



This Landowner's Bill of Rights applies to any attempt by the government or a private entity to take your property. The contents of this Bill of Rights are prescribed by the Texas Legislature in Texas Government Code Sec. 402.031 and Chapter 21 of the Texas Property Code.

1. You are entitled to receive adequate compensation if your property is taken for a public use.
2. Your property can only be taken for a public use.
3. Your property can only be taken by a governmental entity or private entity authorized by law to do so.
4. The entity that wants to take your property must notify you about its interest in taking your property.
5. The entity proposing to take your property must provide you with an assessment of the adequate compensation for your property.
6. The entity proposing to take your property must make a good faith offer to buy the property before it files a lawsuit to condemn the property.
7. You may hire an appraiser or other professional to determine the value of your property or to assist you in any condemnation proceeding.
8. You may hire an attorney to negotiate with the condemning entity and to represent you in any legal proceedings involving the condemnation.
9. Before your property is condemned, you are entitled to a hearing before a court appointed panel that includes three special commissioners. The special commissioners must determine the amount of compensation the condemning entity owes for the taking of your property. The commissioners must also determine what compensation, if any, you are entitled to receive for any reduction in value of your remaining property.
10. If you are unsatisfied with the compensation awarded by the special commissioners, or if you question whether the taking of your property was proper, you have the right to a trial by a judge or jury. If you are dissatisfied with the trial court's judgment, you may appeal that decision.

CONDEMNATION PROCEDURE

Eminent Domain is the ability of certain entities to take private property for a public use. Private property can include land and certain improvements that are on that property.

Private property may only be taken by a governmental entity or private entity authorized by law to do so. Your property may be taken only for a public use. That means it can only be taken for a purpose or use that serves the general public. However, Texas law prohibits condemnation authorities from taking your property to enhance tax revenues or foster economic development.

Your property cannot be taken without adequate compensation. Adequate compensation includes the market value of the property being taken. It may also include certain damages, if any, to your remaining property caused by the acquisition itself or by the way the condemning entity will use the property.

HOW THE TAKING PROCESS BEGINS

The taking of private property by eminent domain must follow certain procedures. First, the entity that wants to condemn your property must provide you a copy of this Landowner's Bill of Rights before or at the same time the entity first represents in any manner to you that it possesses eminent domain authority.

Second, if it has not been previously provided, the condemning entity must send this Landowner's Bill of Rights to the last known address of the person in whose name the property is listed on the most recent tax roll at least seven days before the entity makes a final offer to acquire your property.

Third, the condemning entity must make a good faith offer to purchase the property. The condemning entity's offer must be based on an investigation and an assessment of adequate compensation for the property. At the time the offer is made, the governmental condemning entity must disclose any appraisal reports it used to determine the value of its offer to acquire the property. You have the right to either accept or reject the offer made by the condemning entity.

CONDEMNATION PROCEEDINGS

If you and the condemning entity do not agree on the value of the property being taken, the entity may begin condemnation proceedings. Condemnation is the legal process for the taking of private property. It begins with a condemning entity filing a claim for your property in court. If you live in a county where part of the property being condemned is located, the claim must be filed in that county. Otherwise, the claim can be filed in any county where at least part of the property being condemned is located. The claim must describe the property being condemned, the intended public use, the name of the landowner, a statement that the landowner and the condemning entity were unable to agree on the value of the property, and that the condemning entity provided the landowner with the Landowner's Bill of Rights statement.

SPECIAL COMMISSIONERS' HEARING

After the condemning entity files a claim in court, the judge will appoint three landowners to serve as special commissioners. These special commissioners must live in the county where the condemnation proceeding is filed, and they must take an oath to assess the amount of adequate compensation fairly, impartially, and according to the law. The special commissioners are not authorized to decide whether the condemnation is necessary or if the public use is proper. After being appointed, the special commissioners must schedule a hearing at the earliest practical time and place and provide you written notice of that hearing.

You are required to disclose to the governmental condemning entity, at least ten days before the special commissioners' hearing, any appraisal reports used to determine your opinion about adequate compensation for the property. You may hire an appraiser or real estate professional to help you determine the value of your private property. You may also hire an attorney regarding these proceedings.

At the hearing, the special commissioners will consider evidence on the value of the property, the damages to remaining property, any value added to the remaining property as a result of the project, and the uses to be made of the property being taken.

SPECIAL COMMISSIONERS' AWARD

After hearing evidence from all interested parties, the special commissioners will determine the amount of money to be awarded as adequate compensation. You may be responsible for the costs if the Award is less than or equal to the amount the condemning entity offered before the condemnation proceeding began. Otherwise, the condemning entity will be responsible for the costs. The special commissioners will give a written decision to the court that appointed them. That decision is called the "Award." The Award must be filed with the court and the court must send written notice of the Award to all parties.

After the Award is filed, the condemning entity may take possession of the property being condemned, even if either party appeals the Award of the special commissioners. To take possession of the property, the condemning entity must either pay you the amount of the Award or deposit the amount of the Award into the registry of the court. You have the right to withdraw the deposited funds from the registry of the court.

OBJECTION TO THE SPECIAL COMMISSIONERS' AWARD

If either you or the condemning entity is dissatisfied with the amount of the Award, either party can object to the Award by filing a written statement of objection with the court. If neither party timely objects to the Award, the court will adopt the Award as the final judgment of the court. If a party timely objects to the special commissioners' Award, the court will hear the case in the same manner as other civil cases.

If you object to the Award and ask the court to hear the matter, you have the right to a trial by judge or jury. The allocation of costs is handled in the same manner as with the special commissioners' Award. After that trial, either party may appeal any judgment entered by the court.

DISMISSAL OF THE CONDEMNATION ACTION

A condemning entity may file a motion to dismiss the condemnation proceeding if it decides it no longer needs your property. If the court grants the motion to dismiss, the case is over and you are entitled to recover reasonable and necessary fees for attorneys, appraisers, photographers, and for other expenses incurred to the date of the hearing on the motion to dismiss.

You may also file a motion to dismiss the condemnation proceeding on the ground that the condemning entity did not have the right to condemn the property, including a challenge as to whether the property is being taken for a public use. If the court grants your motion, the court may award you reasonable and necessary fees for attorneys, appraisers, photographers, and for other expenses incurred to the date of the hearing or judgment.

RELOCATION COSTS

If you are displaced from a residence or place of business, you may be entitled to reimbursement for reasonable expenses incurred while moving personal property from the residence or relocating the business to a new site. You are not entitled to these relocation costs if they are recoverable under another law. If you are entitled to these costs, they cannot exceed the market value of the property being moved and can only be reimbursed for moving distances within 50 miles.

RECLAMATION OPTIONS

If private property was condemned by a governmental entity, and the purpose for which the property was acquired is canceled before the 10th anniversary of the date of the acquisition, you may have the right to seek to repurchase the property for the fair market value of the property at the time the public use was canceled. This provision does not apply to property acquired by a county, a municipality, or the Texas Department of Transportation.

DISCLAIMER

The information in this statement is intended to be a summary of the applicable portions of Texas state law as required by HB 1495, enacted by the 80th Texas Legislature, Regular Session. This statement is not legal advice and is not a substitute for legal counsel.

ADDITIONAL RESOURCES

Further information regarding the procedures, timelines and requirements outlined in this document can be found in Chapter 21 of the Texas Property Code.

January 16, 2012

Public Counsel Sheri Givens
Office of Public Utility Counsel
P.O. Box 12397
Austin, Texas 78701

Re: Public Utility Commission of Texas Docket No. 40049 – Application of CenterPoint Energy Houston Electric, LLC for a proposed 138 kV Transmission Line within Harris and Montgomery Counties

Ms. Givens:

CenterPoint Energy Houston Electric, LLC (“CenterPoint Energy”) announces plans to secure a Certificate of Convenience and Necessity (“CCN”) from the Public Utility Commission of Texas (“PUC”) to provide electric transmission service to CenterPoint Energy’s proposed Springwoods Substation in Harris County. The proposed new transmission facilities are located in Harris and Montgomery Counties. The facilities include the construction of a 138 kV double-circuit transmission line connecting to an existing 138 kV transmission line corridor and one of the proposed alternate Springwoods Substation sites. The new transmission facilities will consist of a combination of double-circuit, 138 kV lattice towers, single concrete poles, and single steel poles. The estimated cost of the project ranges from approximately \$21,002,000 to \$37,408,000 depending upon the final route chosen by the PUC. The CCN application was filed at the PUC on January 12, 2011 under PUC Docket No. 40049.

This letter of notification is being sent to you pursuant to P.U.C. Procedural Rule §22.52 (a)(2), which requires utilities to notify all municipalities within five miles of a proposed transmission line and all county governments of counties through which the proposed line will pass.

PLEASE BE ADVISED THAT ANY OF THE ROUTES AND ROUTE SEGMENTS INCLUDED IN THIS NOTICE MAY BE SELECTED AND APPROVED BY THE PUBLIC UTILITY COMMISSION OF TEXAS.

CenterPoint Energy has enclosed a map of the project area showing the alternative routes and alternate substation sites for the proposed project as well as written descriptions of these routes. A detailed routing map and a copy of the CCN application can be reviewed at the following locations:

Cypress Service Center
18018 Huffmeister Road
Cypress, TX 77429
Contact: Mandie Shook
(281) 955-3013

CenterPoint Energy Tower
1111 Louisiana Street
Houston, TX 77002
Contact: Linda Johnston
(713) 207-5218

If you have any questions about the proposed transmission line and substation project, you can visit our Springwoods Project website at www.centerpointenergy.com/swproject or contact Mr. Shayne Wright at 713-207-6037, e-mail: shayne.wright@centerpointenergy.com.

The enclosed brochure entitled “Landowners and Transmission Line Cases at the PUC” provides basic information about how you may participate in this docket, and how you may contact the PUC. Please read this brochure carefully. The brochure includes sample forms for making comments and for making a request to intervene as a party in this docket. In addition to the contacts listed in the brochure, you may call the PUC’s Customer Assistance Hotline at (888) 782-8477. Hearing- and speech-impaired individuals

with text telephones (TTY) may contact the PUC's Customer Assistance Hotline at (512) 936-7136 or toll free at (800) 735-2989.

The only way to fully participate in the PUC's decision on where to locate the transmission line is to intervene in the docket. It is important for an affected person to intervene, because the utility is not obligated to keep affected persons informed of the PUC's proceedings and cannot predict which route may or may not be approved by the PUC.

If you wish to participate in this proceeding by becoming an intervenor, the deadline for intervention in the proceeding is **February 27, 2012** and the PUC should receive a letter from you requesting intervention by that date. Mail the request for intervention and 10 copies of the request to:

Public Utility Commission of Texas
Central Records
Attn: Filing Clerk
1701 N. Congress Ave.
P.O. Box 13326
Austin, Texas. 78711-3326

Persons who wish to intervene in the docket must also mail a copy of their request for intervention to all parties in the docket and all persons that have pending motions to intervene, at or before the time the request for intervention is mailed to the PUC. In addition to the intervention deadline, other important deadlines may already exist that affect your participation in this docket. You should review the orders and other filings already made in the docket. The enclosed brochure explains how you can access these filings.

Again, it is important for you to realize that the Commission may elect to choose any of the alternative routes. You are encouraged to participate fully in the process described in the attached Landowner Brochure to ensure that the Commission has the benefit of your input in making its decision on the route where the proposed transmission line will be constructed. A detailed description of the nine alternative routes follows. Please refer to the attached map while reading the route descriptions.

Sincerely,

Michael J. Pakeltis
Director of Transmission Operations
CenterPoint Energy Houston Electric, LLC

Enclosure

Description of the Alternative Routes and Map
PUC Landowner Brochure (Landowners and Transmission Line Cases at the PUC)
PUC Comment Form
PUC Intervention Form
Landowner's Bill of Rights

**Description of Proposed Transmission Line Alternative Routes for the 138 kV Springwoods
Project in Harris and Montgomery Counties**

PUC DOCKET NO. 40049

Alternative Routes Not Listed in Any Order of Preference or Priority

Alternative Route No.	Segment Combination and Substation Site
1	B-C-E-H-J-SS#1
2	B-C-E-H-I-K-SS#1
3	B-C-D-G-H-J-SS#1
4	B-C-D-G-H-I-K-SS#1
26	R-T-V-SS#2
28	R-T-U-AI-SS#3
29	S-T-V-SS#2
31	S-T-U-A1-SS#3
39	H1-I1-G1-C1-SS#3

Alternative Route Descriptions

ALTERNATIVE ROUTE 1 (B-C-E-H-J-SS#1):

The overall length of the Alternative Route 1 is 2.1 miles. The estimated cost associated with this alternative route is \$32,515,000, of which \$21,060,000 is the estimated cost of the transmission facilities and \$11,455,000 is the estimated cost of the 138 kV Springwoods Substation facilities. There is also an additional \$607,000 of associated system improvements for this alternative route. Alternative Route 1 (Route 1) begins at the location of the CenterPoint Energy 138 kV transmission line (Circuits 66 C1 & C2), located north of Houston, Texas, and the intersection with Budde Road, approximately 1,834 feet west of Interstate 45 in Harris County, Texas. From the existing 138 kV transmission line tie location, Route 1 proceeds south along **Segment B**, paralleling the west side of Budde Road for approximately 2,190 feet to a point located approximately 2,129 feet west from the intersection of Interstate 45 and Wildwood Forest Drive. This segment of Route 1 crosses Rayford Road. This point will be referred to as the intersection of Segments B and C. From this point, Route 1 proceeds south along **Segment C**, continuing to parallel the west side of Budde Road for approximately 1,299 feet to a point located approximately 2,410 feet west from the intersection of Interstate 45 and Pruitt Road. This segment of Route 1 crosses Wildwood Forest Drive and Pruitt Road. This point will be referred to as the intersection of Segments C, D, and E. From this point, Route 1 proceeds east along **Segment E** for approximately 1,252 feet, paralleling the south side of Pruitt Road to an angle point located approximately 1,162 feet west of Interstate 45. This segment of Route 1 crosses an existing pipeline corridor. From this angle point, Route 1 continues south for

approximately 1,164 feet to a point located approximately 1,740 feet west from Interstate 45. This point will be referred to as the intersection of Segments E, G, and H. From this point, Route 1 proceeds east along **Segment H** for approximately 557 feet, to a point located approximately 1,190 feet west from Interstate 45. This segment of Route 1 crosses an unnamed road. This point will be referred to as the intersection of Segments H, I, and J. From this point, Route 1 proceeds east along **Segment J** for approximately 1,017 feet. From this angle point, Route 1 proceeds southeast, paralleling the west side of Interstate 45 for approximately 401 feet, crossing an unnamed road. From this angle point, Route 1 continues south for approximately 408 feet, and then angles to the southeast for approximately 1,312 feet. From this angle point, Route 1 proceeds south again for approximately 1,742 feet, as it enters Alternate Substation Site 1 (one of the project endpoints). This segment of Route 1 crosses Spring Creek and the Harris and Montgomery county line. The proposed substation site is located approximately 265 feet west of Interstate 45, and approximately 1,380 feet south of the Harris and Montgomery county line.

ALTERNATIVE ROUTE 2 (B-C-E-H-I-K-SS#1):

The overall length of the Alternative Route 2 is 2.2 miles. The estimated cost associated with this alternative route is \$26,180,000, of which \$14,725,000 is the estimated cost of the transmission facilities and \$11,455,000 is the estimated cost of the 138 kV Springwoods Substation facilities. There is also an additional \$607,000 of associated system improvements for this alternative route. Alternative Route 2 (Route 2) begins at the location of the CenterPoint Energy 138 kV transmission line (Circuits 66 C1 & C2), located north of Houston, Texas, and the intersection with Budde Road, approximately 1,834 feet west of Interstate 45 in Harris County, Texas. From the existing 138 kV transmission line tie location, Route 2 proceeds south along **Segment B** paralleling the west side of Budde Road for approximately 2,190 feet to a point located approximately 2,129 feet west from the intersection of Interstate 45 and Wildwood Forest Drive. This segment of Route 2 crosses Rayford Road. This point will be referred to as the intersection of Segments B and C. From this point, Route 2 proceeds south along **Segment C** continuing to parallel the west side of Budde Road for approximately 1,299 feet to a point located approximately 2,410 feet west from the intersection of Interstate 45 and Pruitt Road. This segment of Route 2 crosses Wildwood Forest Drive and Pruitt Road. This point will be referred to as the intersection of Segments C, D, and E. From this point, Route 2 proceeds east along **Segment E** for approximately 1,252 feet, paralleling the south side of Pruitt Road to an

angle point located approximately 1,162 feet west of Interstate 45. This segment of Route 2 crosses an existing pipeline corridor. From this angle point, Route 2 continues south for approximately 1,164 feet to a point located approximately 1,740 feet west from Interstate 45. This point will be referred to as the intersection of Segments E, G, and H. From this point, Route 2 proceeds east along **Segment H** for approximately 557 feet, to a point located approximately 1,190 feet west from Interstate 45. This segment of Route 2 crosses an unnamed road. This point will be referred to as the intersection of Segments H, I, and J. From this point, Route 2 proceeds south along **Segment I** for approximately 2,158 feet, to an angle point located approximately 2,052 feet west of Interstate 45, crossing an unnamed road. From this angle point, Route 2 proceeds southeast for approximately 2,106 feet, crossing Spring Creek and the Harris and Montgomery county line. This point will be referred to as the intersection of Segments I and K. From this point, Route 2 proceeds east along **Segment K** for approximately 747 feet, as it enters Alternate Substation Site 1 (one of the project endpoints). The proposed substation site is located approximately 265 feet west of Interstate 45, and approximately 1,380 feet south of the Harris and Montgomery county line.

ALTERNATIVE ROUTE 3 (B-C-D-G-H-J-SS#1):

The overall length of the Alternative Route 3 is 2.2 miles. The estimated cost associated with this alternative route is \$30,693,000, of which \$19,238,000 is the estimated cost of the transmission facilities and \$11,455,000 is the estimated cost of the 138 kV Springwoods Substation facilities. There is also an additional \$607,000 of associated system improvements for this alternative route. Alternative Route 3 (Route 3) begins at the location of the CenterPoint Energy 138 kV transmission line (Circuits 66 C1 & C2), located north of Houston, Texas, and the intersection with Budde Road, approximately 1,834 feet west of Interstate 45 in Harris County, Texas. From the existing 138 kV transmission line tie location, Route 3 proceeds south along **Segment B** paralleling the west side of Budde Road for approximately 2,190 feet, to a point located approximately 2,129 feet west from the intersection of Interstate 45 and Wildwood Forest Drive. This segment of Route 3 crosses Rayford Road. This point will be referred to as the intersection of Segments B and C. From this point, Route 3 proceeds south along **Segment C** continuing to parallel the west side of Budde Road for approximately 1,299 feet, to a point located approximately 2,410 feet west from the intersection of Interstate 45 and Pruitt Road. This segment of Route 3 crosses Wildwood Forest Drive and Pruitt Road. This point will be referred to as the intersection of Segments C, D, and E. From this point, Route 3 proceeds south

along **Segment D** paralleling the east side of Pruitt Road for approximately 1,161 feet, to a point located approximately 3,035 feet west from Interstate 45. This segment of Route 3 crosses an existing pipeline corridor. This point will be referred to as the intersection of Segments D and G. From this point, Route 3 proceeds east along **Segment G** for approximately 1,294 feet to a point located approximately 1,741 feet west from Interstate 45. This point will be referred to as the intersection of Segments E, G, and H. From this point, Route 3 proceeds east along **Segment H** for approximately 557 feet to a point located approximately 1,190 feet west from Interstate 45. This segment of Route 3 crosses an unnamed road. This point will be referred to as the intersection of Segments H, I, and J. From this point, Route 3 proceeds east along **Segment J** for approximately 1,017 feet. From this angle point, Route 3 proceeds southeast, paralleling the west side of Interstate 45 for approximately 401 feet, crossing an unnamed road. From this angle point, Route 3 continues south for approximately 408 feet, and then angles to the southeast for approximately 1,312 feet. From this angle point, Route 3 proceeds south again for approximately 1,742 feet, as it enters Alternate Substation Site 1 (one of the project endpoints). This segment of Route 3 crosses Spring Creek and the Harris and Montgomery county line. The proposed substation site is located approximately 265 feet west of Interstate 45, and approximately 1,380 feet south of the Harris and Montgomery county line.

ALTERNATIVE ROUTE 4 (B-C-D-G-H-I-K-SS#1):

The overall length of the Alternative Route 4 is 2.2 miles. The estimated cost associated with this alternative route is \$24,358,000, of which \$12,903,000 is the estimated cost of the transmission facilities and \$11,455,000 is the estimated cost of the 138 kV Springwoods Substation facilities. There is also an additional \$607,000 of associated system improvements for this alternative route. Alternative Route 4 (Route 4) begins at the location of the CenterPoint Energy 138 kV transmission line (Circuits 66 C1 & C2), located north of Houston, Texas, and the intersection with Budde Road, approximately 1,834 feet west of Interstate 45 in Harris County, Texas. From the existing 138 kV transmission line tie location, Route 4 proceeds south along **Segment B** paralleling the west side of Budde Road for approximately 2,190 feet to a point located approximately 2,129 feet west from the intersection of Interstate 45 and Wildwood Forest Drive. This segment of Route 4 crosses Rayford Road. This point will be referred to as the intersection of Segments B and C. From this point, Route 4 proceeds south along **Segment C** continuing to parallel the west side of Budde Road for approximately 1,299 feet, to a point located approximately 2,410 feet west from the intersection of Interstate 45 and Pruitt Road.

This segment of Route 4 crosses Wildwood Forest Drive and Pruitt Road. This point will be referred to as the intersection of Segments C, D, and E. From this point, Route 4 proceeds south along **Segment D** paralleling the east side of Pruitt Road for approximately 1,161 feet, to a point located approximately 3,035 feet west from Interstate 45. This segment of Route 4 crosses an existing pipeline corridor. This point will be referred to as the intersection of Segments D and G. From this point, Route 4 proceeds east along **Segment G** for approximately 1,294 feet to a point located approximately 1,741 feet west from Interstate 45. This point will be referred to as the intersection of Segments E, G, and H. From this point, Route 4 proceeds east along **Segment H** for approximately 557 feet to a point located approximately 1,190 feet west from Interstate 45. This segment of Route 4 crosses an unnamed road. This point will be referred to as the intersection of Segments H, I, and J. From this point, Route 4 proceeds south along **Segment I** for approximately 2,158 feet to an angle point located approximately 2,052 feet west of Interstate 45, crossing an unnamed road. From this angle point, Route 4 proceeds southeast for approximately 2,106 feet, crossing Spring Creek and the Harris and Montgomery county line. This point will be referred to as the intersection of Segments I and K. From this point, Route 4 proceeds east along **Segment K** for approximately 747 feet, as it enters Alternate Substation Site 1 (one of the project endpoints). The proposed substation site is located approximately 265 feet west of Interstate 45, and approximately 1,380 feet south of the Harris and Montgomery county line.

ALTERNATIVE ROUTE 26 (R-T-V-SS#2):

The overall length of the Alternative Route 26 is 3.2 miles. The estimated cost associated with this alternative route is \$22,663,000, of which \$11,208,000 is the estimated cost of the transmission facilities and \$11,455,000 is the estimated cost of the 138 kV Springwoods Substation facilities. There is also an additional \$286,000 (for Circuit 66 C1) or \$555,000 (for Circuit 66 C2) of associated system improvements for this alternative route. Alternative Route 26 (Route 26) begins at the location of the CenterPoint Energy 138 kV transmission line (Circuits 66 C1 & C2), located north of Houston, Texas, and the intersection with an existing pipeline corridor, approximately 1,190 feet south of the Harris and Montgomery county line in Harris County, Texas. From the existing 138 kV transmission line tie location, Route 26 proceeds southeast along **Segment R** for approximately 2,065 feet, to an angle point located approximately 837 feet south of the Harris and Montgomery county line. This segment of Route 26 crosses two pipeline corridors. From this angle point, Route 26 continues south for

approximately 3,634 feet, to a point located approximately 1,346 feet east from Mossy Oaks Road. This segment of Route 26 crosses a tributary of Spring Creek and Lonesome Pine Road. This point will be referred to as the intersection of Segments R, S, and T. From this point, Route 26 proceeds southeast along **Segment T** paralleling the north side of an existing 345 kV transmission line (Circuits 74 and 75) and the Missouri Pacific Railroad for approximately 6,575 feet to a point located approximately 1,697 feet north of Spring Stuebner Road. This segment of Route 26 crosses an existing pipeline corridor. This point will be referred to as the intersection of Segments T, U, and V. From this point, Route 26 proceeds southeast along **Segment V**, continuing to parallel the north side of an existing 345 kV transmission line (Circuits 74 and 75) and the Missouri Pacific Railroad for approximately 4,570 feet, crossing an existing pipeline corridor as it enters Alternate Substation Site 2 (one of the project endpoints). The proposed substation site is located approximately 838 feet west of Interstate 45, and approximately 920 feet north of Spring Stuebner Road.

ALTERNATIVE ROUTE 28 (R-T-U-A1-SS#3):

The overall length of the Alternative Route 28 is 3.0 miles. The estimated cost associated with this alternative route is \$24,863,000, of which \$13,408,000 is the estimated cost of the transmission facilities and \$11,455,000 is the estimated cost of the 138 kV Springwoods Substation facilities. There is also an additional \$303,000 (for Circuit 66 C1) or \$572,000 (for Circuit 66 C2) of associated system improvements for this alternative route. Alternative Route 28 (Route 28) begins at the location of the CenterPoint Energy 138 kV transmission line (Circuits 66 C1 & C2), located north of Houston, Texas, and the intersection with an existing pipeline corridor, approximately 1,190 feet south of the Harris and Montgomery county line in Harris County, Texas. From the existing 138 kV transmission line tie location, Route 28 proceeds southeast along **Segment R** for approximately 2,065 feet to an angle point located approximately 837 feet south of the Harris and Montgomery county line. This segment of Route 28 crosses two pipeline corridors. From this angle point, Route 28 continues south for approximately 3,634 feet to a point located approximately 1,346 feet east from Mossy Oaks Road. This segment of Route 28 crosses a tributary of Spring Creek and Lonesome Pine Road. This point will be referred to as the intersection of Segments R, S, and T. From this point, Route 28 proceeds southeast along **Segment T**, paralleling the north side of an existing 345 kV transmission line (Circuits 74 and 75) and the Missouri Pacific Railroad for approximately 6,575 feet, to a point located approximately 1,697 feet north of Spring Stuebner Road. This segment of

Route 28 crosses an existing pipeline corridor. This point will be referred to as the intersection of Route Segments T, U, and V. From this point, Route 28 proceeds south along **Segment U** for approximately 1,697 feet to a point located approximately 5,172 feet west from Interstate 45. This segment of Route 28 crosses an existing 345 kV transmission line (Circuits 74 and 75) and the Missouri Pacific Railroad. This point will be referred to as the intersection of Segments U and A1. From this point, Route 28 proceeds south along **Segment A1** for approximately 627 feet, to an angle point located approximately 5,000 feet west of Interstate 45, crossing an existing pipeline corridor and Spring Stuebner Road. From this angle point, Route 28 continues southeast for approximately 727 feet to an angle point located approximately 4,400 feet west of Interstate 45. From this angle point, Route 28 continues south for approximately 482 feet, as it enters Alternate Substation Site 3 (one of the project endpoints). The proposed substation site is located approximately 4,400 feet west of Interstate 45, and approximately 1,423 feet south of Spring Stuebner Road.

ALTERNATIVE ROUTE 29 (S-T-V-SS#2):

The overall length of the Alternative Route 29 is 3.0 miles. The estimated cost associated with this alternative route is \$21,002,000, of which \$9,547,000 is the estimated cost of the transmission facilities and \$11,455,000 is the estimated cost of the 138 kV Springwoods Substation facilities. There is also an additional \$1,465,000 (for Circuit 66 C1) or \$1,734,000 (for Circuit 66 C2) of associated system improvements for this alternative route. Alternative Route 29 (Route 29) begins at the location of the CenterPoint Energy 138 kV transmission line (Circuits 66 C1 & C2), located north of Houston, Texas, and the intersection with an existing pipeline corridor, an existing 345 kV transmission line (Circuits 74 and 75) and the Missouri Pacific Railroad, approximately 3,315 feet north of Spring Stuebner Road in Harris County, Texas. From the existing 138 kV transmission line tie location, Route 29 proceeds southeast along **Segment S** for approximately 2,949 feet, paralleling the south side of an existing 345 kV transmission line (Circuits 74 and 75) and the Missouri Pacific Railroad, to an angle point located approximately 2,945 feet north of Spring Stuebner Road. This segment of Route 29 crosses a drainage ditch and Mossy Oaks Road. From this angle point, Route 29 continues north for approximately 261 feet, paralleling the east side of Mossy Oaks Road, and crossing an existing 345 kV transmission line (Circuits 74 and 75), and the Missouri Pacific Railroad. From this angle point, Route 29 continues east for approximately 1,319 feet, paralleling the north side of an existing 345 kV transmission line (Circuits 74 and 75) and the Missouri Pacific Railroad, to

a point located approximately 1,340 feet east from Mossy Oaks Road. This point will be referred to as the intersection of Segments R, S, and T. From this point, Route 29 proceeds southeast along **Segment T**, paralleling the north side of an existing 345 kV transmission line (Circuits 74 and 75) and the Missouri Pacific Railroad for approximately 6,575 feet, to a point located approximately 1,697 feet north of Spring Stuebner Road. This segment of Route 29 crosses an existing pipeline corridor. This point will be referred to as the intersection of Segments T, U, and V. From this point, Route 29 proceeds southeast along **Segment V**, continuing to parallel the north side of an existing 345 kV transmission line (Circuits 74 and 75) and the Missouri Pacific Railroad for approximately 4,570 feet, crossing an existing pipeline corridor as it enters Alternate Substation Site 2 (one of the project endpoints). The proposed substation site is located approximately 838 feet west of Interstate 45, and approximately 920 feet north of Spring Stuebner Road.

ALTERNATIVE ROUTE 31 (S-T-U-A1-SS#3):

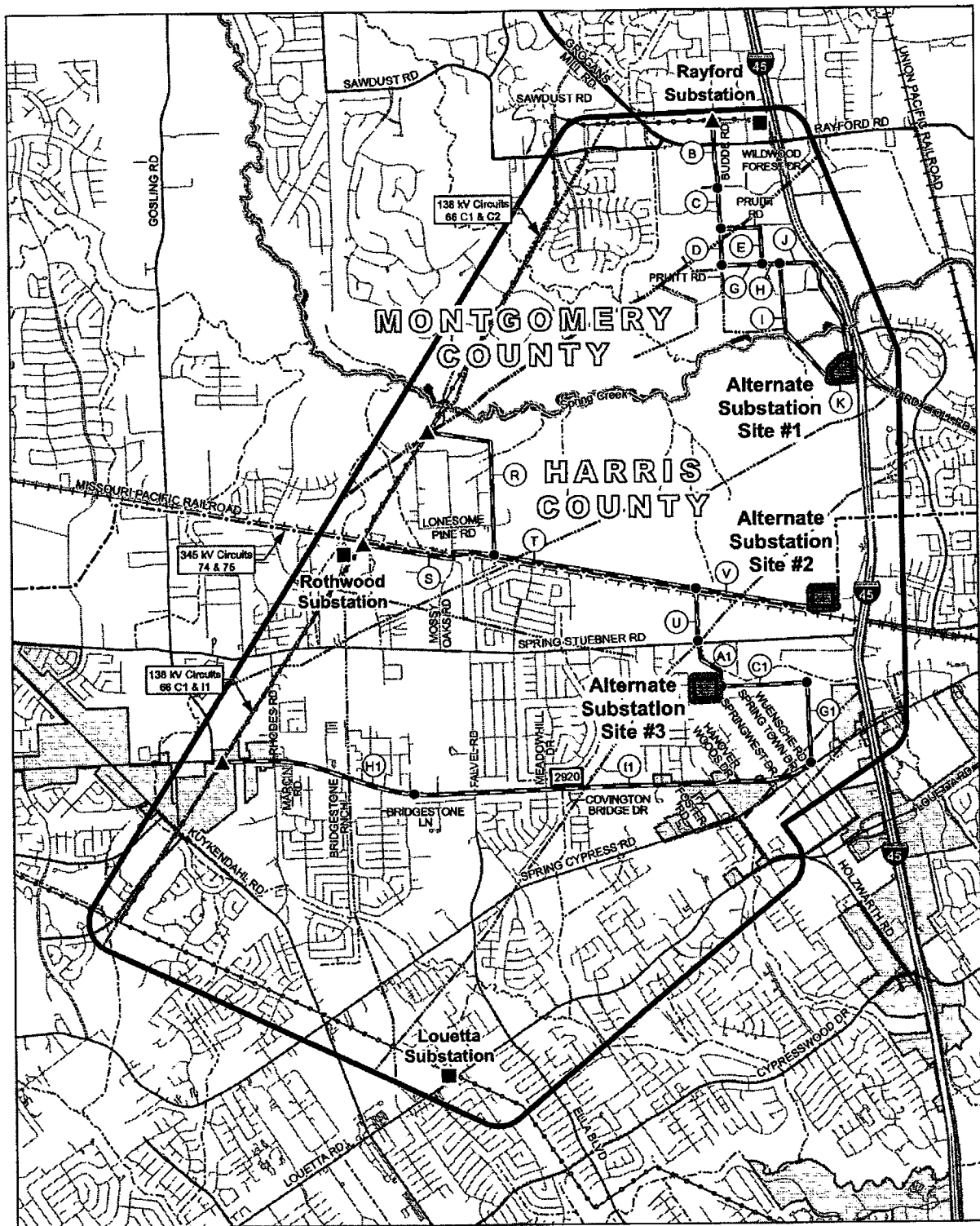
The overall length of the Alternative Route 31 is 2.8 miles. The estimated cost associated with this alternative route is \$23,202,000, of which \$11,747,000 is the estimated cost of the transmission facilities and \$11,455,000 is the estimated cost of the 138 kV Springwoods Substation facilities. There is also an additional \$1,482,000 (for Circuit 66 C1) or \$1,751,000 (for Circuit 66 C2) of associated system improvements for this alternative route. Alternative Route 31 (Route 31) begins at the location of the CenterPoint Energy 138 kV transmission line (Circuits 66 C1 & C2), located north of Houston, Texas, where it intersects with an existing pipeline corridor, an existing 345 kV transmission line (Circuits 74 and 75), and the Missouri Pacific Railroad, located approximately 3,315 feet north of Spring Stuebner Road in Harris County, Texas. From the existing 138 kV transmission line tie location, Route 31 proceeds southeast along **Segment S** for approximately 2,949 feet, paralleling the south side of an existing 345 kV transmission line (Circuits 74 and 75) and the Missouri Pacific Railroad, to an angle point located approximately 2,945 feet north of Spring Stuebner Road. This segment of Route 31 crosses a drainage ditch and Mossy Oaks Road. From this angle point, Route 31 continues north for approximately 261 feet, paralleling the east side of Mossy Oaks Road, and crossing an existing 345 kV transmission line (Circuits 74 and 75) and the Missouri Pacific Railroad. From this angle point, Route 29 continues east for approximately 1,319 feet, paralleling the north side of an existing 345 kV transmission line (Circuits 74 and 75) and the Missouri Pacific Railroad, to a point located approximately 1,340 feet east from Mossy Oaks Road. This point will be referred

to as the intersection of Segments R, S, and T. From this point, Route 31 proceeds southeast along **Segment T**, paralleling the north side of an existing 345 kV transmission line (Circuits 74 and 75) and the Missouri Pacific Railroad for approximately 6,575, feet to a point located approximately 1,697 feet north of Spring Stuebner Road. This segment of Route 31 crosses an existing pipeline corridor. This point will be referred to as the intersection of Route Segments T, U, and V. From this point, Route 31 proceeds south along **Segment U** for approximately 1,697 feet, to a point located approximately 5,172 feet west from Interstate 45. This segment of Route 31 crosses an existing 345 kV transmission line (Circuits 74 and 75) and the Missouri Pacific Railroad. This point will be referred to as the intersection of Segments U and A1. From this point, Route 31 proceeds south along **Segment A1** for approximately 627 feet, to an angle point located approximately 5,000 feet west of Interstate 45, crossing an existing pipeline corridor and Spring Stuebner Road. From this angle point, Route 31 continues southeast for approximately 727 feet to an angle point located approximately 4,400 feet west of Interstate 45. From this angle point, Route 31 continues south for approximately 482 feet, as it enters Alternate Substation Site 3 (one of the project endpoints). The proposed substation site is located approximately 4,400 feet west of Interstate 45, and approximately 1,423 feet south of Spring Stuebner Road.

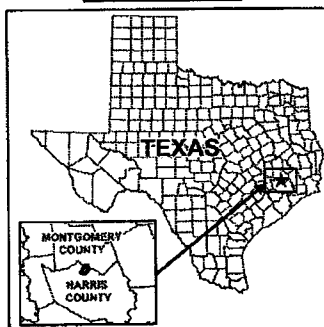
ALTERNATIVE ROUTE 39 (H1-I1-G1-C1-SS#3):

The overall length of the Alternative Route 39 is 4.6 miles. The estimated cost associated with this alternative route is \$37,408,000, of which \$25,953,000 is the estimated cost of the transmission facilities and \$11,455,000 is the estimated cost of the 138 kV Springwoods Substation facilities. There is also an additional \$192,000 (for Circuit 66 I1) or \$478,000 (for Circuit 66 C1) of associated system improvements for this alternative route. Alternative Route 39 (Route 39) begins at the location of the CenterPoint Energy 138 kV transmission line (Circuits 66 C1 & I1), located north of Houston, Texas, and the intersection with an existing pipeline corridor and FM 2920, approximately 284 feet east of Gosling Road in Harris County, Texas. From the existing 138 kV transmission line tie location, Route 39 proceeds southeast along **Segment H1** for approximately 6,341 feet, paralleling the south side of FM 2920 to a point located approximately 2,000 feet west from Falvel Road. This segment of Route 39 crosses Rhodes Road, Marcin Road, Bridgestone Ranch, an existing pipeline corridor, and Bridgestone Lane. This point will be referred to as the intersection of Segments H1 and I1. From this point, Route 39 continues east along **Segment I1** for approximately 12,899 feet, paralleling the south

side of FM 2920 to a point located approximately 150 feet west from Interstate 45. This segment of Route 39 crosses Falvel Road, Meadowhill Drive, Covington Bridge Drive, an existing pipeline corridor, Foster Road, FM 2920, Hanover Woods Road, Springwest Drive, Spring Town Drive, and Wuensche Road. This point will be referred to as the intersection of Segments I1 and G1. From this point, Route 39 proceeds north along **Segment G1** for approximately 2,574 feet to a point located approximately 1,450 feet south from Spring Stuebner Road. This point will be referred to as the intersection of Segments C1 and G1. From this point, Route 39 proceeds west along **Segment C1** for approximately 2,729 feet, as it enters Alternate Substation Site 3 (one of the project endpoints). The proposed substation site is located approximately 4,400 feet west of Interstate 45, and approximately 1,423 feet south of Spring Stuebner Road.



VICINITY MAP



138 kV Springwoods Project Alternative Routes and Alternate Substation Sites



Alternative	Segment Combination and Substation	Alternative	Segment Combination and Substation
1	B-C-E-H-J-SS#1	28	R-T-U-A1-SS#3
2	B-C-E-H-K-SS#1	29	S-T-V-SS#2
3	B-C-D-G-H-J-SS#1	31	S-T-U-A1-SS#3
4	B-C-D-G-H-K-SS#1	39	H-I-I-G1-C1-SS#3
26	R-T-V-SS#2		

LEGEND

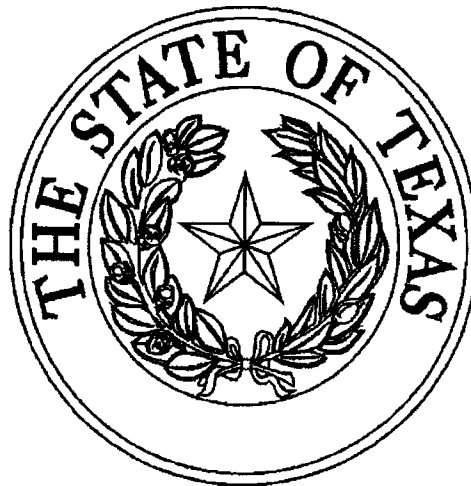
	STUDY AREA BOUNDARY		COUNTY BOUNDARY
	ALTERNATIVE SEGMENT		CITY OF HOUSTON BOUNDARY
	TIE POINT		INTERSTATE
	ALTERNATE SUBSTATION SITE		MAJOR ROAD
	EXISTING 138 kV TRANSMISSION LINE		RAILROAD
	EXISTING 345 kV TRANSMISSION LINE		STREAM
	EXISTING SUBSTATION		
	PIPELINE		

0 3,000 6,000 12,000 Feet



Landowners and Transmission Line Cases at the PUC

Public Utility Commission of Texas



1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7261
www.puc.state.tx.us

Effective: June 1, 2011

Purpose of This Brochure

This brochure is intended to provide landowners with information about proposed new transmission lines and the Public Utility Commission's ("PUC" or "Commission") process for evaluating these proposals. At the end of the brochure is a list of sources for additional information.

The following topics are covered in this brochure:

- How the PUC evaluates whether a new transmission line should be built,
- How you can participate in the PUC's evaluation of a line, and
- How utilities acquire the right to build a transmission line on private property.

You are receiving the enclosed formal notice because one or more of the routes for a proposed transmission line may require an easement or other property interest across your property, or the centerline of the proposed project may come within 300 feet of a house or other habitable structure on your property. This distance is expanded to 500 feet if the proposed line is greater than 230 kilovolts (kV). For this reason, your property is considered **directly affected land**. This brochure is being included as part of the formal notice process.

If you have questions about the proposed routes for a transmission line, you may contact the applicant. The applicant also has a more detailed map of the proposed routes for the transmission line and nearby habitable structures. The applicant may help you understand the routing of the project and the application approval process in a transmission line case but cannot provide legal advice or represent you. *The applicant cannot predict which route may or may not be approved by the PUC. The PUC decides which route to use for the transmission line, and the applicant is not obligated to keep you informed of the PUC's proceedings. The only way to fully participate in the PUC's decision on where to locate the transmission line is to intervene, which is discussed below.*

The PUC is sensitive to the impact that transmission lines have on private property. At the same time, transmission lines deliver electricity to millions of homes and businesses in Texas, and new lines are sometimes needed so that customers can obtain reliable, economical power.

The PUC's job is to decide whether a transmission line application should be approved and on which route the line should be constructed. The PUC values input from landowners and encourages you to participate in this process by intervening in the docket.

PUC Transmission Line Case

Texas law provides that most utilities must file an application with the PUC to obtain or amend a Certificate of Convenience and Necessity (CCN) in order to build a new transmission line in Texas. The law requires the PUC to consider a number of factors in deciding whether to approve a proposed new transmission line.

The PUC may approve an application to obtain or amend a CCN for a transmission line after considering the following factors:

- Adequacy of existing service;
- Need for additional service;
- The effect of approving the application on the applicant and any utility serving the proximate area;
- Whether the route utilizes existing compatible rights-of-way, including the use of vacant positions on existing multiple-circuit transmission lines;
- Whether the route parallels existing compatible rights-of-way;
- Whether the route parallels property lines or other natural or cultural features;
- Whether the route conforms with the policy of prudent avoidance (which is defined as the limiting of exposures to electric and magnetic fields that can be avoided with reasonable investments of money and effort); and
- Other factors such as community values, recreational and park areas, historical and aesthetic values, environmental integrity, and the probable improvement of service or lowering of cost to consumers in the area.

If the PUC decides an application should be approved, it will grant to the applicant a CCN or CCN amendment to allow for the construction and operation of the new transmission line.

Application to Obtain or Amend a CCN:

An application to obtain or amend a CCN describes the proposed line and includes a statement from the applicant describing the need for the line and the impact of building it. In addition to the routes proposed by the applicant in its application, the possibility exists that additional routes may be developed, during the course of a CCN case, that could affect property in a different manner than the original routes proposed by the applicant.

The PUC conducts a case to evaluate the impact of the proposed line and to decide which route should be approved. Landowners who would be affected by a new line can:

- informally file a protest, or
- formally participate in the case as an intervenor.

Filing a Protest (informal comments):

If you do not wish to intervene and participate in a hearing in a CCN case, you may file **comments**. An individual or business or a group who files only comments for or against any aspect of the transmission line application is considered a "protestor."

Protestors make a written or verbal statement in support of or in opposition to the utility's application and give information to the PUC staff that they believe supports their position.

Protestors are *not* parties to the case, however, and *do not have the right to:*

- Obtain facts about the case from other parties;
- Receive notice of a hearing, or copies of testimony and other documents that are filed in the case;
- Receive notice of the time and place for negotiations;
- File testimony and/or cross-examine witnesses;
- Submit evidence at the hearing; or
- Appeal P.U.C. decisions to the courts.

If you want to make comments, you may either send written comments stating your position, or you may make a statement on the first day of the hearing. If you have not intervened, however, you will not be able to participate as a party in the hearing. Only parties may submit evidence and *the PUC must base its decision on the evidence*.

Intervening in a Case:

To become an intervenor, you must file a statement with the PUC, no later than the date specified in the notice letter sent to you with this brochure, requesting intervenor status (also referred to as a party). This statement should describe how the proposed transmission line would affect your property. Typically, intervention is granted only to directly affected landowners. However, any landowner may request to intervene and obtain a ruling on his or her specific fact situation and concerns. A sample form for intervention and the filing address are attached to this brochure, and may be used to make your filing. A letter requesting intervention may also be used in lieu of the sample form for intervention.

If you decide to intervene and become a party in a case, you will be required to follow certain procedural rules:

- You are required to timely respond to requests for information from other parties who seek information.
- If you file testimony, you must appear at a hearing to be cross-examined.
- If you file testimony or any letters or other documents in the case, you must send copies of the documents to every party in the case and you must file multiple copies with the PUC.
- If you intend to participate at the hearing and you do not file testimony, you must at least file a statement of position, which is a document that describes your position in the case.
- Failure to comply with these procedural rules may serve as grounds for you to be dismissed as an intervenor in the case.
- If you wish to participate in the proceedings it is very important to attend any prehearing conferences.

Intervenor may represent themselves or have an attorney to represent them in a CCN case. If you intervene in a case, you may want an attorney to help you understand the PUC's procedures and the laws and rules that the PUC applies in deciding whether to approve a transmission line. The PUC encourages landowners to intervene and become parties.

Stages of a CCN Case:

If there are persons who intervene in the case and oppose the approval of the line, the PUC may refer the case to an administrative law judge (ALJ) at the State Office of Administrative Hearings (SOAH) to conduct a hearing, or the Commission may elect to conduct a hearing itself. The hearing is a formal proceeding, much like a trial, in which testimony is presented. In the event the case is referred to SOAH, the ALJ makes a recommendation to the PUC on whether the application should be approved and where and how the line should be routed.

There are several stages of a CCN case:

- The ALJ holds a prehearing conference (usually in Austin) to set a schedule for the case.
- Parties to the case have the opportunity to conduct discovery; that is, obtain facts about the case from other parties.
- A hearing is held (usually in Austin), and parties have an opportunity to cross-examine the witnesses.
- Parties file written testimony before the date of the hearing. Parties that do not file written testimony or statements of position by the deadline established by the ALJ may not be allowed to participate in the hearing on the merits.
- Parties may file written briefs concerning the evidence presented at the hearing, but are not required to do so.
- In deciding where to locate the transmission line and other issues presented by the application, the ALJ and Commission rely on factual information submitted as evidence at the hearing by the parties in the case. In order to submit factual information as evidence (other than through cross-examination of other parties' witnesses), a party must have intervened in the docket and filed written testimony on or before the deadline set by the ALJ.
- The ALJ makes a recommendation, called a **proposal for decision**, to the Commission regarding the case. Parties who disagree with the ALJ's recommendation may file exceptions.
- The Commissioners discuss the case and decide whether to approve the application. The Commission may approve the ALJ's recommendation, approve it with specified changes, send the case back to the ALJ for further consideration, or deny the application. The written decision rendered by the Commission is called a **final order**. Parties who believe that the Commission's decision is in error may file motions for rehearing, asking the Commission to reconsider the decision.
- After the Commission rule on the motion for rehearing, parties have the right to appeal the decision to district court in Travis County.
-

Right to Use Private Property

The Commission is responsible for deciding whether to approve a CCN application for a proposed transmission line. If a transmission line route is approved that impacts your property, the electric utility must obtain the right from you to enter your property and to build, operate, and maintain the transmission line. This right is typically called an easement.

Utilities may buy easements through a negotiated agreement, but they also have the power of eminent domain (condemnation) under Texas law. Local courts, not the PUC, decide issues concerning easements for rights-of-way. The PUC does not determine the value of property.

The PUC final order in a transmission case normally requires a utility to take certain steps to minimize the impact of the new transmission line on landowners' property and on the environment. For example, the order normally requires steps to minimize the possibility of erosion during construction and maintenance activities.

HOW TO OBTAIN MORE INFORMATION

The PUC's online filings interchange on the PUC website provides free access to documents that are filed with the Commission in Central Records. The docket number, also called a control number on the PUC website, of a case is a key piece of information used in locating documents in the case. You may access the Interchange by visiting the PUC's website home page at www.puc.state.tx.us and navigate the website as follows:

- Select "Filings."
- Select "Filings Search."
- Select "Filings Search."
- Enter 5-digit Control (Docket) Number. *No other information is necessary.*
- Select "Search." *All of the filings in the docket will appear in order of date filed.*
- Scroll down to select desired filing.
- Click on a blue "Item" number at left.
- Click on a "Download" icon at left.

Documents may also be purchased from and filed in Central Records. For more information on how to purchase or file documents, call Central Records at the PUC at 512-936-7180.

PUC Substantive Rule 25.101, Certification Criteria, addresses transmission line CCNs and is available on the PUC's website, or you may obtain copies of PUC rules from Central Records.

Always include the docket number on all filings with the PUC. You can find the docket number on the enclosed formal notice. Send documents to the PUC at the following address.

Public Utility Commission of Texas
Central Records
Attn: Filing Clerk
1701 N. Congress Avenue
P.O. Box 13326
Austin, TX 78711-3326

The information contained within this brochure is not intended to provide a comprehensive guide to landowner rights and responsibilities in transmission line cases at the PUC. This brochure should neither be regarded as legal advice nor should it be a substitute for the PUC's rules. However, if you have questions about the process in transmission line cases, you may call the PUC's Legal Division at 512-936-7261. The PUC's Legal Division may help you understand the process in a transmission line case but cannot provide legal advice or represent you in a case. You may choose to hire an attorney to decide whether to intervene in a transmission line case, and an attorney may represent you if you choose to intervene.

Communicating with Decision-Makers

Do not contact the ALJ or the Commissioners by telephone or email. They are not allowed to discuss pending cases with you. They may make their recommendations and decisions only by relying on the evidence, written pleadings, and arguments that are presented in the case.

Comments in Docket No. _____

If you want to be a PROTESTOR only, please complete this form. Although public comments are not treated as evidence, they help inform the PUC and its staff of the public concerns and identify issues to be explored. The PUC welcomes such participation in its proceedings.

Mail this completed form and 10 copies to:

Public Utility Commission of Texas
Central Records
Attn: Filing Clerk
1701 N. Congress Ave.
P.O. Box 13326
Austin, TX 78711-3326

First Name: _____ Last Name: _____

Phone Number: _____ Fax Number: _____

Address, City, State: _____

I am NOT requesting to intervene in this proceeding. As a PROTESTOR, I understand the following:

- I am NOT a party to this case;
- My comments are not considered evidence in this case; and
- I have no further obligation to participate in the proceeding.

Please check one of the following:

- ☐ I own property with a habitable structure located near one or more of the utility's proposed routes for a transmission line.
- ☐ One or more of the utility's proposed routes would cross my property.
- ☐ Other. Please describe and provide comments. You may attach a separate page, if necessary. _____

Signature of person submitting comments:

_____ Date: _____

Request to Intervene in PUC Docket No. _____

The following information must be submitted by the person requesting to intervene in this proceeding. This completed form will be provided to all parties in this docket. **If you DO NOT want to be an intervenor, but still want to file comments, please complete the "Comments" page.**

Mail this completed form and 10 copies to:

Public Utility Commission of Texas
Central Records
Attn: Filing Clerk
1701 N. Congress Ave.
P.O. Box 13326
Austin, TX 78711-3326

First Name: _____ Last Name: _____

Phone Number: _____ Fax Number: _____

Address, City, State: _____

I am requesting to intervene in this proceeding. As an INTERVENOR, I understand the following:

- ☐ I am a party to the case;
- ☐ I am required to respond to all discovery requests from other parties in the case;
- ☐ If I file testimony, I may be cross-examined in the hearing;
- ☐ If I file any documents in the case, I will have to provide a copy of that document to every other party in the case; and
- ☐ I acknowledge that I am bound by the Procedural Rules of the Public Utility Commission of Texas (PUC) and the State Office of Administrative Hearings (SOAH).

Please check one of the following:

- ☐ I own property with a habitable structure located near one or more of the utility's proposed routes for a transmission line.
- ☐ One or more of the utility's proposed routes would cross my property.
- ☐ Other. Please describe and provide comments. You may attach a separate page, if necessary. _____

Signature of person requesting intervention:

_____ Date: _____



THE STATE OF TEXAS
LANDOWNER'S
BILL OF RIGHTS

PREPARED BY THE



OFFICE OF THE
ATTORNEY GENERAL OF TEXAS



This Landowner's Bill of Rights applies to any attempt by the government or a private entity to take your property. The contents of this Bill of Rights are prescribed by the Texas Legislature in Texas Government Code Sec. 402.031 and Chapter 21 of the Texas Property Code.

1. You are entitled to receive adequate compensation if your property is taken for a public use.
2. Your property can only be taken for a public use.
3. Your property can only be taken by a governmental entity or private entity authorized by law to do so.
4. The entity that wants to take your property must notify you about its interest in taking your property.
5. The entity proposing to take your property must provide you with an assessment of the adequate compensation for your property.
6. The entity proposing to take your property must make a good faith offer to buy the property before it files a lawsuit to condemn the property.
7. You may hire an appraiser or other professional to determine the value of your property or to assist you in any condemnation proceeding.
8. You may hire an attorney to negotiate with the condemning entity and to represent you in any legal proceedings involving the condemnation.
9. Before your property is condemned, you are entitled to a hearing before a court appointed panel that includes three special commissioners. The special commissioners must determine the amount of compensation the condemning entity owes for the taking of your property. The commissioners must also determine what compensation, if any, you are entitled to receive for any reduction in value of your remaining property.
10. If you are unsatisfied with the compensation awarded by the special commissioners, or if you question whether the taking of your property was proper, you have the right to a trial by a judge or jury. If you are dissatisfied with the trial court's judgment, you may appeal that decision.

CONDEMNATION PROCEDURE

Eminent Domain is the ability of certain entities to take private property for a public use. Private property can include land and certain improvements that are on that property.

Private property may only be taken by a governmental entity or private entity authorized by law to do so. Your property may be taken only for a public use. That means it can only be taken for a purpose or use that serves the general public. However, Texas law prohibits condemnation authorities from taking your property to enhance tax revenues or foster economic development.

Your property cannot be taken without adequate compensation. Adequate compensation includes the market value of the property being taken. It may also include certain damages, if any, to your remaining property caused by the acquisition itself or by the way the condemning entity will use the property.

HOW THE TAKING PROCESS BEGINS

The taking of private property by eminent domain must follow certain procedures. First, the entity that wants to condemn your property must provide you a copy of this Landowner's Bill of Rights before or at the same time the entity first represents in any manner to you that it possesses eminent domain authority.

Second, if it has not been previously provided, the condemning entity must send this Landowner's Bill of Rights to the last known address of the person in whose name the property is listed on the most recent tax roll at least seven days before the entity makes a final offer to acquire your property.

Third, the condemning entity must make a good faith offer to purchase the property. The condemning entity's offer must be based on an investigation and an assessment of adequate compensation for the property. At the time the offer is made, the governmental condemning entity must disclose any appraisal reports it used to determine the value of its offer to acquire the property. You have the right to either accept or reject the offer made by the condemning entity.

CONDEMNATION PROCEEDINGS

If you and the condemning entity do not agree on the value of the property being taken, the entity may begin condemnation proceedings. Condemnation is the legal process for the taking of private property. It begins with a condemning entity filing a claim for your property in court. If you live in a county where part of the property being condemned is located, the claim must be filed in that county. Otherwise, the claim can be filed in any county where at least part of the property being condemned is located. The claim must describe the property being condemned, the intended public use, the name of the landowner, a statement that the landowner and the condemning entity were unable to agree on the value of the property, and that the condemning entity provided the landowner with the Landowner's Bill of Rights statement.

SPECIAL COMMISSIONERS' HEARING

After the condemning entity files a claim in court, the judge will appoint three landowners to serve as special commissioners. These special commissioners must live in the county where the condemnation proceeding is filed, and they must take an oath to assess the amount of adequate compensation fairly, impartially, and according to the law. The special commissioners are not authorized to decide whether the condemnation is necessary or if the public use is proper. After being appointed, the special commissioners must schedule a hearing at the earliest practical time and place and provide you written notice of that hearing.

You are required to disclose to the governmental condemning entity, at least ten days before the special commissioners' hearing, any appraisal reports used to determine your opinion about adequate compensation for the property. You may hire an appraiser or real estate professional to help you determine the value of your private property. You may also hire an attorney regarding these proceedings.

At the hearing, the special commissioners will consider evidence on the value of the property, the damages to remaining property, any value added to the remaining property as a result of the project, and the uses to be made of the property being taken.

SPECIAL COMMISSIONERS' AWARD

After hearing evidence from all interested parties, the special commissioners will determine the amount of money to be awarded as adequate compensation. You may be responsible for the costs if the Award is less than or equal to the amount the condemning entity offered before the condemnation proceeding began. Otherwise, the condemning entity will be responsible for the costs. The special commissioners will give a written decision to the court that appointed them. That decision is called the "Award." The Award must be filed with the court and the court must send written notice of the Award to all parties.

After the Award is filed, the condemning entity may take possession of the property being condemned, even if either party appeals the Award of the special commissioners. To take possession of the property, the condemning entity must either pay you the amount of the Award or deposit the amount of the Award into the registry of the court. You have the right to withdraw the deposited funds from the registry of the court.

OBJECTION TO THE SPECIAL COMMISSIONERS' AWARD

If either you or the condemning entity is dissatisfied with the amount of the Award, either party can object to the Award by filing a written statement of objection with the court. If neither party timely objects to the Award, the court will adopt the Award as the final judgment of the court. If a party timely objects to the special commissioners' Award, the court will hear the case in the same manner as other civil cases.

If you object to the Award and ask the court to hear the matter, you have the right to a trial by judge or jury. The allocation of costs is handled in the same manner as with the special commissioners' Award. After that trial, either party may appeal any judgment entered by the court.

DISMISSAL OF THE CONDEMNATION ACTION

A condemning entity may file a motion to dismiss the condemnation proceeding if it decides it no longer needs your property. If the court grants the motion to dismiss, the case is over and you are entitled to recover reasonable and necessary fees for attorneys, appraisers, photographers, and for other expenses incurred to the date of the hearing on the motion to dismiss.

You may also file a motion to dismiss the condemnation proceeding on the ground that the condemning entity did not have the right to condemn the property, including a challenge as to whether the property is being taken for a public use. If the court grants your motion, the court may award you reasonable and necessary fees for attorneys, appraisers, photographers, and for other expenses incurred to the date of the hearing or judgment.

RELOCATION COSTS

If you are displaced from a residence or place of business, you may be entitled to reimbursement for reasonable expenses incurred while moving personal property from the residence or relocating the business to a new site. You are not entitled to these relocation costs if they are recoverable under another law. If you are entitled to these costs, they cannot exceed the market value of the property being moved and can only be reimbursed for moving distances within 50 miles.

RECLAMATION OPTIONS

If private property was condemned by a governmental entity, and the purpose for which the property was acquired is canceled before the 10th anniversary of the date of the acquisition, you may have the right to seek to repurchase the property for the fair market value of the property at the time the public use was canceled. This provision does not apply to property acquired by a county, a municipality, or the Texas Department of Transportation.

DISCLAIMER

The information in this statement is intended to be a summary of the applicable portions of Texas state law as required by HB 1495, enacted by the 80th Texas Legislature, Regular Session. This statement is not legal advice and is not a substitute for legal counsel.

ADDITIONAL RESOURCES

Further information regarding the procedures, timelines and requirements outlined in this document can be found in Chapter 21 of the Texas Property Code.

ATTACHMENT D

**AFFIDAVIT OF MICHAEL J. PAKELTIS
FOR TEXAS PARKS AND WILDLIFE DEPARTMENT NOTICE**

PUC DOCKET NO. 40049

**AFFIDAVIT
OF PROVISION OF THE ENVIRONMENTAL ASSESSMENT FOR THE 138 kV
SPRINGWOODS PROJECT TO THE TEXAS PARKS AND WILDLIFE DEPARTMENT**

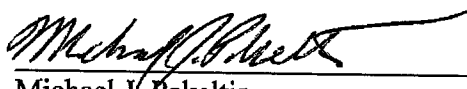
THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

Before me, the undersigned authority, this day personally appeared Michael J. Pakeltis, Director of the Transmission Operations Department, and duly authorized agent for CenterPoint Energy Houston Electric, LLC, to me known, who under oath deposes and says:

My name is Michael J. Pakeltis. I am of legal age, a resident of the State of Texas, County of Fort Bend, and competent to make this Affidavit. The facts as related are true and correct within my personal knowledge and belief.


The Application for a Certificate of Convenience and Necessity ("CCN") filed in Docket No. 40049, *Application of CenterPoint Energy Houston Electric, LLC for a Certificate of Convenience and Necessity (CCN) for a Proposed 138 kV Transmission Line within Harris and Montgomery Counties*, was provided to the Texas Parks and Wildlife Department, 4200 Smith School Road, Austin, Texas 78744-3291 with the letter attached to this Affidavit. The letter included a map showing the location of the project in Harris and Montgomery Counties; route descriptions; the Public Utility Commission of Texas brochure titled *Landowners and Transmission Line Cases at the PUC*; the Protester form; the Request to Intervene form; and the State of Texas Landowner's Bill of Rights. The letter was sent on January 12, 2012, to the address stated above, by Federal Express, prepaid package service.

Provision of the copy of the environmental assessment was made within seven days of the filing date of the Application as set forth in Question 29 of the CCN application form.

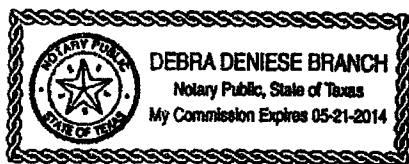


Michael J. Pakeltis
Director, Transmission Operations

Sworn to and subscribed before me this 2 day of February, 2012.



Notary Public



January 12, 2012

Kathy Boydston
Wildlife Habitat Assessment Program, Wildlife Division
Texas Parks and Wildlife Department
4200 Smith School Road
Austin, TX 78744

Dear Ms. Boydston:

Application of CenterPoint Energy Houston Electric, LLC for a Certificate of Convenience and Necessity for a Proposed 138 kV Transmission Line within Harris and Montgomery Counties, Texas

PUBLIC UTILITY COMMISSION OF TEXAS (PUC) DOCKET NO. 40049

CenterPoint Energy Houston Electric, LLC (CenterPoint Energy) announces plans to secure a Certificate of Convenience and Necessity (CCN) from the Public Utility Commission of Texas (PUC or Commission) to construct new transmission facilities to provide electric transmission service to CenterPoint Energy's proposed Springwoods Substation in Harris and Montgomery Counties. The new transmission facilities consist of a double-circuit, 138 kV transmission line utilizing a combination of lattice towers, concrete poles, and steel poles. The CCN application was filed at the PUC on January 12, 2012, under PUC Docket No. 40049. A copy of the CCN application which includes an environmental assessment is enclosed with this letter.

This letter of transmittal is being sent to you pursuant to Question 29, Environmental Impact, of the CCN Application (CCN) instructions to provide your agency with a copy of each environmental impact study and/or assessment related to the CCN within seven days of the filing of the CCN. Any comments your agency would like to make regarding the enclosed routing study/EA prepared by CenterPoint Energy's consultant for this project, POWER Engineers, should be made as a filing in Docket No. 40049. If you have any questions about the proposed transmission line and substation project, you can visit our Springwoods Project website at www.centerpointenergy.com/swproject or contact Mr. Shayne Wright at 713-207-6037, e-mail: shayne.wright@centerpointenergy.com.

The enclosed brochure entitled "Landowners and Transmission Line Cases at the PUC" provides basic information about how you may participate in this docket, and how you may contact the PUC. Please read this brochure carefully. The brochure includes sample forms for making comments and for making a request to intervene as a party in this docket. In addition to the contacts listed in the brochure, you may call the PUC's Customer Assistance Hotline at (888) 782-8477. Hearing- and speech-impaired

individuals with text telephones (TTY) may contact the PUC's Customer Assistance Hotline at (512) 936-7136 or toll free at (800) 735-2989. If you wish to participate in this proceeding by becoming an intervener, the deadline for intervention in the proceeding is February 27, 2012, and the PUC should receive a letter from you requesting intervention by that date. Mail the request for intervention and 10 copies of the request to:

Public Utility Commission of Texas
Central Records
Attn: Filing Clerk
1701 N. Congress Ave.
P.O. Box 13326
Austin, Texas. 78711-3326

Persons who wish to intervene in the docket must also mail a copy of their request for intervention to all parties in the docket and all persons that have pending motions to intervene, at or before the time the request for intervention is mailed to the PUC. In addition to the intervention deadline, other important deadlines may already exist that affect your participation in this docket. You should review the orders and other filings already made in the docket. The enclosed brochure explains how you can access these filings.

It is important you realize that the Commission may elect to choose any of the alternative routes. You are encouraged to participate fully in the process described in the attached Landowner Brochure to ensure that the Commission has the benefit of your input in making its decision on the route where the proposed transmission line will be constructed. A detailed description of the nine alternative routes follows. Please refer to the attached map while reading the route descriptions.

Sincerely,

Michael J. Pakeltis, Director
Transmission Operations

Enclosures

**Description of Proposed Transmission Line Alternative Routes for the 138 kV Springwoods
Project in Harris and Montgomery Counties**

PUC DOCKET NO. 40049

Alternative Routes Not Listed in Any Order of Preference or Priority

Alternative Route No.	Segment Combination and Substation Site
1	B-C-E-H-J-SS#1
2	B-C-E-H-I-K-SS#1
3	B-C-D-G-H-J-SS#1
4	B-C-D-G-H-I-K-SS#1
26	R-T-V-SS#2
28	R-T-U-AI-SS#3
29	S-T-V-SS#2
31	S-T-U-A1-SS#3
39	H1-I1-G1-C1-SS#3

Alternative Route Descriptions

ALTERNATIVE ROUTE 1 (B-C-E-H-J-SS#1):

The overall length of the Alternative Route 1 is 2.1 miles. The estimated cost associated with this alternative route is \$32,515,000, of which \$21,060,000 is the estimated cost of the transmission facilities and \$11,455,000 is the estimated cost of the 138 kV Springwoods Substation facilities. There is also an additional \$607,000 of associated system improvements for this alternative route. Alternative Route 1 (Route 1) begins at the location of the CenterPoint Energy 138 kV transmission line (Circuits 66 C1 & C2), located north of Houston, Texas, and the intersection with Budde Road, approximately 1,834 feet west of Interstate 45 in Harris County, Texas. From the existing 138 kV transmission line tie location, Route 1 proceeds south along **Segment B**, paralleling the west side of Budde Road for approximately 2,190 feet to a point located approximately 2,129 feet west from the intersection of Interstate 45 and Wildwood Forest Drive. This segment of Route 1 crosses Rayford Road. This point will be referred to as the intersection of Segments B and C. From this point, Route 1 proceeds south along **Segment C**, continuing to parallel the west side of Budde Road for approximately 1,299 feet to a point located approximately 2,410 feet west from the intersection of Interstate 45 and Pruitt Road. This segment of Route 1 crosses Wildwood Forest Drive and Pruitt Road. This point will be referred to as the intersection of Segments C, D, and E. From this point, Route 1 proceeds east along **Segment E** for approximately 1,252 feet, paralleling the south side of Pruitt Road to an angle point located approximately 1,162 feet west of Interstate 45. This segment of Route 1 crosses an existing pipeline corridor. From this angle point, Route 1 continues south for

approximately 1,164 feet to a point located approximately 1,740 feet west from Interstate 45. This point will be referred to as the intersection of Segments E, G, and H. From this point, Route 1 proceeds east along **Segment H** for approximately 557 feet, to a point located approximately 1,190 feet west from Interstate 45. This segment of Route 1 crosses an unnamed road. This point will be referred to as the intersection of Segments H, I, and J. From this point, Route 1 proceeds east along **Segment J** for approximately 1,017 feet. From this angle point, Route 1 proceeds southeast, paralleling the west side of Interstate 45 for approximately 401 feet, crossing an unnamed road. From this angle point, Route 1 continues south for approximately 408 feet, and then angles to the southeast for approximately 1,312 feet. From this angle point, Route 1 proceeds south again for approximately 1,742 feet, as it enters Alternate Substation Site 1 (one of the project endpoints). This segment of Route 1 crosses Spring Creek and the Harris and Montgomery county line. The proposed substation site is located approximately 265 feet west of Interstate 45, and approximately 1,380 feet south of the Harris and Montgomery county line.

ALTERNATIVE ROUTE 2 (B-C-E-H-I-K-SS#1):

The overall length of the Alternative Route 2 is 2.2 miles. The estimated cost associated with this alternative route is \$26,180,000, of which \$14,725,000 is the estimated cost of the transmission facilities and \$11,455,000 is the estimated cost of the 138 kV Springwoods Substation facilities. There is also an additional \$607,000 of associated system improvements for this alternative route. Alternative Route 2 (Route 2) begins at the location of the CenterPoint Energy 138 kV transmission line (Circuits 66 C1 & C2), located north of Houston, Texas, and the intersection with Budde Road, approximately 1,834 feet west of Interstate 45 in Harris County, Texas. From the existing 138 kV transmission line tie location, Route 2 proceeds south along **Segment B** paralleling the west side of Budde Road for approximately 2,190 feet to a point located approximately 2,129 feet west from the intersection of Interstate 45 and Wildwood Forest Drive. This segment of Route 2 crosses Rayford Road. This point will be referred to as the intersection of Segments B and C. From this point, Route 2 proceeds south along **Segment C** continuing to parallel the west side of Budde Road for approximately 1,299 feet to a point located approximately 2,410 feet west from the intersection of Interstate 45 and Pruitt Road. This segment of Route 2 crosses Wildwood Forest Drive and Pruitt Road. This point will be referred to as the intersection of Segments C, D, and E. From this point, Route 2 proceeds east along **Segment E** for approximately 1,252 feet, paralleling the south side of Pruitt Road to an

angle point located approximately 1,162 feet west of Interstate 45. This segment of Route 2 crosses an existing pipeline corridor. From this angle point, Route 2 continues south for approximately 1,164 feet to a point located approximately 1,740 feet west from Interstate 45. This point will be referred to as the intersection of Segments E, G, and H. From this point, Route 2 proceeds east along **Segment H** for approximately 557 feet, to a point located approximately 1,190 feet west from Interstate 45. This segment of Route 2 crosses an unnamed road. This point will be referred to as the intersection of Segments H, I, and J. From this point, Route 2 proceeds south along **Segment I** for approximately 2,158 feet, to an angle point located approximately 2,052 feet west of Interstate 45, crossing an unnamed road. From this angle point, Route 2 proceeds southeast for approximately 2,106 feet, crossing Spring Creek and the Harris and Montgomery county line. This point will be referred to as the intersection of Segments I and K. From this point, Route 2 proceeds east along **Segment K** for approximately 747 feet, as it enters Alternate Substation Site 1 (one of the project endpoints). The proposed substation site is located approximately 265 feet west of Interstate 45, and approximately 1,380 feet south of the Harris and Montgomery county line.

ALTERNATIVE ROUTE 3 (B-C-D-G-H-J-SS#1):

The overall length of the Alternative Route 3 is 2.2 miles. The estimated cost associated with this alternative route is \$30,693,000, of which \$19,238,000 is the estimated cost of the transmission facilities and \$11,455,000 is the estimated cost of the 138 kV Springwoods Substation facilities. There is also an additional \$607,000 of associated system improvements for this alternative route. Alternative Route 3 (Route 3) begins at the location of the CenterPoint Energy 138 kV transmission line (Circuits 66 C1 & C2), located north of Houston, Texas, and the intersection with Budde Road, approximately 1,834 feet west of Interstate 45 in Harris County, Texas. From the existing 138 kV transmission line tie location, Route 3 proceeds south along **Segment B** paralleling the west side of Budde Road for approximately 2,190 feet, to a point located approximately 2,129 feet west from the intersection of Interstate 45 and Wildwood Forest Drive. This segment of Route 3 crosses Rayford Road. This point will be referred to as the intersection of Segments B and C. From this point, Route 3 proceeds south along **Segment C** continuing to parallel the west side of Budde Road for approximately 1,299 feet, to a point located approximately 2,410 feet west from the intersection of Interstate 45 and Pruitt Road. This segment of Route 3 crosses Wildwood Forest Drive and Pruitt Road. This point will be referred to as the intersection of Segments C, D, and E. From this point, Route 3 proceeds south

along **Segment D** paralleling the east side of Pruitt Road for approximately 1,161 feet, to a point located approximately 3,035 feet west from Interstate 45. This segment of Route 3 crosses an existing pipeline corridor. This point will be referred to as the intersection of Segments D and G. From this point, Route 3 proceeds east along **Segment G** for approximately 1,294 feet to a point located approximately 1,741 feet west from Interstate 45. This point will be referred to as the intersection of Segments E, G, and H. From this point, Route 3 proceeds east along **Segment H** for approximately 557 feet to a point located approximately 1,190 feet west from Interstate 45. This segment of Route 3 crosses an unnamed road. This point will be referred to as the intersection of Segments H, I, and J. From this point, Route 3 proceeds east along **Segment J** for approximately 1,017 feet. From this angle point, Route 3 proceeds southeast, paralleling the west side of Interstate 45 for approximately 401 feet, crossing an unnamed road. From this angle point, Route 3 continues south for approximately 408 feet, and then angles to the southeast for approximately 1,312 feet. From this angle point, Route 3 proceeds south again for approximately 1,742 feet, as it enters Alternate Substation Site 1 (one of the project endpoints). This segment of Route 3 crosses Spring Creek and the Harris and Montgomery county line. The proposed substation site is located approximately 265 feet west of Interstate 45, and approximately 1,380 feet south of the Harris and Montgomery county line.

ALTERNATIVE ROUTE 4 (B-C-D-G-H-I-K-SS#1):

The overall length of the Alternative Route 4 is 2.2 miles. The estimated cost associated with this alternative route is \$24,358,000, of which \$12,903,000 is the estimated cost of the transmission facilities and \$11,455,000 is the estimated cost of the 138 kV Springwoods Substation facilities. There is also an additional \$607,000 of associated system improvements for this alternative route. Alternative Route 4 (Route 4) begins at the location of the CenterPoint Energy 138 kV transmission line (Circuits 66 C1 & C2), located north of Houston, Texas, and the intersection with Budde Road, approximately 1,834 feet west of Interstate 45 in Harris County, Texas. From the existing 138 kV transmission line tie location, Route 4 proceeds south along **Segment B** paralleling the west side of Budde Road for approximately 2,190 feet to a point located approximately 2,129 feet west from the intersection of Interstate 45 and Wildwood Forest Drive. This segment of Route 4 crosses Rayford Road. This point will be referred to as the intersection of Segments B and C. From this point, Route 4 proceeds south along **Segment C** continuing to parallel the west side of Budde Road for approximately 1,299 feet, to a point located approximately 2,410 feet west from the intersection of Interstate 45 and Pruitt Road.

This segment of Route 4 crosses Wildwood Forest Drive and Pruitt Road. This point will be referred to as the intersection of Segments C, D, and E. From this point, Route 4 proceeds south along **Segment D** paralleling the east side of Pruitt Road for approximately 1,161 feet, to a point located approximately 3,035 feet west from Interstate 45. This segment of Route 4 crosses an existing pipeline corridor. This point will be referred to as the intersection of Segments D and G. From this point, Route 4 proceeds east along **Segment G** for approximately 1,294 feet to a point located approximately 1,741 feet west from Interstate 45. This point will be referred to as the intersection of Segments E, G, and H. From this point, Route 4 proceeds east along **Segment H** for approximately 557 feet to a point located approximately 1,190 feet west from Interstate 45. This segment of Route 4 crosses an unnamed road. This point will be referred to as the intersection of Segments H, I, and J. From this point, Route 4 proceeds south along **Segment I** for approximately 2,158 feet to an angle point located approximately 2,052 feet west of Interstate 45, crossing an unnamed road. From this angle point, Route 4 proceeds southeast for approximately 2,106 feet, crossing Spring Creek and the Harris and Montgomery county line. This point will be referred to as the intersection of Segments I and K. From this point, Route 4 proceeds east along **Segment K** for approximately 747 feet, as it enters Alternate Substation Site 1 (one of the project endpoints). The proposed substation site is located approximately 265 feet west of Interstate 45, and approximately 1,380 feet south of the Harris and Montgomery county line.

ALTERNATIVE ROUTE 26 (R-T-V-SS#2):

The overall length of the Alternative Route 26 is 3.2 miles. The estimated cost associated with this alternative route is \$22,663,000, of which \$11,208,000 is the estimated cost of the transmission facilities and \$11,455,000 is the estimated cost of the 138 kV Springwoods Substation facilities. There is also an additional \$286,000 (for Circuit 66 C1) or \$555,000 (for Circuit 66 C2) of associated system improvements for this alternative route. Alternative Route 26 (Route 26) begins at the location of the CenterPoint Energy 138 kV transmission line (Circuits 66 C1 & C2), located north of Houston, Texas, and the intersection with an existing pipeline corridor, approximately 1,190 feet south of the Harris and Montgomery county line in Harris County, Texas. From the existing 138 kV transmission line tie location, Route 26 proceeds southeast along **Segment R** for approximately 2,065 feet, to an angle point located approximately 837 feet south of the Harris and Montgomery county line. This segment of Route 26 crosses two pipeline corridors. From this angle point, Route 26 continues south for

approximately 3,634 feet, to a point located approximately 1,346 feet east from Mossy Oaks Road. This segment of Route 26 crosses a tributary of Spring Creek and Lonesome Pine Road. This point will be referred to as the intersection of Segments R, S, and T. From this point, Route 26 proceeds southeast along **Segment T** paralleling the north side of an existing 345 kV transmission line (Circuits 74 and 75) and the Missouri Pacific Railroad for approximately 6,575 feet to a point located approximately 1,697 feet north of Spring Stuebner Road. This segment of Route 26 crosses an existing pipeline corridor. This point will be referred to as the intersection of Segments T, U, and V. From this point, Route 26 proceeds southeast along **Segment V**, continuing to parallel the north side of an existing 345 kV transmission line (Circuits 74 and 75) and the Missouri Pacific Railroad for approximately 4,570 feet, crossing an existing pipeline corridor as it enters Alternate Substation Site 2 (one of the project endpoints). The proposed substation site is located approximately 838 feet west of Interstate 45, and approximately 920 feet north of Spring Stuebner Road.

ALTERNATIVE ROUTE 28 (R-T-U-A1-SS#3):

The overall length of the Alternative Route 28 is 3.0 miles. The estimated cost associated with this alternative route is \$24,863,000, of which \$13,408,000 is the estimated cost of the transmission facilities and \$11,455,000 is the estimated cost of the 138 kV Springwoods Substation facilities. There is also an additional \$303,000 (for Circuit 66 C1) or \$572,000 (for Circuit 66 C2) of associated system improvements for this alternative route. Alternative Route 28 (Route 28) begins at the location of the CenterPoint Energy 138 kV transmission line (Circuits 66 C1 & C2), located north of Houston, Texas, and the intersection with an existing pipeline corridor, approximately 1,190 feet south of the Harris and Montgomery county line in Harris County, Texas. From the existing 138 kV transmission line tie location, Route 28 proceeds southeast along **Segment R** for approximately 2,065 feet to an angle point located approximately 837 feet south of the Harris and Montgomery county line. This segment of Route 28 crosses two pipeline corridors. From this angle point, Route 28 continues south for approximately 3,634 feet to a point located approximately 1,346 feet east from Mossy Oaks Road. This segment of Route 28 crosses a tributary of Spring Creek and Lonesome Pine Road. This point will be referred to as the intersection of Segments R, S, and T. From this point, Route 28 proceeds southeast along **Segment T**, paralleling the north side of an existing 345 kV transmission line (Circuits 74 and 75) and the Missouri Pacific Railroad for approximately 6,575 feet, to a point located approximately 1,697 feet north of Spring Stuebner Road. This segment of

Route 28 crosses an existing pipeline corridor. This point will be referred to as the intersection of Route Segments T, U, and V. From this point, Route 28 proceeds south along **Segment U** for approximately 1,697 feet to a point located approximately 5,172 feet west from Interstate 45. This segment of Route 28 crosses an existing 345 kV transmission line (Circuits 74 and 75) and the Missouri Pacific Railroad. This point will be referred to as the intersection of Segments U and A1. From this point, Route 28 proceeds south along **Segment A1** for approximately 627 feet, to an angle point located approximately 5,000 feet west of Interstate 45, crossing an existing pipeline corridor and Spring Stuebner Road. From this angle point, Route 28 continues southeast for approximately 727 feet to an angle point located approximately 4,400 feet west of Interstate 45. From this angle point, Route 28 continues south for approximately 482 feet, as it enters Alternate Substation Site 3 (one of the project endpoints). The proposed substation site is located approximately 4,400 feet west of Interstate 45, and approximately 1,423 feet south of Spring Stuebner Road.

ALTERNATIVE ROUTE 29 (S-T-V-SS#2):

The overall length of the Alternative Route 29 is 3.0 miles. The estimated cost associated with this alternative route is \$21,002,000, of which \$9,547,000 is the estimated cost of the transmission facilities and \$11,455,000 is the estimated cost of the 138 kV Springwoods Substation facilities. There is also an additional \$1,465,000 (for Circuit 66 C1) or \$1,734,000 (for Circuit 66 C2) of associated system improvements for this alternative route. Alternative Route 29 (Route 29) begins at the location of the CenterPoint Energy 138 kV transmission line (Circuits 66 C1 & C2), located north of Houston, Texas, and the intersection with an existing pipeline corridor, an existing 345 kV transmission line (Circuits 74 and 75) and the Missouri Pacific Railroad, approximately 3,315 feet north of Spring Stuebner Road in Harris County, Texas. From the existing 138 kV transmission line tie location, Route 29 proceeds southeast along **Segment S** for approximately 2,949 feet, paralleling the south side of an existing 345 kV transmission line (Circuits 74 and 75) and the Missouri Pacific Railroad, to an angle point located approximately 2,945 feet north of Spring Stuebner Road. This segment of Route 29 crosses a drainage ditch and Mossy Oaks Road. From this angle point, Route 29 continues north for approximately 261 feet, paralleling the east side of Mossy Oaks Road, and crossing an existing 345 kV transmission line (Circuits 74 and 75), and the Missouri Pacific Railroad. From this angle point, Route 29 continues east for approximately 1,319 feet, paralleling the north side of an existing 345 kV transmission line (Circuits 74 and 75) and the Missouri Pacific Railroad, to

a point located approximately 1,340 feet east from Mossy Oaks Road. This point will be referred to as the intersection of Segments R, S, and T. From this point, Route 29 proceeds southeast along **Segment T**, paralleling the north side of an existing 345 kV transmission line (Circuits 74 and 75) and the Missouri Pacific Railroad for approximately 6,575 feet, to a point located approximately 1,697 feet north of Spring Stuebner Road. This segment of Route 29 crosses an existing pipeline corridor. This point will be referred to as the intersection of Segments T, U, and V. From this point, Route 29 proceeds southeast along **Segment V**, continuing to parallel the north side of an existing 345 kV transmission line (Circuits 74 and 75) and the Missouri Pacific Railroad for approximately 4,570 feet, crossing an existing pipeline corridor as it enters Alternate Substation Site 2 (one of the project endpoints). The proposed substation site is located approximately 838 feet west of Interstate 45, and approximately 920 feet north of Spring Stuebner Road.

ALTERNATIVE ROUTE 31 (S-T-U-A1-SS#3):

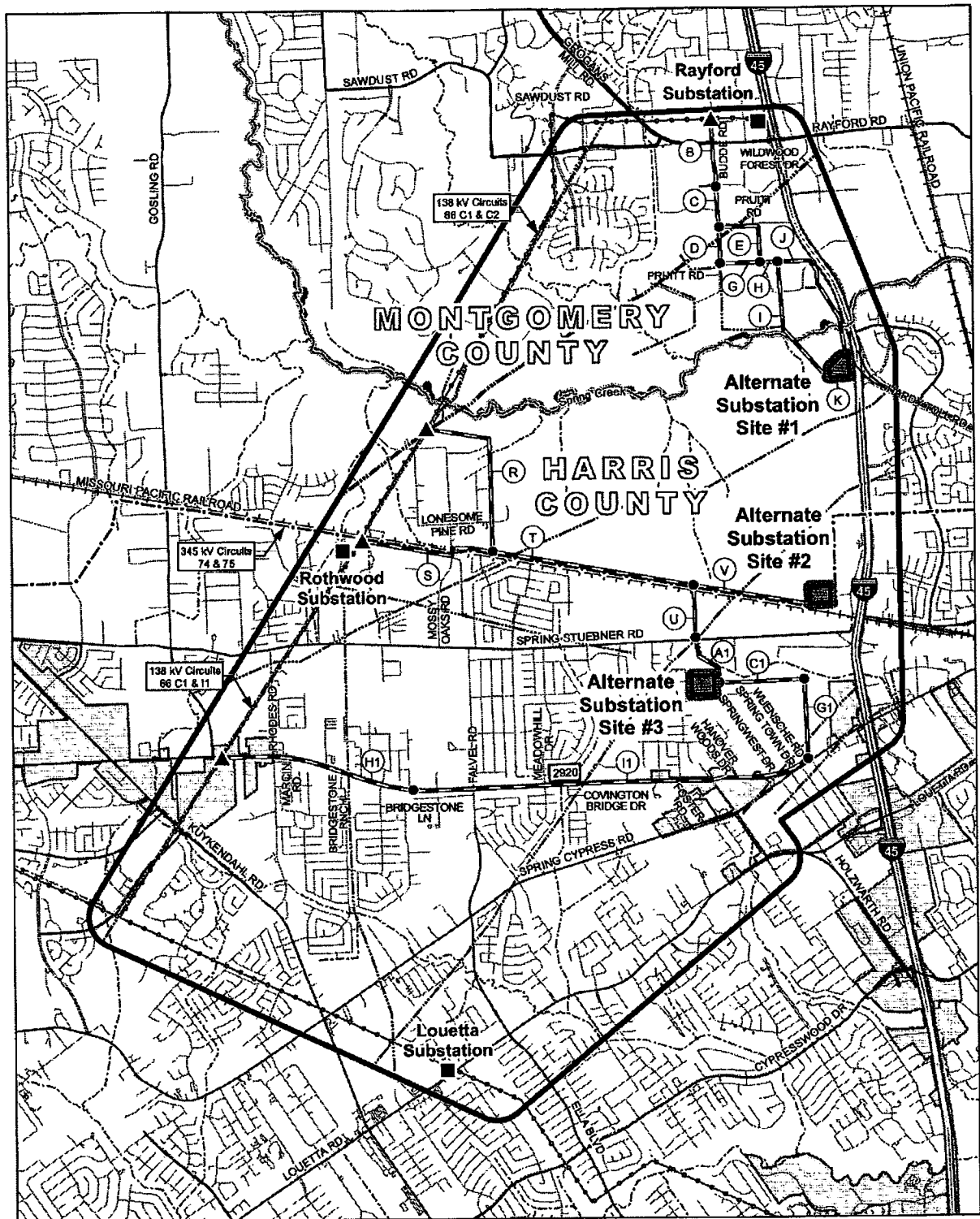
The overall length of the Alternative Route 31 is 2.8 miles. The estimated cost associated with this alternative route is \$23,202,000, of which \$11,747,000 is the estimated cost of the transmission facilities and \$11,455,000 is the estimated cost of the 138 kV Springwoods Substation facilities. There is also an additional \$1,482,000 (for Circuit 66 C1) or \$1,751,000 (for Circuit 66 C2) of associated system improvements for this alternative route. Alternative Route 31 (Route 31) begins at the location of the CenterPoint Energy 138 kV transmission line (Circuits 66 C1 & C2), located north of Houston, Texas, where it intersects with an existing pipeline corridor, an existing 345 kV transmission line (Circuits 74 and 75), and the Missouri Pacific Railroad, located approximately 3,315 feet north of Spring Stuebner Road in Harris County, Texas. From the existing 138 kV transmission line tie location, Route 31 proceeds southeast along **Segment S** for approximately 2,949 feet, paralleling the south side of an existing 345 kV transmission line (Circuits 74 and 75) and the Missouri Pacific Railroad, to an angle point located approximately 2,945 feet north of Spring Stuebner Road. This segment of Route 31 crosses a drainage ditch and Mossy Oaks Road. From this angle point, Route 31 continues north for approximately 261 feet, paralleling the east side of Mossy Oaks Road, and crossing an existing 345 kV transmission line (Circuits 74 and 75) and the Missouri Pacific Railroad. From this angle point, Route 29 continues east for approximately 1,319 feet, paralleling the north side of an existing 345 kV transmission line (Circuits 74 and 75) and the Missouri Pacific Railroad, to a point located approximately 1,340 feet east from Mossy Oaks Road. This point will be referred

to as the intersection of Segments R, S, and T. From this point, Route 31 proceeds southeast along **Segment T**, paralleling the north side of an existing 345 kV transmission line (Circuits 74 and 75) and the Missouri Pacific Railroad for approximately 6,575, feet to a point located approximately 1,697 feet north of Spring Stuebner Road. This segment of Route 31 crosses an existing pipeline corridor. This point will be referred to as the intersection of Route Segments T, U, and V. From this point, Route 31 proceeds south along **Segment U** for approximately 1,697 feet, to a point located approximately 5,172 feet west from Interstate 45. This segment of Route 31 crosses an existing 345 kV transmission line (Circuits 74 and 75) and the Missouri Pacific Railroad. This point will be referred to as the intersection of Segments U and A1. From this point, Route 31 proceeds south along **Segment A1** for approximately 627 feet, to an angle point located approximately 5,000 feet west of Interstate 45, crossing an existing pipeline corridor and Spring Stuebner Road. From this angle point, Route 31 continues southeast for approximately 727 feet to an angle point located approximately 4,400 feet west of Interstate 45. From this angle point, Route 31 continues south for approximately 482 feet, as it enters Alternate Substation Site 3 (one of the project endpoints). The proposed substation site is located approximately 4,400 feet west of Interstate 45, and approximately 1,423 feet south of Spring Stuebner Road.

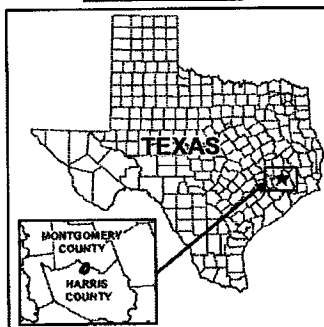
ALTERNATIVE ROUTE 39 (H1-I1-G1-C1-SS#3):

The overall length of the Alternative Route 39 is 4.6 miles. The estimated cost associated with this alternative route is \$37,408,000, of which \$25,953,000 is the estimated cost of the transmission facilities and \$11,455,000 is the estimated cost of the 138 kV Springwoods Substation facilities. There is also an additional \$192,000 (for Circuit 66 I1) or \$478,000 (for Circuit 66 C1) of associated system improvements for this alternative route. Alternative Route 39 (Route 39) begins at the location of the CenterPoint Energy 138 kV transmission line (Circuits 66 C1 & I1), located north of Houston, Texas, and the intersection with an existing pipeline corridor and FM 2920, approximately 284 feet east of Gosling Road in Harris County, Texas. From the existing 138 kV transmission line tie location, Route 39 proceeds southeast along **Segment H1** for approximately 6,341 feet, paralleling the south side of FM 2920 to a point located approximately 2,000 feet west from Falvel Road. This segment of Route 39 crosses Rhodes Road, Marcin Road, Bridgestone Ranch, an existing pipeline corridor, and Bridgestone Lane. This point will be referred to as the intersection of Segments H1 and I1. From this point, Route 39 continues east along **Segment I1** for approximately 12,899 feet, paralleling the south

side of FM 2920 to a point located approximately 150 feet west from Interstate 45. This segment of Route 39 crosses Falvel Road, Meadowhill Drive, Covington Bridge Drive, an existing pipeline corridor, Foster Road, FM 2920, Hanover Woods Road, Springwest Drive, Spring Town Drive, and Wuensche Road. This point will be referred to as the intersection of Segments I1 and G1. From this point, Route 39 proceeds north along **Segment G1** for approximately 2,574 feet to a point located approximately 1,450 feet south from Spring Stuebner Road. This point will be referred to as the intersection of Segments C1 and G1. From this point, Route 39 proceeds west along **Segment C1** for approximately 2,729 feet, as it enters Alternate Substation Site 3 (one of the project endpoints). The proposed substation site is located approximately 4,400 feet west of Interstate 45, and approximately 1,423 feet south of Spring Stuebner Road.



VICINITY MAP



138 kV Springwoods Project Alternative Routes and Alternate Substation Sites



Alternative	Segment Combination and Substation	Alternative	Segment Combination and Substation
1	B-C-E-H-J-SS#1	28	R-T-U-A1-SS#3
2	B-C-E-H-K-SS#1	29	S-T-V-SS#2
3	B-C-D-G-H-J-SS#1	31	S-T-U-A1-SS#3
4	B-C-D-G-H-K-SS#1	39	H-I-I-G1-C1-SS#3
26	R-T-V-SS#2		

LEGEND

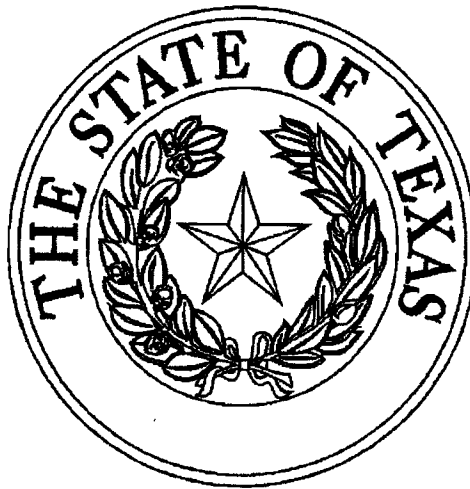
- STUDY AREA BOUNDARY
- ALTERNATIVE SEGMENT
- TIE POINT
- ALTERNATE SUBSTATION SITE
- EXISTING 138 kV TRANSMISSION LINE
- EXISTING 345 kV TRANSMISSION LINE
- EXISTING SUBSTATION
- PIPELINE
- COUNTY BOUNDARY
- CITY OF HOUSTON BOUNDARY
- INTERSTATE
- MAJOR ROAD
- RAILROAD
- STREAM

3,000 6,000 12,000
Feet



Landowners and Transmission Line Cases at the PUC

Public Utility Commission of Texas



1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7261
www.puc.state.tx.us

Effective: June 1, 2011

Purpose of This Brochure

This brochure is intended to provide landowners with information about proposed new transmission lines and the Public Utility Commission's ("PUC" or "Commission") process for evaluating these proposals. At the end of the brochure is a list of sources for additional information.

The following topics are covered in this brochure:

- How the PUC evaluates whether a new transmission line should be built,
- How you can participate in the PUC's evaluation of a line, and
- How utilities acquire the right to build a transmission line on private property.

You are receiving the enclosed formal notice because one or more of the routes for a proposed transmission line may require an easement or other property interest across your property, or the centerline of the proposed project may come within 300 feet of a house or other habitable structure on your property. This distance is expanded to 500 feet if the proposed line is greater than 230 kilovolts (kV). For this reason, your property is considered **directly affected land**. This brochure is being included as part of the formal notice process.

If you have questions about the proposed routes for a transmission line, you may contact the applicant. The applicant also has a more detailed map of the proposed routes for the transmission line and nearby habitable structures. The applicant may help you understand the routing of the project and the application approval process in a transmission line case but cannot provide legal advice or represent you. *The applicant cannot predict which route may or may not be approved by the PUC. The PUC decides which route to use for the transmission line, and the applicant is not obligated to keep you informed of the PUC's proceedings. The only way to fully participate in the PUC's decision on where to locate the transmission line is to intervene, which is discussed below.*

The PUC is sensitive to the impact that transmission lines have on private property. At the same time, transmission lines deliver electricity to millions of homes and businesses in Texas, and new lines are sometimes needed so that customers can obtain reliable, economical power.

The PUC's job is to decide whether a transmission line application should be approved and on which route the line should be constructed. The PUC values input from landowners and encourages you to participate in this process by intervening in the docket.

PUC Transmission Line Case

Texas law provides that most utilities must file an application with the PUC to obtain or amend a Certificate of Convenience and Necessity (CCN) in order to build a new transmission line in Texas. The law requires the PUC to consider a number of factors in deciding whether to approve a proposed new transmission line.

The PUC may approve an application to obtain or amend a CCN for a transmission line after considering the following factors:

- Adequacy of existing service;
- Need for additional service;
- The effect of approving the application on the applicant and any utility serving the proximate area;
- Whether the route utilizes existing compatible rights-of-way, including the use of vacant positions on existing multiple-circuit transmission lines;
- Whether the route parallels existing compatible rights-of-way;
- Whether the route parallels property lines or other natural or cultural features;
- Whether the route conforms with the policy of prudent avoidance (which is defined as the limiting of exposures to electric and magnetic fields that can be avoided with reasonable investments of money and effort); and
- Other factors such as community values, recreational and park areas, historical and aesthetic values, environmental integrity, and the probable improvement of service or lowering of cost to consumers in the area.

If the PUC decides an application should be approved, it will grant to the applicant a CCN or CCN amendment to allow for the construction and operation of the new transmission line.

Application to Obtain or Amend a CCN:

An application to obtain or amend a CCN describes the proposed line and includes a statement from the applicant describing the need for the line and the impact of building it. In addition to the routes proposed by the applicant in its application, the possibility exists that additional routes may be developed, during the course of a CCN case, that could affect property in a different manner than the original routes proposed by the applicant.

The PUC conducts a case to evaluate the impact of the proposed line and to decide which route should be approved. Landowners who would be affected by a new line can:

- informally file a protest, or
- formally participate in the case as an intervenor.

Filing a Protest (informal comments):

If you do not wish to intervene and participate in a hearing in a CCN case, you may file **comments**. An individual or business or a group who files only comments for or against any aspect of the transmission line application is considered a "protestor."

Protestors make a written or verbal statement in support of or in opposition to the utility's application and give information to the PUC staff that they believe supports their position.

Protestors are *not* parties to the case, however, and do not have the right to:

- Obtain facts about the case from other parties;
- Receive notice of a hearing, or copies of testimony and other documents that are filed in the case;
- Receive notice of the time and place for negotiations;
- File testimony and/or cross-examine witnesses;
- Submit evidence at the hearing; or
- Appeal P.U.C. decisions to the courts.

If you want to make comments, you may either send written comments stating your position, or you may make a statement on the first day of the hearing. If you have not intervened, however, you will not be able to participate as a party in the hearing. Only parties may submit evidence and *the PUC must base its decision on the evidence*.

Intervening in a Case:

To become an intervenor, you must file a statement with the PUC, no later than the date specified in the notice letter sent to you with this brochure, requesting intervenor status (also referred to as a party). This statement should describe how the proposed transmission line would affect your property. Typically, intervention is granted only to directly affected landowners. However, any landowner may request to intervene and obtain a ruling on his or her specific fact situation and concerns. A sample form for intervention and the filing address are attached to this brochure, and may be used to make your filing. A letter requesting intervention may also be used in lieu of the sample form for intervention.

If you decide to intervene and become a party in a case, you will be required to follow certain procedural rules:

- You are required to timely respond to requests for information from other parties who seek information.
- If you file testimony, you must appear at a hearing to be cross-examined.
- If you file testimony or any letters or other documents in the case, you must send copies of the documents to every party in the case and you must file multiple copies with the PUC.
- If you intend to participate at the hearing and you do not file testimony, you must at least file a statement of position, which is a document that describes your position in the case.
- Failure to comply with these procedural rules may serve as grounds for you to be dismissed as an intervenor in the case.
- If you wish to participate in the proceedings it is very important to attend any prehearing conferences.

Intervenors may represent themselves or have an attorney to represent them in a CCN case. If you intervene in a case, you may want an attorney to help you understand the PUC's procedures and the laws and rules that the PUC applies in deciding whether to approve a transmission line. The PUC encourages landowners to intervene and become parties.

Stages of a CCN Case:

If there are persons who intervene in the case and oppose the approval of the line, the PUC may refer the case to an administrative law judge (ALJ) at the State Office of Administrative Hearings (SOAH) to conduct a hearing, or the Commission may elect to conduct a hearing itself. The hearing is a formal proceeding, much like a trial, in which testimony is presented. In the event the case is referred to SOAH, the ALJ makes a recommendation to the PUC on whether the application should be approved and where and how the line should be routed.

There are several stages of a CCN case:

- The ALJ holds a prehearing conference (usually in Austin) to set a schedule for the case.
- Parties to the case have the opportunity to conduct discovery; that is, obtain facts about the case from other parties.
- A hearing is held (usually in Austin), and parties have an opportunity to cross-examine the witnesses.
- Parties file written testimony before the date of the hearing. Parties that do not file written testimony or statements of position by the deadline established by the ALJ may not be allowed to participate in the hearing on the merits.
- Parties may file written briefs concerning the evidence presented at the hearing, but are not required to do so.
- In deciding where to locate the transmission line and other issues presented by the application, the ALJ and Commission rely on factual information submitted as evidence at the hearing by the parties in the case. In order to submit factual information as evidence (other than through cross-examination of other parties' witnesses), a party must have intervened in the docket and filed written testimony on or before the deadline set by the ALJ.
- The ALJ makes a recommendation, called a **proposal for decision**, to the Commission regarding the case. Parties who disagree with the ALJ's recommendation may file exceptions.
- The Commissioners discuss the case and decide whether to approve the application. The Commission may approve the ALJ's recommendation, approve it with specified changes, send the case back to the ALJ for further consideration, or deny the application. The written decision rendered by the Commission is called a **final order**. Parties who believe that the Commission's decision is in error may file motions for rehearing, asking the Commission to reconsider the decision.
- After the Commission rule on the motion for rehearing, parties have the right to appeal the decision to district court in Travis County.
-

Right to Use Private Property

The Commission is responsible for deciding whether to approve a CCN application for a proposed transmission line. If a transmission line route is approved that impacts your property, the electric utility must obtain the right from you to enter your property and to build, operate, and maintain the transmission line. This right is typically called an easement.

Utilities may buy easements through a negotiated agreement, but they also have the power of eminent domain (condemnation) under Texas law. Local courts, not the PUC, decide issues concerning easements for rights-of-way. The PUC does not determine the value of property.

The PUC final order in a transmission case normally requires a utility to take certain steps to minimize the impact of the new transmission line on landowners' property and on the environment. For example, the order normally requires steps to minimize the possibility of erosion during construction and maintenance activities.

HOW TO OBTAIN MORE INFORMATION

The PUC's online filings interchange on the PUC website provides free access to documents that are filed with the Commission in Central Records. The docket number, also called a control number on the PUC website, of a case is a key piece of information used in locating documents in the case. You may access the Interchange by visiting the PUC's website home page at www.puc.state.tx.us and navigate the website as follows:

- Select "Filings."
- Select "Filings Search."
- Select "Filings Search."
- Enter 5-digit Control (Docket) Number. *No other information is necessary.*
- Select "Search." *All of the filings in the docket will appear in order of date filed.*
- Scroll down to select desired filing.
- Click on a blue "Item" number at left.
- Click on a "Download" icon at left.

Documents may also be purchased from and filed in Central Records. For more information on how to purchase or file documents, call Central Records at the PUC at 512-936-7180.

PUC Substantive Rule 25.101, Certification Criteria, addresses transmission line CCNs and is available on the PUC's website, or you may obtain copies of PUC rules from Central Records.

Always include the docket number on all filings with the PUC. You can find the docket number on the enclosed formal notice. Send documents to the PUC at the following address.

Public Utility Commission of Texas
Central Records
Attn: Filing Clerk
1701 N. Congress Avenue
P.O. Box 13326
Austin, TX 78711-3326

The information contained within this brochure is not intended to provide a comprehensive guide to landowner rights and responsibilities in transmission line cases at the PUC. This brochure should neither be regarded as legal advice nor should it be a substitute for the PUC's rules. However, if you have questions about the process in transmission line cases, you may call the PUC's Legal Division at 512-936-7261. The PUC's Legal Division may help you understand the process in a transmission line case but cannot provide legal advice or represent you in a case. You may choose to hire an attorney to decide whether to intervene in a transmission line case, and an attorney may represent you if you choose to intervene.

Communicating with Decision-Makers

Do not contact the ALJ or the Commissioners by telephone or email. They are not allowed to discuss pending cases with you. They may make their recommendations and decisions only by relying on the evidence, written pleadings, and arguments that are presented in the case.

Comments in Docket No. _____

If you want to be a PROTESTOR only, please complete this form. Although public comments are not treated as evidence, they help inform the PUC and its staff of the public concerns and identify issues to be explored. The PUC welcomes such participation in its proceedings.

Mail this completed form and 10 copies to:

Public Utility Commission of Texas
Central Records
Attn: Filing Clerk
1701 N. Congress Ave.
P.O. Box 13326
Austin, TX 78711-3326

First Name: _____ Last Name: _____

Phone Number: _____ Fax Number: _____

Address, City, State: _____

I am NOT requesting to intervene in this proceeding. As a PROTESTOR, I understand the following:

- I am NOT a party to this case;
- My comments are not considered evidence in this case; and
- I have no further obligation to participate in the proceeding.

Please check one of the following:

- ☐ I own property with a habitable structure located near one or more of the utility's proposed routes for a transmission line.
- ☐ One or more of the utility's proposed routes would cross my property.
- ☐ Other. Please describe and provide comments. You may attach a separate page, if necessary. _____

Signature of person submitting comments:

_____ Date: _____

Request to Intervene in PUC Docket No. _____

The following information must be submitted by the person requesting to intervene in this proceeding. This completed form will be provided to all parties in this docket. **If you DO NOT want to be an intervenor, but still want to file comments, please complete the "Comments" page.**

Mail this completed form and 10 copies to:

Public Utility Commission of Texas
Central Records
Attn: Filing Clerk
1701 N. Congress Ave.
P.O. Box 13326
Austin, TX 78711-3326

First Name: _____ Last Name: _____

Phone Number: _____ Fax Number: _____

Address, City, State: _____

I am requesting to intervene in this proceeding. As an INTERVENOR, I understand the following:

- I am a party to the case;
- I am required to respond to all discovery requests from other parties in the case;
- If I file testimony, I may be cross-examined in the hearing;
- If I file any documents in the case, I will have to provide a copy of that document to every other party in the case; and
- I acknowledge that I am bound by the Procedural Rules of the Public Utility Commission of Texas (PUC) and the State Office of Administrative Hearings (SOAH).

Please check one of the following:

- ☐ I own property with a habitable structure located near one or more of the utility's proposed routes for a transmission line.
- ☐ One or more of the utility's proposed routes would cross my property.
- ☐ Other. Please describe and provide comments. You may attach a separate page, if necessary. _____

Signature of person requesting intervention:

_____ Date: _____



THE STATE OF TEXAS
LANDOWNER'S
BILL OF RIGHTS

PREPARED BY THE



OFFICE OF THE
ATTORNEY GENERAL OF TEXAS