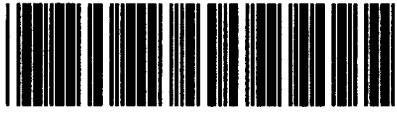




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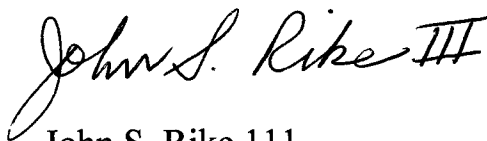
SOAH DOCKET NO. 473-11-0945
PUC DOCKET NO. 38743

Intervenor: John S. Rike 111
Statement of Position

COMES NOW, John S. Rike 111 and files this Statement of Position and states as follows:

John S. Rike 111 strongly opposes the proposed alternate route passing across my ranch. My property values will be substantially adversely affected by this B37 link and my present agricultural operations and my present hunting leases will be adversely affected by this proposed alternate route. In addition, at the present time I now have three (3) major transmission lines that cross this property at various stages and in various directions. Furthermore, I now have three (3) additional transmission lines that do not encroach upon my property but are in close proximity to my property and can be observed (viewed) readily from my property. See ATTACHMENT "A" for additional information.

Respectfully submitted,



John S. Rike 111
8847 FM 2163
Haskell, Texas 79521
940 864 2411 office
940 256 1833 mobile
mjrike@windstream.net

Prepared December 16, 2010

ATTACHMENT "A"

SOAH DOCKET NO. 473-11-0945

PUC DOCKET NO. 38743

Staff 1-1 Do you have a habitable structure near one or more of the segments of the proposed transmission line?

Answer: No.

Staff-1-2 Does one or more of the segments of the proposed transmission line cross your property?

Answer: Yes. The B37 link crosses into my property in southeastern Haskell County (per your ETT Map) when it crosses Hilliard Road from the west to east. It follows the present 138 kV line along the north side of my pasture until it reaches a point and turns northeast and crosses FM Rd 2082 and stays on the north side of FM 2082 until intersects with the B41 link and the B33 link.

Staff-1-3 Do any existing transmission or distribution lines cross your property?

Answer: Yes. The aforementioned 138 kV line crosses my property in two separate locations. It crosses my property as it crosses Hilliard Road from west to east as described above. In addition, the 138 kV line crosses my property running from southwest to northeast as it moves to the northeast across Lakeshore Sites Road. After it enters my pasture, it proceeds to the northeast for a distance along the northern edge of the waters of Lake Stamford and then abruptly turns to the east until it leaves my cultivated land and crosses Power Plant Road to the east. Finally, transmission line 69 kV enters my pasture on the northeast corner of the intersection of Hilliard Road and Lake Shore Sites Road. At that point it meanders across the entire section of the ranch as it goes from southwest to northeast until it reaches my north boundary fence. At the north boundary fence, it crosses FM Rd 2082 and proceeds east until it reaches the intersection of FM Rd 2082 and Power Plant Road. At that juncture, it links up with B41, B33 and 138 kV.

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.

Answer: Yes. There are three transmission lines that cross my property and, of course, are very visible from any location on my property. In addition, there are additional transmission lines visible

from my property that, in fact, do not encroach on my property. One major line is just to the north of my north boundary fence approximately 50 yards; two transmission lines are just east of my east boundary fence approximately 30 yards.

How the current lines affect your property, if at all.

- 1) The lines are an absolute eyesore in some of the most scenic ranch country in southeastern Haskell County.
- 2) These lines decrease the value of your land. People do not want to purchase land that is covered by the monstrosities that are already visible on the property, much less purchase land that is going to include more of these mammoth creatures.
- 3) The lines have a detrimental affect on the productivity capacity of the cultivated land. Farmers do not want to plow, to plant and to cultivate crops up to a certain distance from these gigantic poles, pull their equipment out of the ground and drive around the many poles and attempt to keep their rows lined up with the particular crop pattern that they are using.
- 4) Noxious brush, weeds, Johnson grass and rattlesnakes just love these pole areas in these finely cultivated fields. Controlling all of these pests is time consuming and expense. This all adds to the farmer's bottom line expenses in an enterprise that is already marginally profitable at best.
- 5) We had a spray pilot relate to us an incident that occurred while he was in the process of spraying our wheat for green bugs. He stated that he was making a run across one of our fields that had transmission lines and that as he was attempting to "nose down" so as to be flying just above the crops in order to apply his chemical, his airplane went into a "wind shear" that caused his plane to be in a vertical position to the ground and to stay in that position as the fuselage headed for a transmission line. Fortunately, he came out of the wind shear before crashing, but he refuses to perform any crop spraying in that particular field at this time or in the future.
- 6) There are numerous documented stories of humans and of livestock being "shocked" by the static electricity from these transmission lines.

The above are just a few of the numerous adverse affects that occur when you have multiple transmission lines (or one additional transmission line) on your property.

Staff-1-5 Do you currently have any windmills located on your property?

Answer: No.

Staff-1-6 Are you aware of any directly affected landowner that did not receive notice of the proposed transmission line project from ETT?

Answer: No.

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

Answer: Yes. The modifications requested were that ETT not construct ANY additional transmission lines on my property since I already have three mammoth lines across my small ranch. My cup runneth over with transmission lines. The response of the ETT representative was somewhat lethargic at best.

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

Answer: See answer above in "Staff-1-4", parts 1 through 6.

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

Answer(s): Yes, I attended the open house presented by ETT at the Haskell Memorial Civic Center, Haskell, Texas, earlier in the year 2010. Yes, I provided written comments. See answer to question styled "Staff-1-4" parts 1 through 6 in order to view my previous comments.

Staff-1-10 Are your property boundaries for the property you own represented accurately on the maps provided by ETT in its Application at Attachment No. 11?

Answer: Yes, they appear accurate as far as I can tell considering the fact that ETT did not elect to send us a more detailed and a more descriptive map.

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?

Answer: The primary use of my property is for agricultural production and for the leasing of the property to hunters, and yes, both of these uses will be impacted negatively by the proposed transmission line.

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?

Answer: YES. As explained previously, I already have three major transmission lines running across, through and into my small acreage. I do not need or want anymore. In addition, I have three other major transmission lines running adjacent to my property.

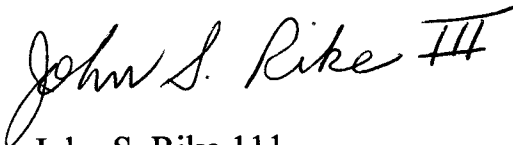
Staff-1-13 Please identify all persons with an ownership interest in your property.

Answer: John S. Rike 111

Staff-1-14 If the transmission line is routed on your property, please identify specially the location that you would prefer for the right-of-way of the line.

Answer: As I have stated previously, I do want any additional transmission lines on my property and my preference is not only to not have them on my property, but to not have them in the vicinity of my property. You need to go out and take a look on the ground at area of this B 37 link of your proposed transmission line. The property in this immediate area north of the West Texas Utilities Power Plant on Lake Stamford looks worst than the remains of a high wire circus after the circus left town and left all of its high wire equipment on the grounds. It is pathetic.

Respectfully submitted,

A handwritten signature in cursive script that reads "John S. Rike III". The signature is written in dark ink and is positioned above the printed name and date.

John S. Rike 111

December 16, 2010