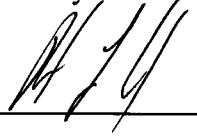
- ☒ The segment will cross Mustang Draw, a local wildlife habitat that is unique to the area.
- ☒ The segment route is prime habitat for the Protected Texas Horned Lizard and will be detrimental to this species.
- ☒ Aesthetic values in regard to an un-obscured eastern horizon will be diminished with accordant reduction in community property value arising from visual defect.
- ☒ Lack of prudent avoidance is evident with respect to future property development in the area, diminishing development attractiveness through electrical and magnetic fields.
- ☒ The proposed segment does not utilize existing Row nor parallels existing Row and crosses Mustang Draw in a perpendicular fashion rather than parallel.

The PUC is strongly encouraged to support the Preferred route which avoids many of these issues and already has an Existing line rather than this Alternate route.

Accordingly, David L. Cox has a justiciable interest in the outcome of this proceeding and should be admitted as an intervenor.

4. David L. Cox respectfully requests that the administrative law judge grant this Motion to Intervene and admit David L. Cox as an intervenor in this proceeding for all purposes. David L. Cox also requests all other relief to which it is justly entitled.

Respectfully submitted,

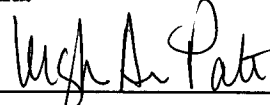



---

**David L. Cox**

**CERTIFICATE OF SERVICE**

I, Leigh Ann Pate hereby certify a copy of this document was served on all parties of record in this proceeding on this 17<sup>th</sup> day of September, 2010 by electronic mail, facsimile and/or First Class, U.S. Mail, Postage Prepaid.

A handwritten signature in cursive script that reads "Leigh Ann Pate". The signature is written in black ink and is positioned above a horizontal line.

**Leigh Ann Pate**