

Control Number: 38597



Item Number: 1502

Addendum StartPage: 0

**PUC DOCKET NO. 38597
SOAH DOCKET NO. 473-11-0072**

**APPLICATION OF ONCOR ELECTRIC §
DELIVERY COMPANY LLC TO §
AMEND A CERTIFICATE OF § PUBLIC UTILITY COMMISSION
CONVENIENCE AND NECESSITY §
FOR THE KRUM WEST TO ANNA § OF TEXAS
345-KV CREZ TRANSMISSION LINE §
IN COLLIN, COOKE, DENTON, AND §
GRAYSON COUNTIES §**

**INTERVENOR RESPONSES TO COMMISSION STAFF'S FIRST SET OF
REQUESTS FOR INFORMATION AND FIRST SET OF
REQUESTS FOR ADMISSION**

TO THE HONORABLE STEVEN D. ARNOLD, ADMINISTRATIVE LAW JUDGE:

The Intervenor Charles Bentley files his Response to Commission Staff's First Requests for Information and First Set of Requests for Admission to Intervenor and would show as follows:

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**Commission Staff's First Requests for Information and
Charles Bentley's Responses**

STAFF 1-1: Do you have a habitable structure, as defined by P.U.C. SUBST. R 25.101(a)(3), near one or more of the segments of the proposed transmission line? If so, describe the structure, identify the segment(s) and estimate how far the segments are from the habitable structure. P.U.C. SUBST. R. 256.101(a)(3) defines "habitable structures" as follows: "Structures normally inhabited by humans or intended to be inhabited by humans on a daily or regular basis. Habitable structures include but are not limited to, single-family and multi-family dwellings and related structures, mobile homes, apartment buildings, commercial structures, industrial structures, business structures, churches, hospitals, nursing homes, and schools."

RESPONSE: No.

STAFF 1-2: Does one or more of the segments of the proposed transmission line cross your property? If so, identify the segments and any features including but not limited to a property line, pipeline, power line or road that the segments follow through your property.

RESPONSE: Yes, Segment A-10.

1502

STAFF 1-3: Do any existing transmission or distribution lines cross your property? If so, please describe how and where they cross your property.

RESPONSE: No.

STAFF 1-4: Are any existing transmission or distribution lines visible from your property? If so, please describe from where the lines are visible, approximately how far away the lines are located and how the current lines affect your property, if at all.

RESPONSE: No.

STAFF 1-5: Do you currently have any windmills located on your property? If so, please describe the location of the windmills and how many are located on your property.

RESPONSE: One waterwell exists due East of the proposed location for the transmission lines.

STAFF 1-6: Are you aware of any directly affected landowner that did not receive notice of the proposed transmission line project from Oncor? If so, please identify the landowner and describe as best as possible the location of the property affected. A directly affected landowner is any landowner from which Oncor would need to obtain an easement or other property interest if it built the transmission line using one or more of the segments of the proposed transmission line, or whose land contains a habitable structure that is within 500 feet of the centerline of one or more of the segments of the proposed transmission line.

RESPONSE: Not aware.

STAFF 1-7: Have you discussed any modifications to the proposed transmission line route on your property with a representative of Oncor? If so, what were the modifications to the proposed route that you suggested and what was the response of Oncor?

RESPONSE: No discussions with Oncor have taken place.

STAFF 1-8: What are your specific concerns about the proposed transmission line?

RESPONSE: Decreased property value and increased difficulty maintaining the land.

STAFF 1-9: Did you attend any open houses presented by Oncor concerning this proposed transmission line? If so, when and where? Did you provide written comments to Oncor at or after the open house? If so, please provide them.

RESPONSE: No, I was not aware of any open houses conducted by Oncor.

STAFF 1-10: Are your property boundaries for the property you own represented accurately on the maps provided by Oncor in its Application at attachment No. 5? If not, please

explain any discrepancies and provide a modified Oncor map or drawing to indicate the discrepancies.

RESPONSE: Unknown.

STAFF 1-11: What is the primary use for your property, and in your opinion, will this use be impacted by the proposed transmission line?

RESPONSE: Agricultural use will be impacted by difficulty maneuvering around towers to spray and maintain vegetation.

STAFF 1-12: In your opinion, is there any feature about your land that you believe should be considered when routing a transmission line on your property? If so, please explain.

RESPONSE: No.

STAFF 1-13: Please identify all persons with an ownership interest in your property.

RESPONSE: I am the sole owner.

STAFF 1-14: If the transmission line is routed on your property, please identify specifically the location that you would prefer for the right-of-way of the line. Use a map to show the location.

RESPONSE: I would prefer that the transmission line follow the proposed preferred routing.

**Commission Staff's First Set of Request for Admissions to Intervenors and
Charles Bentley's Responses**

STAFF RFA 1-1: Admit or deny that you do not own or reside in a habitable structure within 500 feet of the centerline of any proposed transmission line route in this docket.

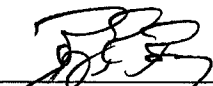
RESPONSE: Admit.

STAFF RFA 1-2: Admit or deny that the property boundaries for the property(ies) you own are accurately represented on the maps provided by Oncor.

RESPONSE: Deny. I have not been provided with a map by Oncor.

Respectfully submitted,


HAYES, BERRY, WHITE & VANZANT LLP

By:  _____

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Responses to Commission's First Requests for Information has been forwarded on this 21 day of October, 2010 to all parties of record.

 _____
Byron R. Berry