



Control Number: 38577



Item Number: 14

Addendum StartPage: 0

**PUC DOCKET NO. 38577**

**PUC PROCEEDING TO DETERMINE § PUBLIC UTILITY COMMISSION  
WHETHER TO MODIFY THE CREZ §  
TRANSMISSION PLAN § OF TEXAS**

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PUBLIC UTILITY COMMISSION  
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**JOINT MOTION TO INTERVENE OF  
GILLESPIE COUNTY AND THE CITY OF FREDERICKSBURG**

Pursuant to the Public Utility Commission of Texas' ("PUC's" or "Commission's") Procedural Rules §§ 22.103 and 22.104, Gillespie County and the City of Fredericksburg file this joint motion to intervene in the above-captioned docket.

**I. Standing to Intervene**

This proceeding is currently established to review the need for the proposed transmission line from the Gillespie substation to the Newton substation. By nature of the connection to the Gillespie substation, this proposed line, if constructed would go through Gillespie County. In addition, the City of Fredericksburg operates a municipal utility that serves residents in the area. The City of Fredericksburg municipal utility is a wholesale customer of LCRA. As such, these governmental bodies have justiciable interests which may be adversely affected by the outcome of this proceeding.

Both Gillespie County and the City of Fredericksburg have passed resolutions that directly relate to this proceeding. These resolutions are attached to this motion to intervene for reference.

**II. Request to consider expanded scope**

Docket No. 38354, *Application of LCRA Transmission Services Corporation to Amend its Certificate of Convenience and Necessity for the Proposed McCamey D to Kendall to Gillespie 345-kV CREZ Transmission Line in Schleicher, Sutton, Menard, Kimble, Mason, Gillespie, Kerr, and Kendall Counties*, traverse land that is part of the

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communities of Gillespie County and the City of Fredericksburg. In fact all routes proposed for both the McCamey D to Kendall as well as the Kendall to Gillespie pass through a portion of Gillespie County.

Consistent with the resolutions of Gillespie County and the City of Fredericksburg, these governmental entities respectfully request that the Commission consider expanding the scope of this proceeding to incorporate all potential options available that might provide alternatives to the construction of these new lines as proposed. This request appears to be consistent with the recent letter from Chairman Smitherman to ERCOT requesting further study of the options for these projects. The County and the City believe that failure to thoroughly consider all options would be a disservice to their residents as well as the many others who travel to this area to enjoy the natural resources of the area.

### **III. Authorized Representative**

The legal representative for Gillespie County and the City of Fredericksburg in this proceeding is:

Catherine J. Webking  
Webking McClendon, PC  
1301 Nueces St., Suite 200  
Austin, Texas 78701  
(512) 651-0515  
(512) 651-0520 facsimile  
webking@webmclaw.com

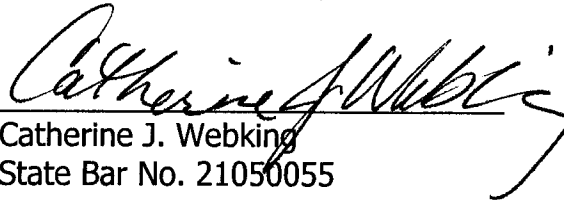
### **IV. Service of Pleadings**

Gillespie County and the City of Fredericksburg designate the above-referenced legal counsel to act as their representative in this proceeding. Gillespie County and the City of Fredericksburg request that all pleadings, correspondences, documents, requests for information, and responses to requests for information be served to the above-named authorized representative.

**V. Conclusion**

WHEREFORE, PREMISES CONSIDERED, Gillespie County and the City of Fredericksburg respectfully request that they be granted intervenor status to participate as parties in this proceeding. In addition, Gillespie County and the City of Fredericksburg request consideration of expanding the scope of this proceeding to incorporate a review of alternatives to the McCamey D to Kendall to Gillespie lines as proposed.

Respectfully submitted,



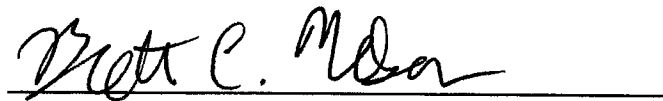
Catherine J. Webking  
State Bar No. 21050055

Webking McClendon, PC  
1301 Nueces St., Suite 200  
Austin, Texas 78701  
(512) 651-0515  
(512) 651-0520 facsimile

**ATTORNEY FOR GILLESPIE COUNTY AND  
THE CITY OF FREDERICKSBURG**

**CERTIFICATE OF SERVICE**

I certify that a copy of the above was sent by fax, hand-delivery or first class mail on this day, August 31, 2010.



Brett C. Nelson

## RESOLUTION

**WHEREAS**, the State of Texas is pursuing an aggressive strategy to increase the electricity generating capacity from renewable energy technologies; and,

**WHEREAS**, a plan was developed by the Public Utilities Commission of Texas (PUC) to construct transmission capacity to deliver generated power from the five designated Competitive Renewable Energy Zones (CREZ's) to electric customers in the metropolitan areas, said plan containing massive structures and transmission lines that are proposed to cross over several portions of Gillespie County; and,

**WHEREAS**, the PUC has selected the Lower Colorado River Authority Transmission Services Corporation (LCRA TSC) to construct and operate the segments of the transmission line plan that may be located in Gillespie County; and,

**WHEREAS**, these transmission lines with their massive structures will create a visual scar across our county and will constitute a permanent disfigurement of the scenic Texas Hill Country landscape, and will potentially have dramatic, negative economic consequences for our residents by affecting tourism and devaluing property; and,

**WHEREAS**, three segments of the proposed high voltage transmission lines would likely cut through Gillespie County which would forever damage the beauty of the county; and,

**WHEREAS**, the LCRA TSC specified the use of lattice structures in its bid to the PUC, and that such lattice structures have a huge footprint and will maximize the negative visual impact and economic consequences of the transmission lines in our beautiful, Hill Country county; and,

**WHEREAS**, the Gillespie County Commissioners Court supports the pursuit of renewable energy sources and recognizes the need to deliver the energy to market; and,

**WHEREAS**, pre-existing transmission lines owned and operated by LCRA already cross-cut many of the pristine areas to the detriment of Gillespie County; and ,

**WHEREAS**, recent developments in the Gillespie to Newton case have shown that finding suitable transmission line routes through the Texas Hill Country is extremely difficult.


**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS COURT OF GILLESPIE COUNTY:**

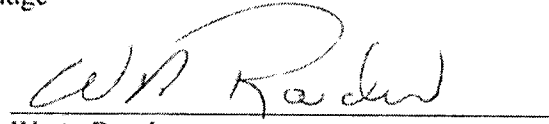
1. That the Gillespie County Commissioners Court opposes the construction of the CREZ transmission line plan through Gillespie County and requests the PUC to thoroughly re-evaluate the need for the three segments that will potentially impact Gillespie County, namely the Gillespie to Newton project, the Kendall to Gillespie project, and the McCamey D to Kendall project.


2. If the McCamey D to Kendall segment is found to still be needed and will pass through Gillespie County, then it should follow the Interstate 10 corridor.

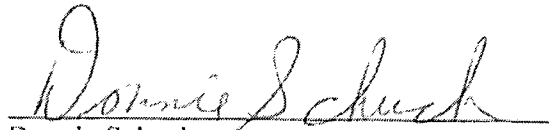
Passed and approved this 14<sup>th</sup> day of June, 2010.

  
Mark Stroehrer  
County Judge


  
Curtis Cameron  
County Commissioner, Precinct No. 1

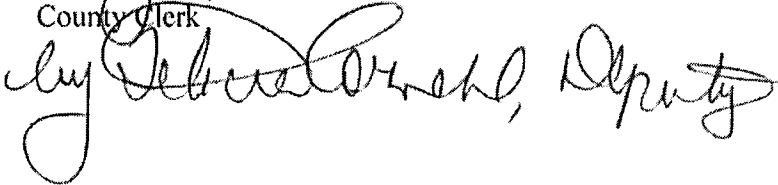
  
W. A. Roeder  
County Commissioner, Precinct No. 2

  
Calvin Ransleben  
County Commissioner, Precinct No. 3

  
Donnie Schuch  
County Commissioner, Precinct No. 4

Attest:

  
Mary Lynn Rusche  
County Clerk

  
Deputy

## RESOLUTION

**WHEREAS**, the State of Texas is pursuing an aggressive strategy to increase the electricity generating capacity from renewable energy technologies; and,

**WHEREAS**, a plan was developed by the Public Utilities Commission of Texas (PUC) to construct transmission capacity to deliver generated power from the five designated Competitive Renewable Energy Zones (CREZ's) to electric customers in the metropolitan areas, said plan containing massive structures and transmission lines that are proposed to cross over several portions of Gillespie County; and,

**WHEREAS**, the PUC has selected the Lower Colorado River Authority Transmission Services Corporation (LCRA TSC) to construct and operate the segments of the transmission line plan that may be located in Gillespie County; and,

**WHEREAS**, these transmission lines with their massive structures will create a visual scar across our county and will constitute a permanent disfigurement of the scenic Texas Hill Country landscape, and will potentially have dramatic, negative economic consequences for our residents by affecting tourism and devaluing property; and,

**WHEREAS**, three segments of the proposed high voltage transmission lines would likely cut through Gillespie County which would forever damage the beauty of the county; and,

**WHEREAS**, the LCRA TSC specified the use of various tower structures in its bid to the PUC, and that such structures have a huge footprint and will maximize the negative visual impact and economic consequences of the transmission lines in our beautiful Hill Country county; and,

**WHEREAS**, the City of Fredericksburg City Council supports the pursuit of renewable energy sources and recognizes the need to deliver the energy to market; and,

**WHEREAS**, pre-existing transmission lines owned and operated by LCRA already cross-cut many of the pristine areas to the detriment of Gillespie County; and ,


**WHEREAS**, recent developments in the Gillespie to Newton case have shown that finding suitable transmission line routes through the Texas Hill Country is extremely difficult.

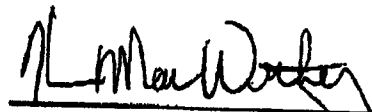
**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FREDERICKSBURG:**

1. That the City of Fredericksburg City Council opposes the construction of the CREZ transmission line plan through Gillespie County and requests the PUC to thoroughly re-evaluate the need for the three segments that will potentially impact Gillespie County, namely the Gillespie to Newton project, the Kendall to Gillespie project, and the McCamey D to Kendall project.

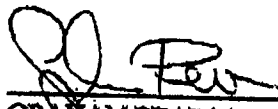
2. If the McCamey D to Kendall segment is found to still be needed and will pass through Gillespie County, then it should follow the Interstate 10 corridor.

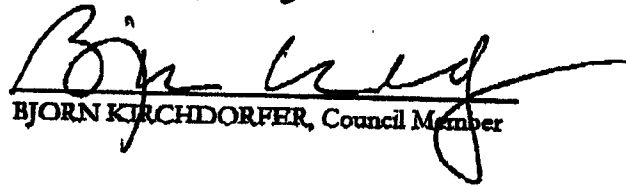
Passed and approved this 21<sup>st</sup> day of June, 2010.

  
TOM MUSSELMAN, Mayor

  
KEVIN MAC WITHEY, Council Member

  
TIM DOOLEY, Council Member

  
GRAHAM PEARSON, Council Member

  
BJORN KIRCHDORFER, Council Member

Attest:

  
SHELLEY BRITTON, City Secretary