



Control Number: 41606



Item Number: 981

Addendum StartPage: 0

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

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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

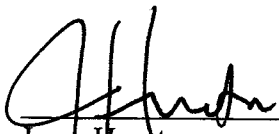
ADMINISTRATIVE HEARINGS

**ELECTRIC TRANSMISSION TEXAS, LLC AND SHARYLAND UTILITIES, L.P.'S
RESPONSE TO MIL ENCINOS DEVELOPMENT LTD. AND G. E. BELL
PROPERTIES LTD.'S SECOND REQUEST FOR INFORMATION**

Electric Transmission Texas, LLC and Sharyland Utilities, L.P. (ETT/Sharyland) file this response to Mil Encinos Development Ltd. and G. E. Bell Properties Ltd.'s (Mil Encinos/Bell) Second Request for Information (RFI) to ETT/Sharyland. ETT/Sharyland received Mil Encinos/Bell's Second RFI on September 11, 2013. Pursuant to SOAH Order No. 1, ETT/Sharyland's response to Mil Encinos/Bell's Second RFI is due on September 23, 2013. This response is therefore timely filed. All parties may treat these answers as if they were filed under oath.

ETT/Sharyland reserve the right to object at the time of the hearing to the admissibility of information produced herein.

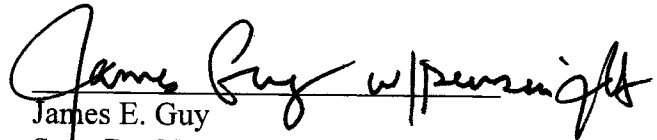
981



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September 23, 2013

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

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	§ § § § § § § § § §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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**ELECTRIC TRANSMISSION TEXAS, LLC AND SHARYLAND UTILITIES, L.P.'S
RESPONSE TO MIL ENCINOS DEVELOPMENT LTD. AND G.E. BELL
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Question No. Mil Encinos/Bell RFI 2-1:

Please refer to Applicants' Response No. Mil Encinos/Bell 1-2. Please provide any and all information in the possession of joint Applicants, as of the date Link 56 was designated, reflecting the existence of an "active gravel mining operation" on Property ID Nos. 101845 and 101846.

Response No. Mil Encinos/Bell RFI 2-1:

Based on available aerial imagery as shown on Mil Encinos/Bell RFI 2-1 Attachment 1, the land use of the northern portions of Property ID Nos. 101845 and 101846 appears to be the same land use as the properties to the east.

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Randal Roper

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Title: Regulatory Case Manager, AEPSC

Sponsored By: Rob Reid
Barrett A. Thomas

Title: Sr. Project Manager/Vice President,
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Title: Transmission Line Project Engineer,
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TRANSMISSION TEXAS, LLC AND	§	BEFORE THE STATE OFFICE
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FOR THE PROPOSED NORTH	§	
EDINBURG TO LOMA ALTA	§	
DOUBLE-CIRCUIT 345-KV	§	ADMINISTRATIVE HEARINGS
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AND CAMERON COUNTIES, TEXAS	§	

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Question No. Mil Encinos/Bell RFI 2-2:

Please explain whether Applicants' typical easement for a right- of-way width of 150 feet (ROW) allows or is intended to allow mining operations within or adjacent to the ROW.

Response No. Mil Encinos/Bell RFI 2-2:

If either Applicant were to construct this 345 kV project on a property where mining operations were occurring or could occur, then the easement would have restrictions prohibiting mining operations within the right-of-way. However, this being a critical 345 kV transmission line attempts have been made by Joint Applicants to route the transmission line where the potential of encroachment from mining operations and its potential impacts on the reliable operation of the transmission line would be minimized.

Prepared By: Randal Roper

Title: Regulatory Case Manager, AEPSC

Sponsored By: Teresa B. Trotman

Title: Manager of Projects, AEPSC

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Question No. Mil Encinos/Bell RFI 2-3:

Please provide any and all information in the possession of joint Applicants, as of the date Link 56 was designated, indicating how placing new transmission structures and transmission lines on Property ID Nos. 101845 and 101846 could unduly interfere with the existing mining operations on such properties.

Response No. Mil Encinos/Bell RFI 2-3:

As shown on Mil Encino/Bell RFI 2-3 Attachment 1 the concern of Joint Applicants is not the impact with the existing mining operations, the concern is the expansion of the mining operation on the properties identified on Attachment 1 to the reliable operation of a new critical 345 kV transmission line. Excavation of ground material as shown on Mil Encino/Bell RFI 2-3 Attachment 2 and Attachment 3 along Iowa Road can be extensive and removal of large amounts of soil adjacent to a large transmission structure can increase the potential of structural issues.

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 Teresa B. Trotman
 Barrett A. Thomas

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 POWER Engineers
Title: Manager of Projects, AEPSC
Title: Transmission Line Project Engineer,
 AEPSC

enlay

Iowa Road



Exit Street View

SOAH Dock
PUC Dock

MI Encino/Bell's 2nd Q. # MI Encinos/Bell's 2nd Q.

Depth of
excavation is
shown at this
mining location.

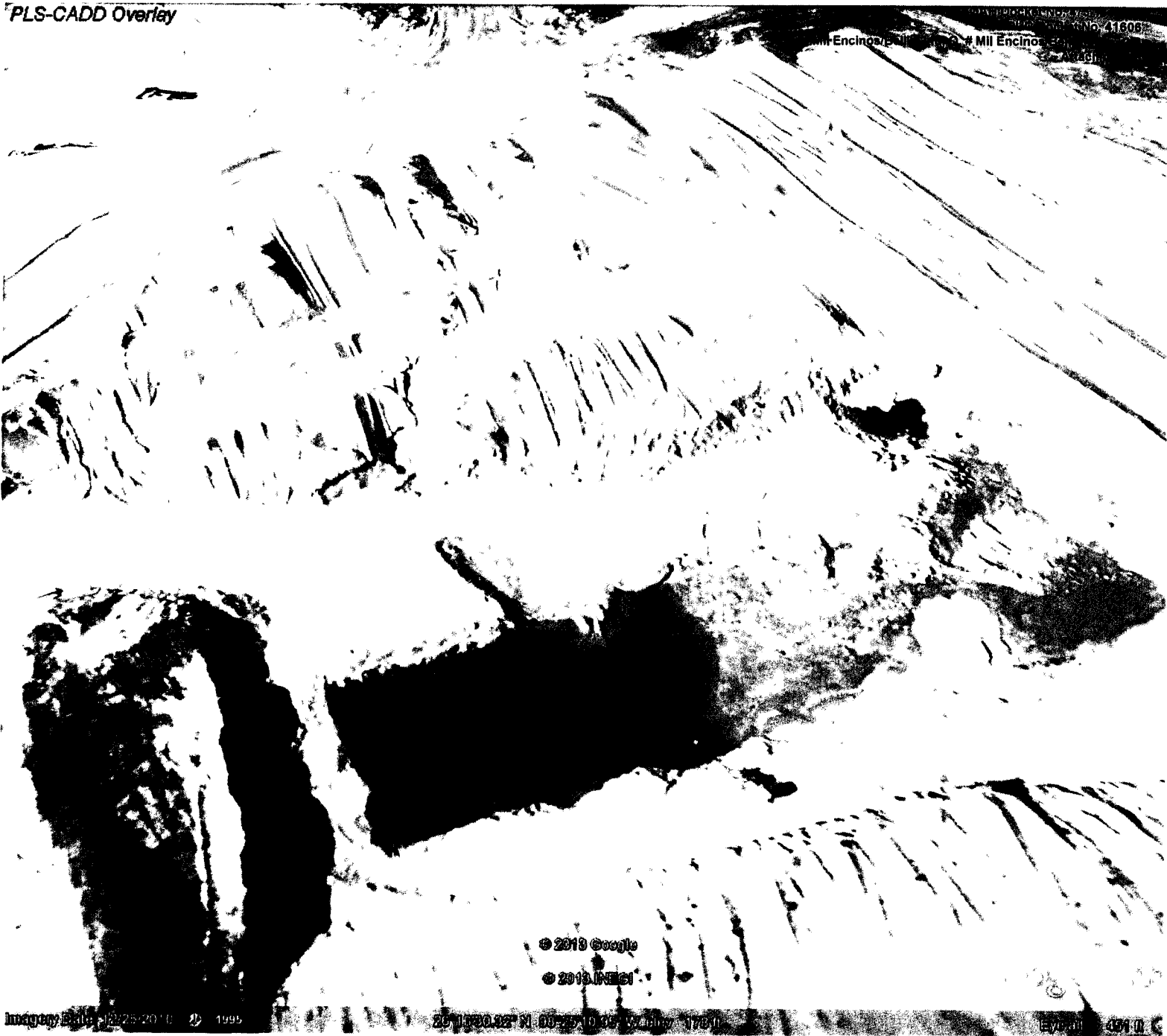
© 2013 Google
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Google earth

26 16'29.80" N 98 25'11.73" W elev. 269 ft

Eye alt. 277 ft

PLS-CADD Overlay



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Question No. Mil Encinos/Bell RFI 2-4:

Please explain the basis for Applicants' knowledge of mining operations on Property ID Nos. 101845 and 101846 and the heavy equipment used by the operator of the mine on Property ID Nos. 101845 and 101846.

Response No. Mil Encinos/Bell RFI 2-4:

Review of the aerials for this area show the mining operation and the heavy equipment involved. Provided as Mil Encinos/Bell RFI 2-4 Attachment 1 is an aerial of the mining operation along Iowa Road showing the heavy equipment at this mining operation. Also, provided as Mil Encinos/Bell RFI 2-4 Attachment 2 and 3 are pictures of some of the heavy equipment in use at this mining operation.

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Title: Regulatory Case Manager, AEPSC

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Title: Manager of Projects, AEPSC
Title: Transmission Line Project Engineer,
AEPSC

PLS-CADD Overlay

SOUTH Docket No. 47613-0007
PUC Docket No. 41608
Mil Encinos/Bell Road, Q. # Mil Encinos/Bell RFI No. 2-4
Attachment 1





PLS-CADD Overlay

Town Road



Exit Street View

SOAH Docket No. 17-3-19-3207

PUC Docket No. 41808

MII Encinos/Bell's 2nd Q. # MII Encinos/Bell's 2nd Q. Attachment 3

Attachment 3

© 2013 Google

© 2013 INPS

© 2013 Google

Google earth

26°16'27.00"N, 96°25'12.29"W elev: 213 ft

Eye alt: 115 ft

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Question No. Mil Encinos/Bell RFI 2-5:

Regarding mining operations on Property ID Nos. 101845 and 101846, please provide any and all information in the possession of joint Applicants concerning the expansion of mining operations to the west.

Response No. Mil Encinos/Bell RFI 2-5:

Please refer to Mil Encinos/Bell RFI 2-5 Attachment 1, which shows the area of the active mining operation. Both of the properties mentioned in this question clearly show mining activity. Based on the extent of the mining activity shown on the other properties adjacent to these two properties the operator of the mining activities has attempted to use as much of the property as possible.

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Title: Project Manager, POWER Engineers
Title: Regulatory Case Manager, AEPSC

Sponsored By: Rob Reid
Teresa B. Trotman

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POWER Engineers
Title: Manager of Projects, AEPSC



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Question No. Mil Encinos/Bell RFI 2-6:

Please refer to Section 2.6.1.1 (Geologic Hazards) at Page 2-40 of the EA. Please provide Applicants' evaluations and reviews, if any, of the geologic hazards associated with Property Nos. 101845 and 101846.

Response No. Mil Encinos/Bell RFI 2-6:

Gravel and rock mines are a hazard to the construction, safe operation, and reliability of electric transmission lines. A property specific geologic study has not been conducted for Property Nos. 101845 and 101846.

Prepared By: Anastacia Santos

Title: Project Manager, POWER Engineers

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Title: Sr. Project Manager/Vice President,
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Question No. Mil Encinos/Bell RFI 2-7:

Please refer to Applicants' Response No. Mil Encinos/Bell 1-2. In light of Applicants' expressed concern relative to locating new transmission structures and transmission lines onto a property with an active gravel mining operation, please explain why north of the intersection of Gravel Caliche Road, Water Canal Road, and Volcano Avenue Link 56 is routed on Property ID Nos. 101845 and 101846 rather than along the edges of Property ID Nos. 194387, 194391, and 639691.

Response No. Mil Encinos/Bell RFI 2-7:

Link 56 is routed on Property ID Nos. 101845 and 101846 rather than along the edges of Property ID Nos. 194387, 194391, and 639691 because there are several habitable structures identified north of the intersection of Gravel Caliche Road, Water Canal Road, and Volcano Avenue west of Link 56. In addition, as stated in Mil Encinos/Bell RFI Response 1-5, if Link 56 were placed on Property ID Nos. 101845 and 101846, there would be an additional 2,286 feet of upland woodlands that would need to be cleared.

Prepared By: Anastacia Santos

Title: Project Manager, POWER Engineers

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**ELECTRIC TRANSMISSION TEXAS, LLC AND SHARYLAND UTILITIES, L.P.'S
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Question No. Mil Encinos/Bell RFI 2-8:

Please confirm that if Link 56 were rerouted along the western property lines of Property ID Nos. 101845 and 101846, the link would not be directly on or in mining operations. If Applicants' are unable to confirm this, please explain why.

Response No. Mil Encinos/Bell RFI 2-8:

Joint Applicants cannot confirm that if Link 56 were rerouted, it would not be located on a mined area. Based on the aerial imagery, south of Volcano Road the buffer between the mined area and the property boundary is less than 100 feet in some areas, which in some areas would place the structures within 10-20 feet of the mined area.

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Title: Project Manager, POWER Engineers

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Barrett A. Thomas

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Question No. Mil Encinos/Bell RFI 2-9:

Please provide a copy of each Applicant's standard form of ROW agreement expected to be used for the new transmission lines and transmission structures in this proceeding.

Response No. Mil Encinos/Bell RFI 2-9:

Please see Joint Applicants' response to PM Texas, LLC and Valley Race Park LLC VRP 1-1 and VRP 1 -2 and first supplemental response to PM Texas, LLC and Valley Race Park LLC VRP 1-2.

Prepared By: Randy Roper
Mark Caskey

Title: Case Manager, AEPSC
Title: President, Sharyland Utilities, L.P.

Sponsored By: Teresa Trotman
Mark Caskey

Title: Manager of Projects, AEPSC
Title: President, Sharyland Utilities, L.P.

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Question No. Mil Encinos/Bell RFI 2-10:

Please refer to Applicants' Response No. Mil Encinos/Bell 1-3. Other than Links 56 and 60, what other proposed links provide reasonable north-to-south options within the western portion of the study area.

Response No. Mil Encinos/Bell RFI 2-10:

The following link combinations provide feasible north-to-south options:

- Links 52, 55, 56, 344, 60, 63, 67a, 67b, 70
- Links 48, 54, 56, 347, 61, 342, 72, 73, 75, 79
- Links 35, 36, 37, 38, 40, 28, 41a, 41b, 57, 59, 61, 342, 71a, 71b, 75, 78, 81
- Links 25, 23, 24, 28, 41a, 353, 62b, 85a, 85c

There are additional reasonable north-to-south link configurations similar to those above which could use several short alternative links (e.g. Links 20, 39 and 64) as portions of alternative routes.

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Title: Project Manager, POWER Engineers

Sponsored By: Rob Reid

Title: Sr. Project Manager/Vice President,
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Question No. Mil Encinos/Bell RFI 2-11:

Please refer to Links 56 and 60 on Sheet No. 11 of 56, Attachment 9a. If the proposed 345-kV transmission structures and transmission lines are located on Property ID Nos. 710795, 710799, 194405, 194406, 194415, 194416, 194425, 194426, 194435, 194436, 194445, 194446, 194455, 194456, 194465, 194466, and 194475 please fully explain Applicants' understanding of the effects, actual or anticipated, on (a) the fair market value of the properties and (b) the landowners' ability to develop the properties for residential and commercial uses.

Response No. Mil Encinos/Bell RFI 2-11:

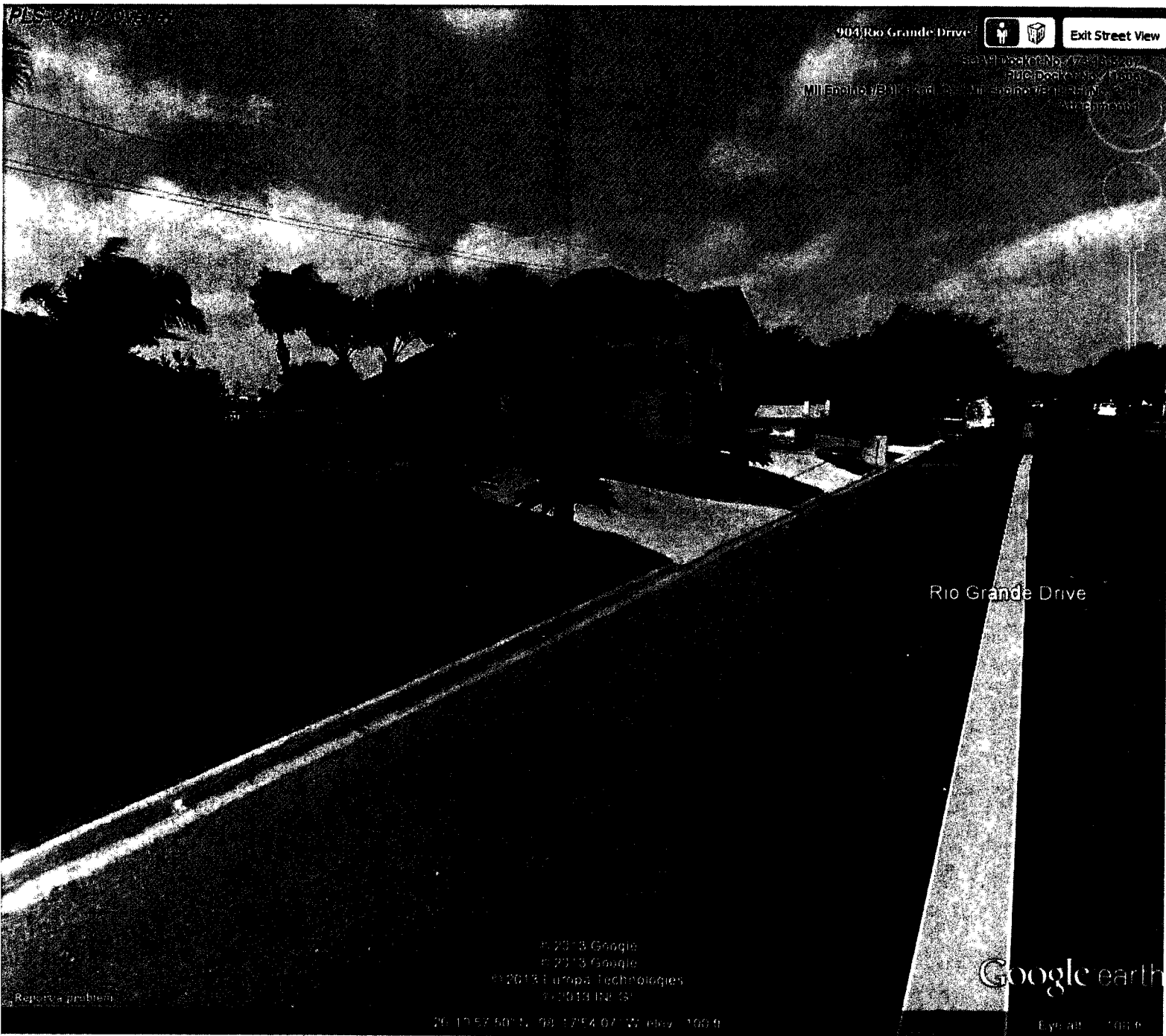
Joint Applicants are not aware of any impacts that would prohibit the use of the adjacent properties outside the easement width for residential and commercial development. Joint Applicants do not anticipate that the location of the transmission project would impact the fair market values of those properties. Please refer to Mil Encinos/Bell RFI 2-11 Attachments 1, 2 and 3 showing residential development adjacent to an existing transmission line in the area and to Mil Encinos/Bell RFI 2-11 Attachments 4, 5, and 6 showing commercial development adjacent to an existing transmission line in the area. These situations of residential and commercial development adjacent to existing transmission lines are found throughout the Lower Rio Grande Valley area. It is not an uncommon occurrence.

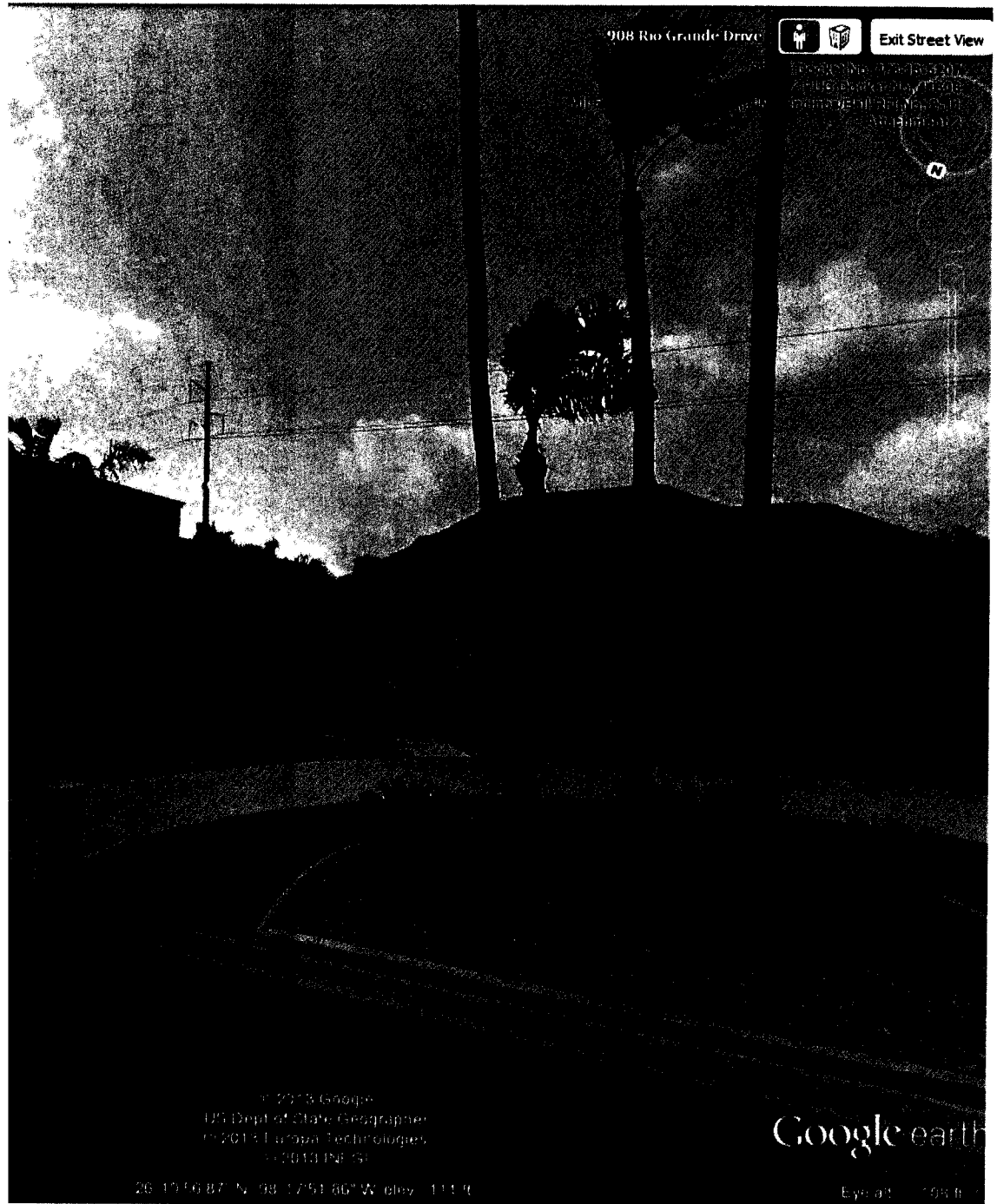
Prepared By: Randal Roper

Title: Regulatory Case Manager, AEPSC

Sponsored By: Teresa Trotman

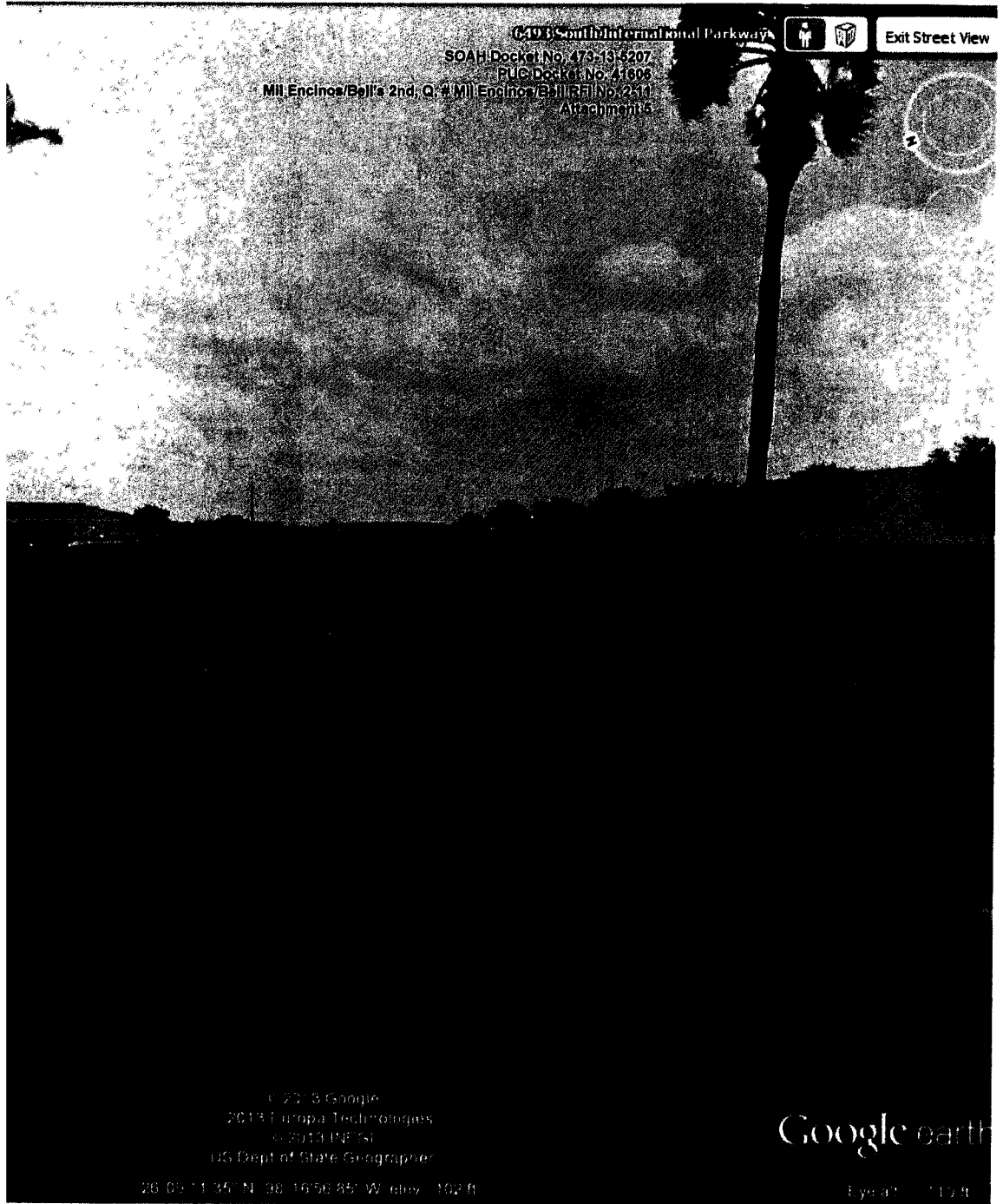
Title: Manager of Projects, AEPSC

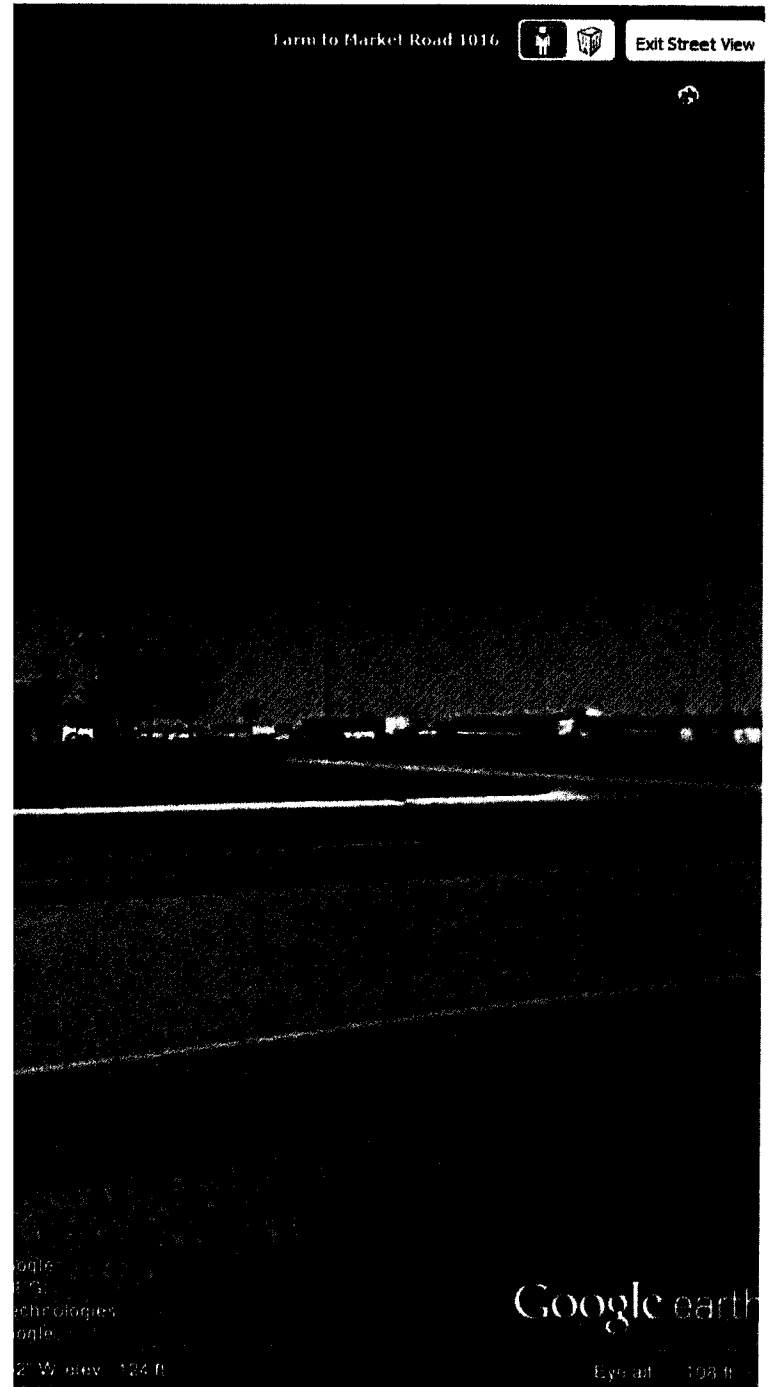












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Question No. Mil Encinos/Bell RFI 2-12:

Please refer to Applicants' Response No. Mil Encinos/Bell 1-3. Please admit or deny that Applicants' March 2012 requests for information from the City Administrator and Mayor of the City of Penitas did not include any information or graphics concerning proposed routings of the proposed transmission line within the City of Penitas, Texas.

Response No. Mil Encinos/Bell RFI 2-12:

Admit. The March 2012 requests for information by letter were sent to all cities within and near the study area in order to help identify issues in the area prior to routing. There were no routes developed at that time. A copy of the March 2012 request for information is included in Appendix A of the Environmental Assessment. The March 2012 request for information letter was sent to numerous federal, state and local agencies. Many of the agencies responded to the letter including the Hidalgo County Judge, the City Manager of Edinburg and the City Manager of McAllen. The Agency Correspondence Table in Appendix A of the Environmental Assessment shows the complete list of the agencies that responded.

The City of Penitas was also sent an invitation to the Public Open House meetings in October of 2012. According to the sign-in sheets, two representatives from the city attended.

Prepared By: Anastacia Santos

Title: Project Manager, POWER Engineers

Sponsored By: Rob Reid

Title: Sr. Project Manager/Vice President,
POWER Engineers

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Question No. Mil Encinos/Bell RFI 2-13:

Please refer to Applicants' Response No. Mil Encinos/Bell 1-7. Please provide a copy of the locations of existing oil and gas wells/operations obtained from the Texas Railroad Commission, aerial imagery, and field visits on both sides of, or under, Link 56 from the beginning of Volcano Avenue to the intersection of Link 347.

Response No. Mil Encinos/Bell RFI 2-13:

Oil and gas well locations obtained from the Texas Railroad Commission on March 21, 2012 in preparation of the Environmental Assessment are shown of Figure 3-2 of the Environmental Assessment (Link 56 is located on Sheet 1 of 6).

Prepared By: Anastacia Santos

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Sponsored By: Rob Reid

Title: Sr. Project Manager/Vice President,
POWER Engineers

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

JOINT APPLICATION OF ELECTRIC	§	
TRANSMISSION TEXAS, LLC AND	§	BEFORE THE STATE OFFICE
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	§	ADMINISTRATIVE HEARINGS
TRANSMISSION LINE IN HIDALGO	§	
AND CAMERON COUNTIES, TEXAS	§	

**ELECTRIC TRANSMISSION TEXAS, LLC AND SHARYLAND UTILITIES, L.P.'S
RESPONSE TO MIL ENCINOS DEVELOPMENT LTD. AND G.E. BELL
PROPERTIES LTD'S SECOND REQUEST FOR INFORMATION**

Question No. Mil Encinos/Bell RFI 2-14:

Please refer to Applicants' Response No. Mil Encinos/Bell 1-12. Please provide all documentation concerning (a) interference caused to mining operations by the existing 138 kV transmission line, (b) any damage to 138 kV transmission structure and transmission line by heavy equipment used by the operator of the mine, and (c) any effects, actual or anticipated, on the 138 kV structure foundation integrity due to mining operations in the vicinity.

Response No. Mil Encinos/Bell RFI 2-14:

The Joint Applicants have no historic documentation regarding interference to the mining operations, and no historic documentation regarding damage to the 138 kV structures caused by the mining operations. However, as part of our review of this area it has been noticed that the mining operator has proceeded to mine the area within the easement area for the transmission line. Provided as Mil Encinos/Bell RFI 2-14 Attachment 1 is a copy of an email with attachments that was recently sent to the AEP Texas Central Right of Way and Transmission Line Maintenance personnel regarding potential foundation integrity due to the mining operation.

Prepared By: Randal Roper

Title: Regulatory Case Manager, AEPSC

Sponsored By: Barrett A. Thomas

Title: Transmission Line Project Engineer,
AEPSC

Randy Roper

From: Randy Roper
Sent: Friday, September 20, 2013 3:51 PM
To: Jimmy Emmert JR.
Cc: Danny Correa; Robert Salazar; Bret Burford; Mel L Eckhoff Jr
Subject: Structure Concern on Bates to Garza 138 kV Transmission Line
Attachments: Pole Concern 1.pdf; Pole Concern 2.pdf

Jimmy, This is a follow up to the phone discussion. As part of some review of aerials during our 345 kV Valley Transmission Line Project we noticed that the mining operation has really pushed well into the right of way and there appears that erosion from that operation may be subjecting some structures to potential foundation integrity issues. I have attached two pictures showing what we have seen.

Randal E. Roper, P.E.

Regulatory Case Manager

American Electric Power Service Corporation

PHONE - 473-4572 (net)
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Concern with
erosion next to
structure occurring.



An aerial photograph of a road intersection, likely a T-junction. A large, dark, irregularly shaped area, possibly a construction site or a large building, dominates the center of the intersection. The surrounding area is mostly light-colored, suggesting grass or a paved surface. A road runs vertically through the center, and another road branches off horizontally to the right. The image is oriented horizontally on the page.