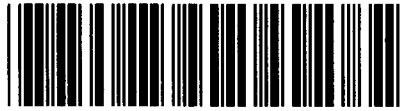




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SOAH DOCKET NO. 473-13-5207
PUC DOCKET NO. 41606

2013 AUG 15 PM 2:39

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

**JOINT APPLICANTS' OBJECTION TO TIM REID'S
REQUEST TO INTERVENE**

NOW COMES Electric Transmission Texas, LLC (ETT) and Sharyland Utilities, L.P. (Sharyland) (collectively, the Joint Applicants) and file this Objection to the Tim Reid's Request to Intervene and would show as follows:

On August 12, 2013, Tim Reid filed a Request to Intervene in this docket. The deadline for filing an objection, pursuant to Order No. 2, is August 15, 2013. Accordingly, this Objection is timely submitted.

Pursuant to PUC 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 Mr. Reid's claimed basis for intervention is that his property is crossed by the proposed line.⁵ As set forth

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 Tim Reid's Request to Intervene (Aug. 12, 2013).

below, Joint Applicants are unable to determine that Mr. Reid's property is crossed by any of the proposed routes, and therefore he has not demonstrated a justiciable interest in this proceeding.

Mr. Reid provides in his Request to Intervene that one or more of the utility's proposed routes would cross his property. Mr. Reid does not provide any further detail to explain which proposed route or proposed routing link would cross his property or where his property is located. The Joint Applicants are in the process of attempting to contact Mr. Reid in an effort to determine the location of his property, but to date have not reached him prior to the filing of this Objection. Accordingly, the Joint Applicants file this Objection to preserve their rights under Order No. 2.

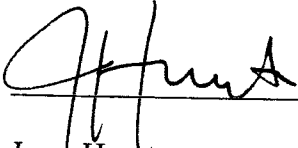
In accordance with the Public Utility Commission's Procedural Rule 22.52 regarding notice in licensing proceedings, the Joint Applicants utilized the current county tax rolls of Hidalgo and Cameron counties to identify landowners that are potentially directly affected by the proposed transmission line project. Those tax records do not indicate that Mr. Reid owns property that may be affected by any of the proposed routes and therefore the Joint Applicants did not provide direct mail notice to Mr. Reid as per the requirements of PUC PROC. R. 22.52. A review of the Hidalgo and Cameron County tax records shows that Mr. Reid owns one property in Hidalgo County, but that property is not directly affected by any of the proposed routes. Further, Mr. Reid has not identified in his Request to Intervene the location of the property that he alleges is crossed by one or more of the Joint Applicants' proposed routes. Absent such information, the Joint Applicants are unable determine the property Mr. Reid states would be impacted by a proposed route or routes.

Joint Applicants are attempting to confirm this information with Mr. Reid, but as of the deadline to object to his invention, Joint Applicants' believe that Mr. Reid has not demonstrated a justiciable interest and standing to intervene in this docket.

WHEREFORE, PREMISES CONSIDERED, the Joint Applicants respectfully request that their Objection to Tim Reid's Request to Intervene be granted and for such other and further relief as they might show themselves to be justly entitled.

Dated: August 15, 2013

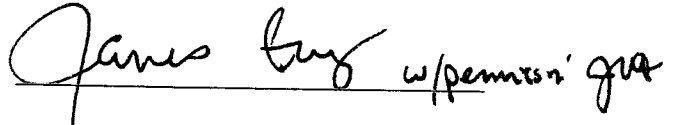
Respectfully submitted,



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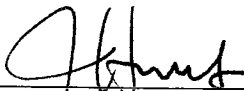


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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on all parties of record this 12th day of August, 2013.



Jerry Huerta