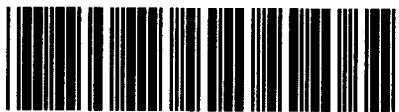




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SOAH DOCKET NO. 473-11-0945
PUC DOCKET NO. 38743

APPLICATION OF ELECTRIC
TRANSMISSION TEXAS, LLC TO
AMEND ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY FOR
THE PROPOSED TESLA TO EDITH
CLARKE TO CLEAR CROSSING TO
WEST SHACKELFORD DOUBLE-
CIRCUIT 345-KV CREZ
TRANSMISSION LINE IN CHILDRESS,
COTTLE, HARDEMAN, FOARD, KNOX,
HASKELL, JONES, AND
SHACKELFORD COUNTIES

BEFORE THE

PUBLIC UTILITY COMMISSION

OF TEXAS

**ELECTRIC TRANSMISSION TEXAS, LLC'S
EXCEPTION TO THE PROPOSAL FOR DECISION**

NOW COMES Applicant Electric Transmission Texas, LLC (ETT) and files its Exception to the Proposal for Decision (PFD) in this proceeding. Pursuant to Mr. Journeay's March 15, 2011 letter in this docket, this Exception is timely filed.

I. Introduction

ETT's single exception to the PFD is very limited, as discussed below. The Administrative Law Judge did a good job of analyzing the evidence and evaluating the alternative routes that were presented, and ETT supports adoption of his recommended routes for the three segments of CREZ transmission line in this case.

II. Exception to the PFD

ETT's sole exception to the PFD relates to proposed Ordering Paragraph 17, which would require ETT to provide certain information to the Railroad Commission of Texas concerning the route selected in this case and discovery of any previously unidentified oil and gas wells, and to coordinate with the Railroad Commission with respect to any such wells. ETT requests that this proposed Ordering Paragraph be omitted from the final order in this case, since

the Railroad Commission did not intervene or otherwise participate in this proceeding, and no issue was raised with respect to unidentified oil and gas wells. Omission of this Ordering Paragraph would be consistent with the Commission's recent action in Docket No. 38517,¹ where a similar proposed Ordering Paragraph was omitted on Commissioner Nelson's recommendation.

WHEREFORE, Electric Transmission Texas, LLC respectfully requests that its Exception to the PFD be adopted.

Dated: March 23, 2011

Respectfully submitted,

Jerry N. Huerta
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By: 
Kerry McGrath

ATTORNEYS FOR ELECTRIC TRANSMISSION
TEXAS, LLC

¹ *Application of Oncor Electric Delivery Company LLC to Amend its Certificate of Convenience and Necessity for the Clear Crossing to Willow Creek CREZ 345-kV Transmission Line in Haskell, Jones, Throckmorton, Shackelford, Young, Stephens, Jack, Palo Pinto, Wise and Parker Counties, Docket No. 38517, Order (Feb. 10, 2011).*

Certificate of Service

I certify that a true and correct copy of the foregoing document has been served on all parties of record this 23rd day of March, 2011.



Kerry McGrath

**APPLICATION OF ELECTRIC
TRANSMISSION TEXAS, LLC TO
AMEND ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY FOR
THE PROPOSED TESLA TO EDITH
CLARKE TO CLEAR CROSSING TO
WEST SHACKELFORD DOUBLE-
CIRCUIT 345-KV CREZ
TRANSMISSION LINE IN CHILDRESS,
COTTLE, HARDEMAN, FOARD, KNOX,
HASKELL, JONES, AND
SHACKELFORD COUNTIES**

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**PUBLIC UTILITY COMMISSION**

OF TEXAS

the Railroad Commission did not intervene or otherwise participate in this proceeding, and no issue was raised with respect to unidentified oil and gas wells. Omission of this Ordering Paragraph would be consistent with the Commission's recent action in Docket No. 38517,<sup>1</sup> where a similar proposed Ordering Paragraph was omitted on Commissioner Nelson's recommendation.

WHEREFORE, Electric Transmission Texas, LLC respectfully requests that its Exception to the PFD be adopted.

Dated: March 23, 2011

Respectfully submitted,

Jerry N. Huerta  
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TEXAS, LLC

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<sup>1</sup> Application of Oncor Electric Delivery Company LLC to Amend its Certificate of Convenience and Necessity for the Clear Crossing to Willow Creek CREZ 345-kV Transmission Line in Haskell, Jones, Throckmorton, Shackelford, Young, Stephens, Jack, Palo Pinto, Wise and Parker Counties, Docket No. 38517, Order (Feb. 10, 2011).

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Kerry McGrath