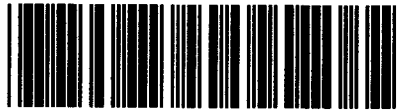


Control Number: 38825



Item Number: 243

Addendum StartPage: 0

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APPLICATION OF WIND ENERGY § BEFORE THE STATE OFFICE
TRANSMISSION TEXAS, LLC TO §
AMEND ITS CERTIFICATE OF §
CONVENIENCE AND NECESSITY FOR §
THE PROPOSED LONG DRAW TO §
SAND BLUFF, SAND BLUFF TO DIVIDE, § OF
AND SAND BLUFF TO BEARKAT §
345 KV CREZ TRANSMISSION LINES §
IN BORDEN, COKE, GLASSCOCK, §
HOWARD, MITCHELL AND STERLING §
COUNTIES. § ADMINISTRATIVE HEARINGS

AMANDA BODINE LOUDER'S RESPONSE TO
COMMISSION STAFF'S FIRST SET OF REQUESTS FOR INFORMATION
AND FIRST SET OF REQUESTS FOR ADMISSION

COMES NOW Intervener Amanda Bodine Louder and files this, her Response to Commission Staff's First Set of Requests for Information and First Set of Requests for Admission. This Response is timely filed. Amanda Bodine Louder agrees and stipulates that all parties may treat these responses as if the answers were filed under oath.

Respectfully submitted,



Amanda Bodine Louder

P.O. Box 275

Stanton, TX 79782

(432) 756-2304

(432) 756-2304 (Fax)

George S. Finley

SMITH, ROSE, FINLEY

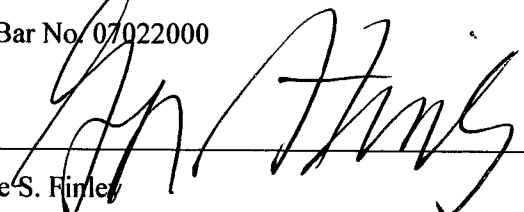
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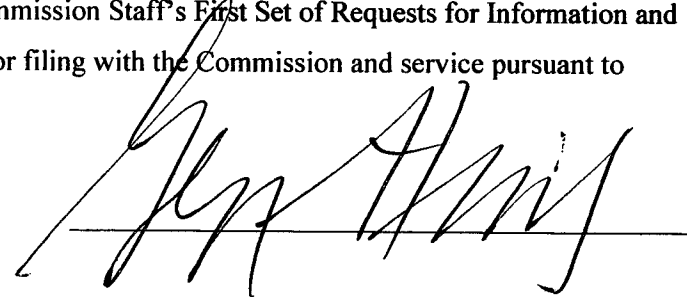
P.O. Box 2540
San Angelo, TX
(325) 653-6721
(325) 653-9580 (Fax)
State Bar No. 07022000

By _____
George S. Finley



CERTIFICATE OF SERVICE

This is to certify that on this 7th day of January, 2011, a true and correct copy of the Foregoing Answers of Amanda Bodine Louder to the Commission Staff's First Set of Requests for Information and First Set of Requests for Admission was sent for filing with the Commission and service pursuant to SOAH Order No. 5.



AMANDA BODINE LOUDER RESPONSES
TO COMMISSION STAFF'S FIRST SET OF REQUESTS FOR INFORMATION
TO INTERVENORS

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. 25.101(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: Yes, we have a three-bedroom house 95 feet west from the centerline of Link BS6 on our 647.25 acres in Sterling County.

Links BS6, AE6, and AD6 affect this residence. It is 95 feet west of the centerline of Link BS6. It is less than 500 feet south of the centerline of Links AE6 and AD6, which meet just across state Hwy. 158 from the entrance to our ranch and the house.

A second habitable structure is a barn with an office area containing living quarters. It is not within 500 feet of a proposed link.

No, there is no habitable structure on our affected Coke County acreage.

Prepared by: Amanda Louder

Title: Intervenor

Compiled by: Jaynell Bodine

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, Links BS6, AE6, AD6 and CJ6 cross our property in Sterling County. Link AE6 crosses the 78 acre tract in Coke County, Texas.

Links AE6 and AD6 run from east to west parallel to state Hwy.158 and our north boundary. They also parallel an existing Concho Valley Electric Cooperative (CVEC) transmission line that runs about 8 feet inside our fence from east to west, approximately 1 mile. Link AE6 also parallels a

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Florida Power and Light (FP&L) 138 kV transmission line that runs from the east property line parallel to the fence approximately .4 mile before turning southwest to run toward the west boundary.

Link BS6 enters from the north just east of our ranch house "603" and runs due south, but we cannot determine exactly how far. It appears to run directly on top of the road that leads to all our ranch buildings and my sister's house until it begins to parallel the FP&L 138 kV transmission line running southwest. It then runs diagonally through the northwest acreage until it crosses the west boundary line.

Link CJ6 crosses the entire south quarter (S/4) of the section, entering a little west of the east property line coming through the south boundary and angling around through the south quarter until it exits through the west fence line somewhere north of the south boundary. On the map, it is impossible to determine exactly where it runs because it follows no existing features. However, we know it crosses over the south end of our ranch airstrip, which begins in the southeast corner of the property and runs north.

Link AE6 crosses a narrow strip of the 78 acre tract in H. & T. C. Ry. Co. Survey 223, Abstract 255, Coke County, Texas, running parallel to the FP&L 138 kV transmission line that crosses our west boundary approximately 3,200 feet south of the state Hwy 158 and crosses south-southeast over the narrow strip of our property that ends south at Mendenhall Lane. Koch Industries, Inc. also acquired an easement for a 6" oil and gas pipeline over this property in 1982. The property is crossed further north by a Lower Colorado River Authority (LCRA) 345 kV transmission line, but that line appears unrelated to the proposed segment.

Prepared by: Amanda Bodine Louder

Title: Intervenor

Compiled by: Jaynell Bodine

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: Yes, the 647.25 acre tract in Sterling County is currently crossed by two transmission lines and three electric distribution lines. The 78 acre tract in Coke County is crossed by two transmission lines and a telephone line.

Concho Valley Electric Cooperative (CVEC) has three distribution lines on the property in Sterling County. One line runs north and south, entering from the south fence approximately 1500 feet east of the west boundary and running north-northwest about 5500 feet; a short feeder from this line serves the newer ranch house, which is now owned by Melinda Gaines, in the S/W quarter and stops at state Hwy. 158 on the north. The second line runs along the eastern boundary the length of the section and serves another distribution line to our water well, barn, and hanger. We had to have 550 feet of this line buried below ground level because it crosses the east end of the east-west leg of our airstrip going to the hanger. The third line connects to the north-south line on the east side of the property, approximately 3,000' from the north boundary, then runs west 2,300' and stops south of the barn and hangar. We had to have about 550' of this line buried below ground because it crosses the middle of the north-south ranch runway.

The CVEC transmission line runs approximately 8' inside the north boundary fence from east to west across the entire section, approximately one mile.

The 138 kV transmission line belonging to Florida Power and Light (FP&L) is approximately 5,500 feet in length. It begins at the west boundary and runs inside the north fence, parallel to state Hwy. 158, for approximately .4 mile before it cuts diagonally across the north-west quarter of the section.

The 78 acre Coke Co. tract is crossed by a telephone line that runs parallel to state Hwy. 158 just inside the fence, entering at the east property line and exiting at the west boundary. The Lower Colorado River Authority (LCRA) 345 kV transmission line (with 160' easement) crosses the east boundary into the field approximately 800 feet south of the highway and runs north-northwest to cross state Hwy 158; it is on the affected 78 acre tract approximately 1,000 feet. The FP&L 138 kV transmission line crosses the west boundary approximately 3,200 feet south of the state Hwy 158 and crosses south-southwest over a narrow strip of our property that continues south to Mendenhall Lane.

Prepared by: Amanda Bodine Louder

Title: Intervenor

Compiled by: Jaynell Bodine

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: Yes, all of the transmission and electric lines mentioned in question 3 are visible throughout the property, and we can also see them and additional distribution lines on our neighbors to the north, east, and west. The Concho Valley Electric Cooperative (CVEC) transmission line is larger and runs parallel to the highway. Therefore, it is visible several miles in both directions (east to west). The 138 kV transmission line owned by Florida Power and Light (FP&L) is larger and clearly visible for at least two miles. From the Sterling County acreage, we also have a clear view of the large Lower Colorado River Authority (LCRA) 345 kV transmission line that crosses about three and a half miles further east.

I believe the smaller electric distribution lines have relatively little impact on our ranching operation. The CVEC transmission line is strung on wooden poles and also has minimal impact. These lines run close to the fence line and crop-duster pilots have been able to avoid them when spraying the field. The impact of the FP&L line is more significant, because it is further from the fence inside the field, has numerous wires, and while running parallel to the fence in the north-eastern end of the field, it also crosses the northwest corner of the field diagonally. It also interferes with the SF1 GPS system that we use in our farming operation when the tractor is located around the cement poles.

The affected tract in Coke County is flat farmland so all transmission lines in the area are visible for several miles. The current FP&L line has no particular impact on the small strip of our property. The LCRA line has significant impact, because the lattice tower base in the field must be avoided when planting or plowing and interferes with the SF1 GPS signal when near the tower.

Prepared by: Amanda Bodine Louder

Title: Intervenor

Compiled by: Jaynell Bodine

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: Yes, we have one windmill located slightly northeast from the center of our affected property in Sterling County. It is south of our livestock pens and two large metal barns. An electric

pump has replaced the windmill in the yard of our older ranch house, and the well provides water for the home, 12 trailer hookups, and our livestock. It is several feet closer to the centerline of Link BS6 than the house, which WETT lists as 95 feet.

We have two Wind Turbines in the field east of the older ranch house and Private Road 306. Although the company does not intend to install any more, the acreage is held by the two turbines.

The 78 acres in Coke County does not have a windmill. Water is piped under state Hwy. 158 from a well in the pasture due north, where a pump has replaced the windmill.

We have no Wind Turbines on any of our Coke County acreage. A previous option contract for wind development lapsed, and there is no interest in wind development on the property. We have no wind turbines other than the two in Sterling County, and no other acreage we own is being considered for wind power development.

Prepared by: Amanda Bodine Louder

Title: Intervenor

Compiled by: Jaynell Bodine

Staff-1-6 Are you aware of any directly affected landowner that did not receive notice of the proposed transmission line project from WETT? If so, please identify the landowner and describe as best possible the location of the property affected. A directly affected landowner is any landowner from which WETT 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: Yes, neither I, Amanda Bodine Louder, nor my sister, Melinda Bodine Gaines, were notified.

We have shared undivided remainderman interest in the Coke County property for decades. Melinda Gaines purchased the newer house and 5.25 acres for their family homestead (from the 652.5 acres in Section 219, Sterling County) in December, 2009. According to the Sterling County tax appraiser, she has been listed on the Sterling County tax roll for that property since January, 2010. We both own interests in the remaining 647.25 acres of Section 219 in Sterling County, but that was not acquired until after the 2010 Sterling County tax roll was certified.

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Although we did not receive notice, we are aware of the proposed transmission line segments and have filed to be intervenors. WETT filed requests for clarification from both of us, and we both submitted responses.

I know of no other directly affected landowners who have not been notified.

Prepared by: Amanda Bodine Louder

Title: Intervenor

Compiled by: Jaynell Bodine

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

Response: No.

Prepared by: Amanda Bodine Louder

Title: Intervenor

Compiled by: Jaynell Bodine

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

Response: Link CJ6 crosses the South quarter of our Sterling County acreage. It crosses our ranch airstrip which will make it impossible for my brother-in-law to use the airstrip. This, in turn, will interfere with our plans to incorporate the airplane use into ranching operations since we have no other employees. In addition to the time and effort he spent getting his pilot license, a great deal of money has been spent planning and building the barn, burying electric lines, and making all other necessary changes. We have no other property near Sterling City with the long, flat length necessary for a runway.

This acreage has been the ranch headquarters since my parents moved back in 1972. It is the only property close enough to town to realistically drive the children to and from school daily. This is a necessary consideration since Sterling County is one (if not the only) county-wide school district that still does not run daily school buses for students except those with special needs. The S/W quarter of Section 219 has been held back from all commercial ventures other than ranching since my

mother became the owner in 1978. The acreage in that quarter-section has been intentionally sheltered so that if a family member needed to build a home near the ranch headquarters, the view would remain relatively unobstructed and traffic would be prohibited. When it was under lease for oil in the 1980's, the lease specified that the SW/4 was not to be entered for any reason. It was also specifically excluded from the wind development option, because my parents were very concerned about the safety of their family and maintaining an area where they could have their grandchildren experience the joys of rural life that my mother experienced while living in the country with her grandparents.

Link BS6 crosses too close to the older ranch house and will also interfere with access to all our facilities on the property.

I believe the transmission line should not be routed by these residences. Sterling County is sparsely populated, and there are other possible routes that could avoid residences.

Prepared by: Amanda Bodine Louder

Title: Intervenor

Compiled by: Jaynell Bodine

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

Response: No.

Prepared by: Amanda Bodine Louder

Title: Intervenor

Compiled by: Jaynell Bodine

Staff-1-10 Are your property boundaries for the property you own represented accurately on the maps provided by WETT in its Application at Attachment No. 3 (Sheets 1-28) If not, please explain any discrepancies and provide a modified WETT map or drawing to indicate the discrepancies.

Response: No, the boundaries for our properties are incorrect on all maps that I have seen.

I cannot describe the exact discrepancies on Attachment No. 3 (Sheets 1-28), because I do not know what they show and do not have access to them.

The correct boundaries for the Sterling County acreage are shown in Attachment A (the entire section without the 5.25 acres sold to Melinda Gaines), and Coke County is shown in Attachment B.

Prepared by: Amanda Bodine Louder

Title: Intervenor

Compiled by: Jaynell Bodine

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? If so, please explain.

Response: The primary use of our property is for our ranching operation. The property is headquarters for Nine-Six Livestock Co. Two homes are located on this property, along with three barns, an airplane hangar, and an intersecting east-west and north-south runway. The property is used for our sheep and cattle operation, farming operation, and exotic wildlife operation. The proposed line would negatively impact our operation in multiple ways. The runway would become nonfunctional, gathering of exotic wildlife by helicopter would no longer be possible, the clearing of another right-of way would impact grazing, and another transmission line through the wheat field will complicate farming and reduce acreage.

Prepared by: Amanda Bodine Louder

Title: Intervenor

Compiled by: Jaynell Bodine & Melinda Gaines

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: Yes, we have existing transmission lines on both affected properties that should eliminate the need for new lines in unrelated areas on such small acreage. Link AE6 parallels the existing 138 kV transmission line in Coke County.

If routing through our Sterling County acreage is unavoidable, existing transmission lines along our northern boundary should be paralleled rather than creating a new right-of-way. The proposed Segment CJ6 does not follow an existing highway, highline, pipeline, or any other type of easement.

Prepared by: Amanda Bodine Louder

Title: Intervenor

Compiled by: Jaynell Bodine

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

Response: Jaynell Cope Bodine, Melinda Bodine Gaines and Amanda Bodine Louder (both the Sterling County and Coke County properties).

Prepared by: Amanda Bodine Louder

Title: Intervenor

Compiled by: Jaynell Bodine

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: If the transmission line is routed on our property, I would prefer Link AE6 which crosses the 78 acre tract in Coke County parallel to a 138 kV transmission line owned by FP&L.

If crossing Section 219 is totally unavoidable, it will have to be across the north end where the existing power lines presented obstacles that have been incorporated into the plans of our ranching operation. Faced with the choices we have been given, we would have to choose to have it to be routed down the north side of our property line, paralleling the existing highway and 138kv electric line. This route does not have as much of an impact on our airstrip, ranching operations, exotic operation, and homes. However, Sterling County is sparsely populated and I find it hard to believe it is impossible to find a route that avoids people's homes. My bother-in-law has worked with other landowners to identify routes that avoid homes, and they discussed alternative routes with WETT representatives in Austin on December 22, 2010. I recommend that the PUC carefully consider and choose the route they discussed and recommended in December.

Prepared by: Amanda Bodine

Title: Intervenor

Compiled by: Jaynell Bodine and Melinda Gaines

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COMMISSION STAFF'S FIRST SET OF REQUESTS FOR ADMISSIONS
TO INTERVENORS

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: Deny. We own a three-bedroom house within 500 feet of Links BS6, AE6, and AD6.

Prepared by: Amanda Bodine Louder

Title: Intervenor

Compiled by: Jaynell Cope Bodine

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 WETT in its Application at Attachment No. 3, Sheets 1-28.

Response: Deny. The boundaries for my properties in both Sterling and Coke County are incorrect on all WETT maps I have seen.

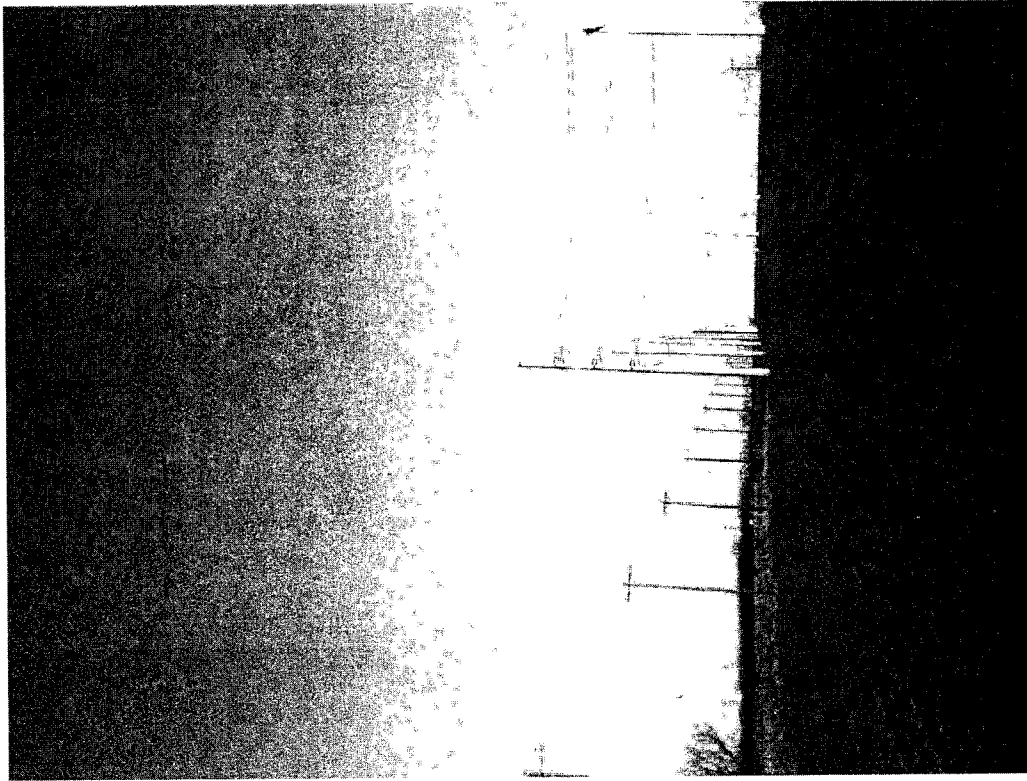
Prepared by: Amanda Bodine Louder

Title: Intervenor

Compiled by: Jaynell Bodine

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CVEC & FP&L 138 kV Lines in Sterling County Field



Attachment C
LCRA 345 kV line in Coke Co. Field

