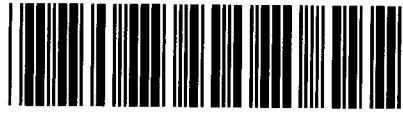


Control Number: 41606



Item Number: 234

Addendum StartPage: 0

See - color copy of Blk 79 on map &
2012 Tax Statement.
SugarCane growing on block

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

2013 AUG -7 PM 2:52

JOINT 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

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BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

**JOINT APPLICANTS' OBJECTION TO JUDITH BOSHELL'S
REQUEST TO INTERVENE**

On August 2, 2013, Judith Boshell filed a Request to Intervene in this docket. Under Order No. 2, the deadline for filing an objection is August 7, 2013. Accordingly, this Objection is timely filed.

Pursuant to P.U.C. PROC. R. 22.103(b), absent a right to participate expressly conferred by statute, a party must show that it has a "justiciable interest" which may be adversely affected by the outcome of the proceeding. A justiciable interest is "akin to standing to maintain suit," which consists of some interest peculiar to the person individually.¹ "Such an interest may be a legal right, namely a property right, belonging to the plaintiff or intervenor."² "To allow any person who is merely interested in a CCN application to intervene would be an untenable standard[.]"³ Instead, the intervenor must demonstrate actual or probable harm.⁴ Ms. Boshell's claimed basis for intervention is that her property is crossed by the proposed line.⁵ As set forth below, Joint Applicants do not believe that Ms. Boshell's property is crossed by the proposed line, and therefore she has not demonstrated a justiciable interest in this proceeding.

¹ Application of AEP Texas Central Company to Amend a Certificate of Convenience and Necessity for a 345-kV Double Circuit Transmission Line in Kenedy County, Texas, Docket No. 34298, Order Denying Appeal of Order No. 5 at 2-3 (Oct. 29, 2009).

² *Id.*

³ *Id.* at 3.

⁴ See *id.*

⁵ Judith Boshell's Request to Intervene (Aug. 2, 2013).

2013 AUG -9 AM 10:44

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220
234

In accordance with P.U.C. PROC. R. 22.52, Electric Transmission Texas, LLC (ETT) and Sharyland Utilities, L.P. (Sharyland) (collectively, Joint Applicants) used current county tax rolls for Hidalgo and Cameron counties to identify landowners that are potentially directly affected by the proposed transmission line project. Those tax records do not indicate that Ms. Boshell owns property that may be affected by any of the proposed routes and, therefore, Joint Applicants did not provide direct mail notice to Ms. Boshell.

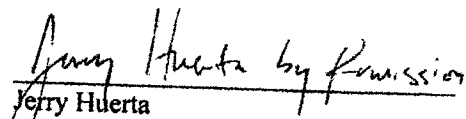
Joint Applicants have discussed this matter with Ms. Boshell. According to Ms. Boshell, Mr. Jimmie Steidinger, a relative who manages her property in Hidalgo County (and who is also an intervenor), sent her a copy of a notice letter he received on the belief that the proposed transmission project crossed her land. Based on a review of the tax records, however, Joint Applicants believe that Ms. Boshell's property likely is not directly affected by the transmission project in this proceeding.

According to the County Appraisal District, Ms. Boshell does own two properties in Hidalgo County: ID 192871⁶ and ID 207029 (see Attachment A at 1). Though Joint Applicants cannot confirm the precise location of ID 207029 because it is not shown on the Appraisal District Maps, Joint Applicants' records indicate that one or more of the alternative routes for the transmission line crosses property ID 207030, a 21-acre citrus orchard owned by Paramount Citrus II, LLC (formerly owned by Healds Valley Farms Inc) (see Attachment A at 2-4). Based on a comparison of the legal descriptions, this citrus orchard may be near property ID 207029, 17.7 acres of farm land owned by Ms. Boshell (see Attachment A at 5-7). A comparison of these two tax records show that while these properties were once under common ownership by Ms. Boshell's family, these two properties now have different legal descriptions, acreages, values, reported uses, and chains of ownership (compare Attachment A at 2-4 with Attachment A at 5-7). Finally, an Appraisal District map of the properties adjacent to the citrus orchard (property ID 207030) does not show Ms. Boshell's farm land (property ID 207029), and thus Joint Applicants cannot confirm that it is crossed by the proposed project (see Attachment A at 8). Absent additional evidence from Ms. Boshell, she does not appear to have standing to intervene in this proceeding.

⁶ Property ID 192871 is located approximately two miles from the nearest proposed link and is not at issue in Ms. Boshell's request to intervene.

Joint Applicants are still working with Ms. Boshell and Mr. Steidinger to confirm these facts. But based on this information, as of the deadline to object to her intervention, Joint Applicants believe that Ms. Boshell has not demonstrated a justiciable interest and standing to intervene in this docket. Joint Applicants therefore respectfully request that their Objection to Judith Boshell's Request to Intervene be granted and for such other and further relief as they might show themselves to be justly entitled.

Respectfully submitted



Jerry Huerta

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August 7, 2013


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Attorneys for
Sharyland Utilities, L.P.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served on all parties of record
this 7th day of August, 2013 by first-class mail or facsimile.



Sarah Merrick

2012 CONSOLIDATED PROPERTY TAX STATEMENT



TAXES ARE DUE UPON RECEIPT. TAXES WILL BECOME DELINQUENT ON FEBRUARY 1, 2013
PENALTY AND INTEREST WILL BE ADDED MONTHLY BEGINNING FEBRUARY 1, 2013

The jurisdictions listed below have consolidated their tax collections for 2012. Please refer questions to the Hidalgo County Tax Office by telephone at (956) 318-2157 or by mail at PO Box 178, Edinburg, Texas 78540-0178
Armando Barrera Jr., RTA, Tax Assessor/Collector, Hidalgo County, Texas



ACCOUNT NUMBER: L0450-00-079-0000-00

LOAN #

FIDO #

DATE OF NOTICE: November 1, 2012

HCAD Number: 207029

LEGAL DESCRIPTION:

OWNER NAME AND ADDRESS:

BOSHELL JUDITH B & LINDA B SIMS
10955 CARRISSA TRL
ALPHARETTA GA 30022-3804

LA BLANCA "B" BLK EXC E76

MILE 12 1/2 N

ACREAGE: 17.7000

Paid 11-9-12
OK H 1993

APPRaisal ASSESSMENT AND EXEMPTIONS	Tax Unit	UDI	Property Class	Land	AG/Other	Improvement	Personal Property And Minerals	Total Appraised Value	100% Assessed Value	Exemptions
			Qualifying							
			Non-Qualifying							Open Space 1-d-1
			AG/Other	\$168,150	\$7,381			\$168,150	\$168,150	
			TOTAL	\$168,150	\$7,381			\$168,150	\$168,150	
			HS Cap Value							
			Exemption Codes							
			Exempt Amount							
			Taxable Value							
			Tax Rate Per \$100							
			FRZ Flag							
			Tax Levy							
			Total Amount Due If Paid in Month-Year							
1	0		OSP		\$160,769	\$7,381	.59000000	\$43.55	Oct-2012 +00%	\$158.64
2	0		OSP		\$160,769	\$7,381	.07500000	\$5.54	Nov-2012 +00%	\$158.64
6	0		OSP		\$160,769	\$7,381	.02620000	\$1.93	Dec-2012 +00%	\$158.64
54	0		OSP		\$160,769	\$7,381	.04920000	\$3.63	Jan-2013 +00%	\$158.64
55	0		OSP		\$160,769	\$7,381	.15070000	\$11.12	Feb-2013 +07%	\$169.75
56	0		OSP		\$160,769	\$7,381	1.2582000	\$92.87	Mar-2013 +09%	\$172.92
									Apr-2013 +11%	\$176.09
									May-2013 +13%	\$179.26
									Jun-2013 +15%	\$182.43

Total Tax Due By January 31, 2013 is

\$158.64

ISD Rate: 2011 M&O 1.1700000 I&S .08820000 TOTAL 1.2582000

Prior Year Taxes Due on November 1, 2012:

\$5.00

ISD Rate: 2012 M&O 1.1700000 I&S .08820000 TOTAL 1.2582000

- Please examine the assessed value and exemptions granted on this bill. If you believe there is an error in the value or exemptions, you may contact the Hidalgo County Appraisal District at (956) 381-8466
- If these taxes should be paid by your mortgage company, please forward this bill to them for payment.
- Please visit our website to pay online or to inquire on your property information at www.hidalgocountytax.org
- Pursuant to Sec 33.11, Texas Property Tax Code, all personal property delinquent on April 1 may be subject to an additional early penalty

JURISDICTIONS:

1 HIDALGO CO

54 S TEXAS ISD

2 DRAIN DIST 1

55 SO TX COLL

6 EMER SERV +

56 DONNA ISD

EXEMPTIONS:

OSP OPEN SPACE 1-D-1

5 YEAR HISTORY: (As per section 31.01(c-1) of the Texas Property Tax Code) NOTE: Blanks means no data is available.

YEAR	1	2	3	4	5	6
2012	APPRaised \$168,150	\$168,150	\$168,150	\$168,150	\$168,150	\$168,150
5th Yr	% DIFF 200.27	200.27	200.27	200.27	200.27	200.27
	TAX VALUE \$7,381	\$7,381	\$7,381	\$7,381	\$7,381	\$7,381
5th Yr	% DIFF -7.51	-7.51	-7.51	-7.51	-7.51	-7.51
	TAX RATE .59000000	.07500000	.02620000	.04920000	.15070000	1.25820000
5th Yr	% DIFF .08000000	\$2.440000	14.910000	.08000000	-2.140000	4.85000000
	LEVY \$43.55	\$5.54	\$1.93	\$3.63	\$11.12	\$92.87
5th Yr	% DIFF -7.59	40.97	6.04	-7.63	-9.52	-3.02
2011	TAX VALUE \$7,098	\$7,098	\$7,098	\$7,098	\$7,098	\$7,098
	TAX RATE .59000000	.07500000	.02620000	.04920000	.15070000	1.25820000
	LEVY \$41.88	\$5.20	\$1.74	\$3.49	\$10.70	\$89.31
	% DIFF 3.99	6.54	10.92	4.01	3.93	3.99
2010	TAX VALUE \$7,151	\$7,151	\$7,151	\$7,151	\$7,151	\$7,151
	TAX RATE .59000000	.07250000	.02450000	.04920000	.14970000	1.25820000
	LEVY \$42.19	\$5.18	\$1.75	\$3.52	\$10.71	\$89.97
	% DIFF -14.66	-14.80	-12.94	-14.56	-14.25	-8.83
2009	TAX VALUE \$8,380	\$8,380	\$8,380	\$8,380	\$8,380	\$8,380
	TAX RATE .59000000	.07500000	.02400000	.04920000	.14910000	1.17790000
	LEVY \$49.44	\$6.08	\$2.01	\$4.12	\$12.49	\$98.71
	% DIFF .00	3.58	9.84	.00	-4.8	-1.84
2008	TAX VALUE \$8,380	\$8,380	\$8,380	\$8,380	\$8,380	\$8,380
	TAX RATE .59000000	.07000000	.02180000	.04920000	.14980000	1.20000000
	LEVY \$49.44	\$5.87	\$1.83	\$4.12	\$12.55	\$100.56
	% DIFF -5.01	49.36	.55	4.83	2.12	5.01
2007	TAX VALUE \$7,980	\$7,980	\$7,980	\$7,980	\$7,980	\$7,980
	TAX RATE .59000000	.04920000	.02240000	.04920000	.15400000	1.20000000
	LEVY \$47.08	\$3.93	\$1.82	\$3.93	\$12.29	\$95.76

PLEASE PUT YOUR ACCOUNT NUMBER ON ALL CORRESPONDENCE

☐ CHECK HERE FOR CHANGE OF ADDRESS
CHANGE OF ADDRESS FORM ON BACK

October 2012	November 2012	December 2012	January 2013	Account Number:
\$158.64	\$158.64	\$158.64	\$158.64	L0450-00-079-0000-00
February 2013	March 2013	HCAD Number:	AMOUNT PAID:	
\$169.75	\$172.92	207029		

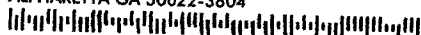
PAY TO:

ARMANDO BARRERA JR, RTA
HIDALGO COUNTY TEXAS
PO BOX 178
EDINBURG TX 78540-0178

11873



BOSHELL JUDITH B & LINDA B SIMS
10955 CARRISSA TRL
ALPHARETTA GA 30022-3804



00002070290000015864

