



Control Number: 41606



Item Number: 1230

Addendum StartPage: 0

SOAH DOCKET NO. 473-13-5207
PUC DOCKET NO. 41606

2013 NOV 26 PM 2:57

APPLICATION OF ELECTRIC
TRANSMISSION TEXAS, LLC AND
SHARYLAND UTILITIES, L.P. TO
AMEND THEIR CERTIFICATES OF
CONVENIENCE AND NECESSITY FOR
THE PROPOSED NORTH EDINBURG
TO LOMA ALTA DOUBLE-CIRCUIT
345-KV TRANSMISSION LINE IN
HIDALGO AND CAMERON COUNTIES,
TEXAS

§
§
§
§
§
§
§
§
§
§

BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

REBUTTAL TESTIMONY OF TERESA B. TROTMAN
ON BEHALF OF ELECTRIC TRANSMISSION
TEXAS, LLC AND SHARYLAND UTILITIES, L.P.

NOVEMBER 26, 2013

TABLE OF CONTENTS

SECTION

PAGE

| | |
|---|------|
| Rebuttal Testimony of Teresa B. Trotman..... | 2-10 |
|---|------|

1230

**SOAH DOCKET NO. 473-13-5207
PUC DOCKET NO. 41606**

| | | |
|--------------------------------------|----------|--------------------------------|
| APPLICATION OF ELECTRIC | § | |
| TRANSMISSION TEXAS, LLC AND | § | |
| SHARYLAND UTILITIES, L.P. TO | § | BEFORE THE STATE OFFICE |
| AMEND THEIR CERTIFICATES OF | § | |
| CONVENIENCE AND NECESSITY | § | |
| FOR THE PROPOSED NORTH | § | OF |
| EDINBURG TO LOMA ALTA DOUBLE- | § | |
| CIRCUIT 345-KV TRANSMISSION | § | |
| LINE IN HIDALGO AND CAMERON | § | ADMINISTRATIVE HEARINGS |
| COUNTIES, TEXAS | § | |

REBUTTAL TESTIMONY

OF

TÉRESA B. TROTMAN

ON BEHALF OF

ELECTRIC TRANSMISSION TEXAS, LLC

AND

SHARYLAND UTILITIES, L.P.

NOVEMBER 26, 2013

TABLE OF CONTENTS

| <u>SUBJECT</u> | <u>PAGE</u> |
|---|--------------------|
| I. INTRODUCTION | 1 |
| II. PURPOSE OF TESTIMONY | 2 |
| III. HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY | 2 |
| IV. IRRIGATION DISTRICTS | 4 |
| V. INTERVENOR REQUESTED MODIFICATIONS IN HIDALGO COUNTY | 5 |
| VI. SUMMARY AND CONCLUSION | 7 |

I. INTRODUCTION

1 Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.

2 A. My name is Teresa B. Trotman. My business address is 1201 Elm Street, Suite 800,
3 Dallas, Texas 75270.

4 Q. BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?

5 A. I am employed by American Electric Power Service Company (AEPSC), a wholly-
6 owned subsidiary of American Electric Power Company, Inc. (AEP), as Manager of
7 Projects in the Transmission Services Department. AEPSC provides engineering,
8 construction and project management services to Electric Transmission Texas, LLC
9 (ETT) pursuant to its Services Agreement with ETT. ETT is a joint venture between
10 subsidiaries of AEP and MidAmerican Energy Holdings Company.

11 Q. ARE YOU THE SAME TERESA B. TROTMAN WHO PREVIOUSLY FILED
12 DIRECT TESTIMONY IN THIS PROCEEDING?

13 A. Yes, I am.

14 Q. WAS YOUR REBUTTAL TESTIMONY PREPARED BY YOU OR BY
15 KNOWLEDGEABLE PERSONS UNDER YOUR SUPERVISION AND UPON
16 WHOSE EXPERTISE, JUDGMENT AND OPINIONS YOU RELY IN
17 PERFORMING YOUR DUTIES?

18 A. Yes, it was.

1 Q. IS THE INFORMATION THAT IS CONTAINED IN YOUR REBUTTAL
2 TESTIMONY AND THAT YOU ARE SPONSORING TRUE AND CORRECT TO
3 THE BEST OF YOUR KNOWLEDGE AND BELIEF?

4 A. Yes, it is.

II. PURPOSE OF TESTIMONY

5 Q. WHAT IS THE PURPOSE OF THIS REBUTTAL TESTIMONY?

6 A. The purpose of this rebuttal testimony is to address 1) issues raised by irrigation
7 districts, 2) discussions with the Hidalgo County Regional Mobility Authority
8 (HCRMA), and 3) requests of Intervenors for modifications to various links in
9 Hidalgo County (the site of ETT's portion of the transmission project).

III. HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY

10 Q. WHAT ISSUES ARE RAISED BY MR. PILAR RODRIGUEZ ON BEHALF OF
11 THE HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY
12 CONCERNING ROUTE 3S?

13 A. Mr. Rodriguez states that the HCRMA is most concerned about the location of Link
14 169 because it would conflict with HCRMA's proposed International Bridge Trade
15 Corridor (IBTC) highway project planned in the vicinity of and on a portion of the
16 link. Mr. Rodriguez asserts that a portion of Link 169 would be within and parallel to
17 the IBTC right-of-way (ROW) between United States Highway 83 (US Hwy 83) on
18 the north and the Donna Reservoirs on the south. It is Joint Applicants'
19 understanding that HCRMA currently does not possess the ROW for the proposed
20 IBTC highway project.

1 Q. IS IT YOUR UNDERSTANDING THAT THE HCRMA HAS THE AUTHORITY
2 TO ORDER JOINT APPLICANTS TO RELOCATE TRANSMISSION
3 FACILITIES IF REQUIRED FOR HIGHWAY IMPROVEMENTS?

4 A. Yes. Although I am not an attorney, I understand that the HCRMA does have that
5 authority under Section 203.092 of the Texas Transportation Code.

6 Q. HAVE JOINT APPLICANTS DISCUSSED THIS SITUATION WITH THE
7 HCRMA TO TRY TO WORK OUT A SATISFACTORY ARRANGEMENT?

8 A. Yes, an ETT representative met with HCRMA personnel to try to resolve HCRMA's
9 concerns with the routing of a portion of Link 169. HCRMA and ETT have agreed to
10 cooperate with each other regarding the alignment of Link 169 at its intersection with
11 US Hwy 83 south to where the link turns to the east a short distance north of the
12 Donna Reservoirs where the ITBC project is planned. The intent is that the
13 transmission line route on this portion of Link 169 would be modified and placed on a
14 ROW easement granted by HCRMA to ETT within property purchased by HCRMA
15 and utilized for the construction of the IBTC highway project. According to
16 HCRMA, the agency has the funding and the authority necessary to purchase the
17 needed properties for the IBTC project and such purchases will be carried out prior to
18 the Joint Applicants' transmission line construction along the pertinent area of
19 Link 169.

20 Q. DO THE JOINT APPLICANTS HAVE PROPOSED LANGUAGE THAT IS
21 RECOMMENDED TO BE INCLUDED IN THE FINAL ORDER THAT
22 ADDRESSES THIS SITUATION?

1 A. Yes, and it centers on the recognition that (1) the HCRMA has the statutory authority
2 to require Joint Applicants to relocate the transmission facilities if required for a
3 highway improvement, and (2) any newly affected landowners who have not received
4 notice would be entitled to notice before the project is routed on their property. Joint
5 Applicants propose that the following language be included in the final order in this
6 case if the Commission approves a route that utilizes Link 169: "ETT shall construct
7 the project on Link 169 on the alignment as filed in the Joint CCN Application,
8 subject to the following condition: If the HCRMA purchases the land in fee simple
9 along the Link 169 alignment by March 31, 2015, and grants ETT an easement on
10 HCRMA property, then ETT is authorized to locate the transmission line within that
11 easement."

IV. IRRIGATION DISTRICTS

12 Q. HOW DO YOU RESPOND TO THE IRRIGATION DISTRICTS THAT HAVE
13 RAISED CONCERNS RELATING TO THE PROPOSED LINE'S POTENTIAL TO
14 INTERFERE WITH THE OPERATIONS AND MAINTENANCE OF
15 IRRIGATION FACILITIES?

16 A. Joint Applicants are committed to use best management practices to prevent
17 interference with the operation and maintenance of irrigation facilities. The Joint
18 Applicants have been and will continue to work with the various irrigation districts to
19 ensure that the Project does not unreasonably interfere with the operation and
20 maintenance of the irrigation districts' facilities. Joint Applicants agree to use their
21 best efforts to not encroach on any irrigation district property (either in fee simple or
22 in easement) containing a canal and/or pipeline. In addition, Joint Applicants agree to

1 maximize the height of the conductors where the transmission line crosses a canal
2 and/or pipeline, to the extent practicable, by either modifying structure design or
3 placement near the edge of canals or pipeline easements.

V. INTERVENOR REQUESTED MODIFICATIONS IN HIDALGO COUNTY

4 Q. HAVE YOU REVIEWED THE JOINT STIPULATION OF AGREED AND
5 SUPPORTING PARTIES FILED IN THIS DOCKET ON NOVEMBER 22, 2013?

6 A. Yes, I have. Among other things, that Stipulation requests several modifications to
7 various proposed links that, if made, would result in the affected landowner(s) not
8 opposing the use of that link. Specifically, the requested modifications in Hidalgo
9 County are:

- 10 • Rhodes, et al. proposes to locate Link 147 as far north as possible on their
11 property;
- 12 • G and M Real Estate Co., Durango Development, Inc., and Anthony E. Gray
13 propose to move Link 193(c) to the northern boundary lines of their property
14 along the IBWC drainage ditch;
- 15 • Jimmie and Barbara Steidinger propose to route Links 152 and 155 as far west as
16 possible on their property;

- ADS Donna Groves, LLC and TVD Donna Groves, LLC propose to route Link 155 west and north of their property.

Q. ARE THESE MODIFICATIONS REASONABLE?

A. Some are, and some are not.

- **Rhodes et al.**'s proposed modification to Link 147 is reasonable though it appears unnecessary because Link 147 is already located as far north as possible without encroaching on the easement or property of the irrigation/drainage district.
- **G and M Real Estate Co., Durango Development, Inc., and Anthony E. Gray's** proposed modification is reasonable though it appears unnecessary because Link 193c is already located as far north as possible without encroaching on the easement or property of the irrigation/drainage district.
- **Jimmie and Barbara Steidinger's** proposed modification is feasible. Joint Applicants can adjust the easement to adjoin the property line and/or irrigation drainage easement.
- **ADS Donna Groves, LLC and TVC Donna Groves, LLC's** proposed modification is not reasonable, assuming it is the modification identified in Exhibit B-1 of their testimony. That modification is not reasonable because it would (1) place the line in Goolie Road; (2) place the line on property ID 206874, which is owned by the United States of America; and (3) cause the line to be located within 500 feet of approximately 28 habitable structures whose owners did not receive notice of the application, but would have been entitled to notice with a link in the suggested location. The modification cannot be located in

1 Goolie Road. At this time in the process, a modification that places the link on
2 property ID 206874 would require the consent of the property owner, the United
3 States government, and a waiver of notice from the owners of the habitable
4 structures within 500 feet of the alignment.

VI. SUMMARY AND CONCLUSION

5 Q. PLEASE SUMMARIZE YOUR TESTIMONY.

6 A. Joint Applicants agree to cooperate with the HCRMA to coordinate with future road
7 projects in the areas where the transmission line project is ultimately certificated.
8 Joint Applicants agree to continue to work with irrigation and drainage districts to
9 minimize potential impacts on the operation and maintenance of the district facilities.
10 Joint Applicants agree to continue to work with affected landowners to implement
11 modifications where reasonable.

12 Q. DOES THIS CONCLUDE YOUR REBUTTAL TESTIMONY?

13 A. Yes.