

Control Number: 38825



Item Number: 307

Addendum StartPage: 0

**SOAH DOCKET NO. 473-11-1266  
PUC DOCKET NO. 38825**

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

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**BEFORE THE STATE OFFICE**

**OF**

**ADMINISTRATIVE HEARINGS**

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**WIND ENERGY TRANSMISSION TEXAS, LLC'S RESPONSE TO  
DRIVER FAMILY, ESTATE OF ALMA DRIVER, SKIPPER DRIVER, EXECUTOR,  
ESTATE OF E.P. DRIVER, SKIPPER DRIVER, EXECUTOR AND WILLIAM DRIVER,  
AND JOHN B. PHILLIPS' FIRST SET OF REQUEST FOR INFORMATION**

TO THE HONORABLE PUBLIC UTILITY COMMISSION OF TEXAS:

WIND ENERGY TRANSMISSION TEXAS, LLC (WETT) files this Response to the  
aforementioned request for information.

**I.  
WRITTEN RESPONSES**

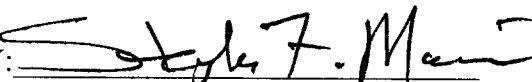
Attached hereto and incorporated herein by reference are WETT's written responses to  
the aforementioned request for information. Each such response is set forth on or attached to a  
separate page upon which the request has been restated. Such responses are also made without  
waiver of WETT's right to contest the admissibility of any such matters upon hearing. WETT  
hereby stipulates that its responses may be treated by all parties exactly as if they were filed  
under oath.

**II.  
INSPECTIONS**

In those instances where materials are to be made available for inspection by request or in  
lieu of a written response, the attached response will so state. For those materials that a response  
indicates may be inspected at Wind Energy Transmission Texas, LLC, 210 Barton Springs Road,  
Suite 150, Austin, Texas 78704 or at the offices of Naman, Howell, Smith & Lee, PLLC, 8310  
Capital of Texas Highway North, Suite 490, Austin, Texas 78731 as determined by WETT.

Respectfully submitted,

NAMAN, HOWELL, SMITH & LEE, PLLC  
8310 Capital of Texas Highway, North  
Suite 490  
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(512) 474-1901 FACSIMILE

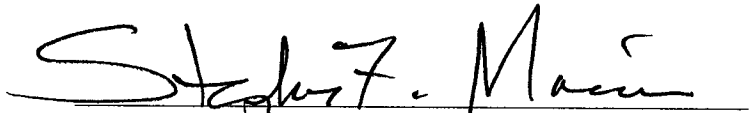
BY: 

Dennis W. Donley, Jr.  
State Bar No. 24004620  
Stephen F. Morris  
State Bar No. 14501600  
Stephanie S. Potter  
State Bar No. 24065923

**ATTORNEYS FOR WIND ENERGY  
TRANSMISSION TEXAS, LLC**

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing document was served on the requesting party on this 24<sup>th</sup> day of January, 2011.

  
Stephen F. Morris

**QUESTION D/P No.1-1:**

Please identify by owner, address and type all habitable structures within (1) 500 feet and (2) 1,000 feet of the centerline of the alternative routes 10-7, 12-7, segment CC7 and segment BQ7.

**RESPONSE:**

The following response was prepared by or under the direct supervision of Kenda Pollio, the sponsoring witness for this response.

Information regarding habitable structures within 500 feet of proposed route links is provided in Appendix D to the Environmental Assessment (EA). We have included another copy of this sheet on the following page. Neither Link CC7 nor Link BQ7 have any habitable structures within 500 feet of their centerlines. This is confirmed by looking at the relevant tract ownership map, which is the page labeled "Segment 7 Sheet 2" in Attachment 6. This map identifies both habitable structures and the 500-foot buffer, as indicated in the map key.

WETT did not calculate data regarding habitable structures within 1000 feet of the centerline of its proposed route links.

**QUESTION D/P No. 1-2:**

Identify the estimated cost of acquisition of easements or rights-of-way from landowners located on segment BQ7.

**RESPONSE:**

The following response was prepared by or under the direct supervision of Stan Tessmer, the sponsoring witness for this response.

Land acquisition costs were estimated per acre, not by segment, based on a 160 foot right of way width.

**QUESTION D/P No. 1-3:**

Describe the method used to count the habitable structures, and state the data or source on which your method relies.

**RESPONSE:**

The following response was prepared by or under the direct supervision of Kenda Pollio, the sponsoring witness for this response.

Habitable structures were identified by a number of methods. First, habitable structures were identified using aerial photographs and by aerial interpretation. Second, habitable structures were field-verified to the extent possible. Field teams were sent to field check habitable structures within 500 feet of the proposed routes wherever there was reasonable public access. (Field teams did not have access to private lands.) All known habitable structures were documented and then transferred into a Geographic Information Systems (GIS) coverage and mapped.

**QUESTION D/P No. 1-4:**

Please provide copies of all written comments and responses to the questionnaires from the public that you received in connection with your public meeting and open houses concerning the proposed transmission line project specifically relating to the transmission line from the Sand Bluff switching station to the Bearkat switching station, an all summaries and data compilation derived from such comments and responses.

**RESPONSE:**

The following response was prepared by or under the direct supervision of Kenda Pollio, the sponsoring witness for this response.

This response is over 100 pages. In accordance with PUC Procedural Rule 22.144(h), these documents are available for viewing at the offices of WETT or Naman, Howell, Smith & Lee in Austin, Texas.

**QUESTION D/P No. 1-5:**

Please provide an explanation of how the estimated cost was calculated regarding alternate routes 10-7 and 12-7, as well as the preferred route 14-7.

**RESPONSE:**

The following response was prepared by or under the direct supervision of Stan Tessmer, the sponsoring witness for this response.

The bases for cost estimates are similar for all route alternatives. Estimates are based on items including line lengths, structure count, foundation size, conductor, engineering costs, and site preparation.



**QUESTION D/P No. 1-6:**

Regarding the portion of segment AK7 which runs generally in a north/south direction, please provide all documents relating to the feasibility of placing the line between two existing wind turbines, including any correspondence with the owner of the wind turbines.

**RESPONSE:**

The following response was prepared by or under the direct supervision of Stan Tessmer, the sponsoring witness for this response.

The feasibility of placing this line was based on the distance between the two wind turbines.

**QUESTION D/P No. 1-7:**

Regarding the portion of section AK7 which generally runs in a north/south direction and which runs between two existing wind turbines, please provide any documents reflecting the distance between the two existing wind turbines which the proposed transmission line will bisect.

**RESPONSE:**

The following response was prepared by or under the direct supervision of Kenda Pollio, the sponsoring witness for this response.

The distance between the wind turbines is approximately 1,515 feet.

**QUESTION D/P No. 1-8:**

Please provide all documents which will support the allegation that the preferred route has the lowest number of stream crossings as compared to the alternate routes identified in table 1-C attached to direct testimony of Kenda Pollio.

**RESPONSE:**

The following response was prepared by or under the direct supervision of Randy Schroeder, the sponsoring witness for this response.

This information was obtained digitally from the U. S. Geological Survey (USGS) at [www.nhd.usgs.gov](http://www.nhd.usgs.gov) and was analyzed through GIS analysis.

**QUESTION D/P No. 1-9:**

Please provide all documents which support the contention that the preferred route has the shortest length within 100 feet of rivers and streams as compared to the alternate routes identified in table 1-C attached to the direct testimony of Kenda Pollio.

**RESPONSE:**

The following response was prepared by or under the direct supervision of Randy Schroeder, the sponsoring witness for this response.

See response to D/P No. 1-8.

**QUESTION D/P No. 1-10:**

Regarding alternate route 10-7, identify what percentage of that proposed route would follow existing pipelines, what percentage would follow existing roadways, and what percentage would follow existing transmissions [sic] lines, and what percentage would follow apparent property boundaries.

**RESPONSE:**

The following response was prepared by or under the direct supervision of Kenda Pollio, the sponsoring witness for this response.

Table 7-2 of the Sand Bluff to Bearkat EA contains this information.

**QUESTION D/P No. 1-11:**

Regarding alternate route 12-7, identify what percentage of that proposed route would follow existing pipelines, what percentage would follow existing roadways, and what percentage would follow existing transmissions [sic] lines, and what percentage would follow apparent property boundaries.

**RESPONSE:**

The following response was prepared by or under the direct supervision of Kenda Pollio, the sponsoring witness for this response.

Table 7-2 of the Sand Bluff to Bearkat EA contains this information.

**QUESTION D/P No. 1-12:**

Regarding alternate route 14-7, identify what percentage of that proposed route would follow existing pipelines, what percentage would follow existing roadways, and what percentage would follow existing transmissions [sic] lines, and what percentage would follow apparent property boundaries.

**RESPONSE:**

The following response was prepared by or under the direct supervision of Kenda Pollio, the sponsoring witness for this response.

Table 7-2 of the Sand Bluff to Bearkat EA contains this information.

**QUESTION D/P No. 1-13:**

Provide all engineering and costing data provided to Kenda Pollio by Mr. Stan Tessmer upon which Kenda Pollio based her recommendations.

**RESPONSE:**

The following response was prepared by or under the direct supervision of Kenda Pollio, the sponsoring witness for this response.

The cost data I received for each of the routes from Stan Tessmer is the same cost data set forth in the CCN application in Attachment 5.

The engineering data I received was through oral discussions at routing meetings. Mr. Tessmer reviewed the proposed routes for engineering and construction feasibility. Based on our discussions, I was advised that the routes proposed in the application were feasible from an engineering and construction perspective.



**QUESTION D/P No. 1-14:**

Provide all landowner feedback from WETT's public involvement program referenced by Kenda Pollio in her direct testimony, specifically relating to the transmission line from the Sand Bluff to the Bearkat switching stations.

**RESPONSE:**

The following response was prepared by or under the direct supervision of Kenda Pollio, the sponsoring witness for this response.

This response is over 100 pages. In accordance with PUC Procedural Rule 22.144(h), these documents are available for viewing at the offices of WETT or Naman, Howell, Smith & Lee in Austin, Texas.

**QUESTION D/P No. 1-15:**

Provide all information concerning the impact route 10-7 will have on crop land and known oil and gas wells.

**RESPONSE:**

The following response was prepared by or under the direct supervision of Kenda Pollio, the sponsoring witness for this response.

Table 7-2 of the Sand Bluff to Bearkat EA contains relevant data, and these issues are discussed in the EA in Sections 3.8.3, 8.2, 8.6, and 8.6.3 (crop land) and Sections 3.10 and 8.8 (oil and gas). Maps such as Figure 3-1 also indicate the presence of oil and gas wells and land under cultivation.

**QUESTION D/P No. 1-16:**

Provide all information concerning the impact route 12-7 will have on crop land and known oil and gas wells.

**RESPONSE:**

The following response was prepared by or under the direct supervision of Kenda Pollio, the sponsoring witness for this response.

Table 7-2 of the Sand Bluff to Bearkat EA contains relevant data, and these issues are discussed in the EA in Sections 3.8.3, 8.2, 8.6, and 8.6.3 (crop land) and Sections 3.10 and 8.8 (oil and gas). Maps such as Figure 3-1 also indicate the presence of oil and gas wells and land under cultivation.

**QUESTION D/P No. 1-17:**

Provide all information concerning the impact route 14-7 will have on crop land and known oil and gas wells.

**RESPONSE:**

The following response was prepared by or under the direct supervision of Kenda Pollio, the sponsoring witness for this response.

Table 7-2 of the Sand Bluff to Bearkat EA contains relevant data, and these issues are discussed in the EA in Sections 3.8.3, 8.2, 8.6, and 8.6.3 (crop land) and Sections 3.10 and 8.8 (oil and gas). Maps such as Figure 3-1 also indicate the presence of oil and gas wells and land under cultivation.

**QUESTION D/P No. 1-18:**

Provide all information concerning the impact segment BQ7 will have on crop land and known oil and gas wells.

**RESPONSE:**

The following response was prepared by or under the direct supervision of Kenda Pollio, the sponsoring witness for this response.

Table 7-2 of the Sand Bluff to Bearkat EA contains relevant data, and these issues are discussed in the EA in Sections 3.8.3, 8.2, 8.6, and 8.6.3 (crop land) and Sections 3.10 and 8.8 (oil and gas). Maps such as Figure 3-1 also indicate the presence of oil and gas wells and land under cultivation.

**QUESTION D/P No. 1-19:**

Provide information responsive to item numbers 1-6 of table 7-2 titled "Environmental Data for Alternate Route Evaluation" for a route consisting of segments as follows: A7, F7, J7, CV7, L7, M7, N7, CU7, S7, T7, BC7, BD7, BG7, BI7, BQ7, BU7, CK7, CS7, [and] CN7.

**RESPONSE:**

The following response was prepared by or under the direct supervision of Kenda Pollio, the sponsoring witness for this response.

The requested data is attached on the following page.

TABLE 7-2  
 Environmental Data for Alternative Route Evaluation  
 Segment 7  
 Sand Bluff to Bearkat 345 kV Electric Transmission Line Project

Item	Factor	Units	ALTERNATIVE No. 1-19	ALTERNATIVE No. 1-20
1	Length of Route	Miles	29.45	28.92
<b>OPPORTUNITIES</b>				
<b>Existing Infrastructure</b>				
2	Parallel and Abuts Existing Transmission Lines	Miles	10.36	10.36
3	Parallel and Abuts Existing Public Highways/Roadways (Federal, State, Public)	Miles	35.2	35.8
4	Parallel and Abuts Existing Railroads	Miles	4.01	4.11
5	Parallel and Abuts Existing Pipelines	Miles	13.6	14.2
			0	0
			0	1.02
			0	3.5
<b>Land Management</b>				
6	Parallel and Abut Apparent Property Lines	Miles	14.25	12.59
			48.4	43.5

**QUESTION D/P No. 1-20:**

Provide information responsive to item numbers 1-6 of table 7-2 titled "Environmental Data for Alternate Route Evaluation" for a route consisting of segments as follows: A7, F7, J7, CV7, L7, M7, N7, CV7, S7, BC7, BD7, BG7, BI7, BQ7, CC7, CE7, [and] CJ7.

**RESPONSE:**

The following response was prepared by or under the direct supervision of Kenda Pollio, the sponsoring witness for this response.

See response to Question D/P No. 1-19.



**QUESTION D/P No. 1-21:**

Provide all documents and work papers relating to WETT's development and evaluation of all links contained in alternative route 10-7, alternative route 12-7, and the preferred route 14-7, as well as links AV7, AZ7, AX7, BO7, and BV7.

**RESPONSE:**

The following response was prepared by or under the direct supervision of Kenda Pollio, the sponsoring witness for this response.

The development and evaluation of the routing analysis for alternative route 10-7, alternative route 12-7, and the preferred route 14-7, as well as links AV7, AZ7, AX7, BO7, and BV7, is done through interactive GIS analysis. This is done on a real time basis in routing decision meetings. The GIS provides real time analysis of opportunities and constraints and provides the ability to work as a team to make routing decisions. These electronic files can only be viewed using specialized software. To view these records you will need to schedule an appointment with WETT. Furthermore, the relevant EAs also provide the Project Team's evaluation of alternative routes.

**QUESTION D/P No. 1-22:**

Please provide all photographs and videos, including aerial or helicopter photographs and videos, taken of the Sand Bluff to Bearkat study area by WETT's employees or consultants. For each responsive photograph or video, please identify the subject, the date the photograph or video was taken, and the person who made the recording.

**RESPONSE:**

The following response was prepared by or under the direct supervision of Kenda Pollio, the sponsoring witness for this response.

The aerial photographs used for photo interpretation and routing analysis are huge files that are put together in panels using GIS. These electronic files can only be viewed using specialized software. To view these records you will need to schedule an appointment with WETT. Additionally, this response is over 100 pages. Photographs taken by personnel in the field are also voluminous. In accordance with PUC Procedural Rule 22.144(h), these documents are available for viewing at the offices of WETT or Naman, Howell, Smith & Lee, PLLC in Austin, Texas.

**QUESTION D/P No. 1-23:**

For portions where it is contemplated that the proposed transmission line parallels existing transmission lines, will any portion of the easement overlap?

**RESPONSE:**

The following response was prepared by or under the direct supervision of Kenda Pollio, the sponsoring witness for this response.

No, WETT does not plan to overlap paralleling transmission line easements.

**QUESTION D/P No. 1-24:**

Does WETT anticipate that any existing transmission lines may need to be de-energized or taken out of service during the course of construction of the proposed Sand Bluff to Bearkat transmission line? If so, please identify these lines to the nearest link proposed by WETT.

**RESPONSE:**

The following response was prepared by or under the direct supervision of Stan Tessmer, the sponsoring witness for this response.

WETT does not expect that any existing transmission lines will be de-energized during the course of construction. However, when constructing perpendicularly across energized lines, for safety purposes, short-duration outages may be required when installing conductor.

**QUESTION D/P No. 1-25:**

Please provide a map which shows the links or segments which parallel transmission lines owned by American Electric Power Texas North Company.

**RESPONSE:**

The following response was prepared by or under the direct supervision of Kenda Pollio, the sponsoring witness for this response.

No such maps exist which indicate the ownership of other transmission lines.

**QUESTION D/P No. 1-26:**

Please provide a map which shows the links or segments which parallel transmission lines owned by Oncor.

**RESPONSE:**

The following response was prepared by or under the direct supervision of Kenda Pollio, the sponsoring witness for this response.

No such maps exist which indicate the ownership of other transmission lines.

**QUESTION D/P No. 1-27:**

In the instances when a WETT transmission line parallels an existing transmission line and there is no overlap between the new right-of-way and the existing right-of-way, what is the average distance between the edge of the existing right-of-way and the edge of the new right-of-way that will parallel it?

**RESPONSE:**

The following response was prepared by or under the direct supervision of Kenda Pollio, the sponsoring witness for this response.

The new right of way will usually abut the existing right of way.

**QUESTION D/P No. 1-28:**

Identify how close segments B67 [sic] and BL7 will be to the Garden City Cemetery located on County Road 122.

**RESPONSE:**

The following response was prepared by or under the direct supervision of Kenda Pollio, the sponsoring witness for this response.

There is no Link B67. We assume the link is BK7. With that assumption, the southeast corner of the fence surrounding the cemetery is approximately 1,845 feet from Link BL7 and the northwest corner of the fence surrounding the cemetery is approximately 530 feet from Link BK7.



**QUESTION D/P No. 1-29:**

What, if any, accommodations will have to be made to avoid the oil and natural gas equipment located west of FM 33 on Wanda Moore's northernmost section?

**RESPONSE:**

The following response was prepared by or under the direct supervision of Stan Tessmer, the sponsoring witness for this response.

The line will need to be rerouted to the west side of the newly installed oil/gas facilities. Sufficient space is available on the Moore property to accommodate the revision.

**QUESTION D/P No. 1-30:**

If accommodations will have to be made to avoid the oil and natural gas equipment described in request number 32 [sic], how close will the transmission line come to the home located on the northeast corner of the northeast quarter of the section owned by Eric Seidenberger, which is located just south of the section owned by Walker Farms, Ltd.?

**RESPONSE:**

The following response was prepared by or under the direct supervision of Stan Tessmer, the sponsoring witness for this response.

As there is no oil and natural gas equipment described in D/P No. 1-32, we assume this refers to D/P No. 1-29.

Subject to detailed designs, at its closest point, the line would be approximately 1,100 feet from the Seidenberger home.

**QUESTION D/P No. 1-31:**

For each segment of route 12-7, please provide any and all documents, including notes and emails, which relate to the estimated cost of acquisition of easements or right-of-ways from landowners.

**RESPONSE:**

The following response was prepared by or under the direct supervision of Stan Tessmer, the sponsoring witness for this response.

No such documents exist. Land acquisition costs were estimated per acre, not by segment or link, based on a 160 foot right of way width.

**QUESTION D/P No. 1-32:**

For each segment of route 10-7, please provide any and all documents, including notes and emails, which relate to the estimated cost of acquisition of easements or right-of-ways from landowners.

**RESPONSE:**

The following response was prepared by or under the direct supervision of Stan Tessmer, the sponsoring witness for this response.

See response to Question D/P No. 1-31.

**QUESTION D/P No. 1-33:**

For each segment of route 14-7, please provide any and all documents, including notes and emails, which relate to the estimated cost of acquisition of easements or right-of-ways from landowners.

**RESPONSE:**

The following response was prepared by or under the direct supervision of Stan Tessmer, the sponsoring witness for this response.

See response to Question D/P No. 1-31.