



Control Number: 38597



Item Number: 1895

Addendum StartPage: 0

SOAH DOCKET NO. 473-11-0072

PUC DOCKET NO. 38597

POSITION STATEMENT OF RONALD CARTER

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This Position Statement has been prepared by Jeffrey Fink, Esq., Apple Norris & Fink, LLP, 735 Plaza Boulevard, Suite 200, Coppell, Texas 75019, legal counsel for Mr. Carter, but has been reviewed and approved by Mr. Carter.

Ron and Wanda Carter own approximately 650 acres of land in Denton County south of FM 428 and north of Hartlee Field Road. The property is also bounded in part by Clear Creek. Alternative route segment Z2 is proposed to cross the Carter's property. There are two habitable structures near proposed transmission line segment Z2. One is a residence containing over 12,000 square feet and valued on the tax rolls for over \$2,000,000. The other structure is an 880 square foot office/barn building used in the operation of agricultural operations on the subject property. Mr. Carter has been unable to determine from the maps reviewed by him how close the proposed line will come to these structures, but estimates somewhere between 500-1000 feet. The property also includes a private airfield as described in more detail in the attached letter to Oncor and a windmill located between the above described house and office/barn. Mr. Carter and his family live in the residence on the property and have plans to further develop a portion of the property for single family use consistent with the residential character of the surrounding neighborhood.

The Carters recognize the importance and need for the proposed transmission line, but respectfully suggest that line segment Z2 should not be utilized for the following reasons:

- 1. The Carter property is located in one of the most scenic areas of Denton County. Clear Creek forms a portion of a boundary of the property and certain areas are heavily vegetated and home to numerous types of wildlife. The property is also located near and in the same general ecosystem as the "Greenbelt" that runs between Lake Ray Roberts and Lake Lewisville.**
- 2. A portion of the property includes an airport facility described in more detail in the attached letter. A portion of the line appears to cross just to the north of the main airport runway. The potential issues connected with the location of a transmission line near an airport facility are described in the letter.**
- 3. There are no existing electrical transmission line easements encumbering this property.**
- 4. Mr. Carter intends to eventually develop a portion of this property for single family residential purposes consistent with the remainder of the surrounding neighborhood. The transmission line will have a severe negative impact upon the**

1895

value of both his existing residence and the value of the property intended for future development.

In summary, the proposed Z2 segment of the transmission line will, in addition to causing a significant loss of value to the Carters property, likely cause a complete lack of use of a historic property (Hartlee Field) and result in significant aesthetic and environmental damage to one of the most scenic and environmentally sensitive areas in Denton County.



APPLE NORRIS & FINK L.L.P.
ATTORNEYS & COUNSELORS AT LAW

JEFFREY FINK
jfink@applenorrisfink.com

October 5, 2010

**VIA CERTIFIED MAIL,
RETURN RECEIPT REQUESTED**

Oncor Electric
Attn: Mr. Travis Besier
1601 Bryan Street, Suite #23
Dallas, TX 75201

RE: Proposed Oncor Electric ("*ONCOR*") Krum West-Anna 345 kV Transmission
Line Project (the "*Power Line*") and Hartlee Field Airport (the "*Airport*")

Dear Mr. Besier:

We represent Ron and Wanda Carter (the "Carters") who own property in Denton County, which includes the Airport. We write regarding the proposed Power Line by ONCOR. It is our understanding that ONCOR has proposed several different routes for the Power Line project in this area. The purpose of my letter is to make sure ONCOR is aware of the Airport and to request that no portion of the Power Line be placed in proximity to the Airport. While the Airport is shown on ONCOR maps, the Carters wanted to make sure that ONCOR was aware of the historical significance and current use of the facility.

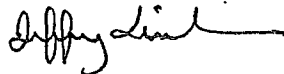
The Airport has a long history and many years ago served as the municipal airport for Denton and then as a WWII training field. The two airport hangars, runway and communications platform have been used for photography and filming, including for the "Pearl Harbor" movie, due to the authentic WWII appearance. The Airport continues to be used for private use with one aircraft currently being hangared at the facility and also for occasional vintage aircraft "fly-ins".

The Carters understand the need for the Power Line, but are extremely concerned that construction of the line anywhere close to the Airport could create a significant safety hazard and create liability issues for the Carters and the parties responsible for placement of an obstacle near the Airport. We therefore urge you to adopt a proposed route for the Power Line that does not interfere with flight operations at the Airport.

Oncor Electric
Attn: Mr. Travis Besier
October 5, 2010
Page 2

Thank you for your attention to this matter, and please contact us if we can be of further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey Fink", with a long horizontal stroke extending to the right.

Jeffrey Fink

cc: Ronald L. Carter

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1. Article Addressed to:

Mr. Travis Besier
Oncor Electric
1601 Bryan Street, Suite #23
Dallas, TX 75201

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A. Signature

x *Michael Perrin*

☐ Agent☐ Addressee

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Michael Perrin

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