



Control Number: 41756



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SOAH DOCKET NO. 473-14-0807
PUC DOCKET NO. 41756

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APPLICATION OF TEXAS-NEW § BEFORE THE STATE OFFICE
MEXICO POWER COMPANY TO §
AMEND ITS CERTIFICATES OF §
CONVENIENCE AND NECESSITY § OF
FOR THE PROPOSED §
WESTMINSTER 138-KV §
TRANSMISSION LINE IN COLLIN § ADMINISTRATIVE HEARINGS
COUNTY §

INTERVENORS LINDA GARDNER EAVES AND DON EAVES'
RESPONSES TO REQUESTS FOR INFORMATION
FROM TEXAS-NEW MEXICO POWER COMPANY (TNMP)

TO: Texas-New Mexico Power Company, by and through its attorney of record, Jeff Kitner, Jackson Walker, L.L.P., 901 Main Street, Suite 6000, Dallas, TX 75202, (214) 953-5927 (phone), (214) 661-6657 (fax).

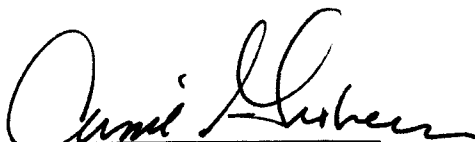
Pursuant to the orders in this docket, P.U.C. PROC. R. 22.144, and other applicable Commission rules, Linda Gardner Eaves and Don Eaves hereby serve their Responses to First Requests for Information from Texas-New Mexico Power Company (TNMP). The responses to these questions may be treated as though provided under oath.

Respectfully submitted,

BRAUN & GRESHAM, PLLC

P.O. Box 1148 (Mailing)
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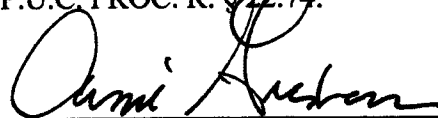


Patrick Reznik
State Bar No. 16806780
Cassie Gresham
State Bar No. 24045980

ATTORNEYS FOR INTERVENOR HILL

CERTIFICATE OF SERVICE

31 I certify that a copy of this document was served on all parties of record on this day of March, 2014, in accordance with P.U.C. PROC. R. § 22.74.



Patrick L. Reznik
Cassie Gresham

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APPLICATION OF TEXAS-NEW MEXICO POWER COMPANY TO AMEND ITS CERTIFICATES OF CONVENIENCE AND NECESSITY FOR THE PROPOSED WESTMINSTER 138-KV TRANSMISSION LINE IN COLLIN COUNTY	§ § § § § § § § §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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RESPONSES TO REQUEST FOR INFORMATION

TNMP-LDE-1-1: Please see your direct testimony, Page 5, Lines 25-26. When do you anticipate construction of the new barn?

RESPONSE: Construction of the new barn shall begin within 6 months of the selection of the final chosen route.

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Sponsored by: Linda and Don Eaves

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RESPONSES TO REQUEST FOR INFORMATION

TNMP-LDE-1-2: Please see your direct testimony, Page 6, Lines 19-20. Is it your contention that power lines affect telephone reception? If so, please explain and produce all documents that you are aware of to support this contention.

RESPONSE: My personal experience is when near transmission lines; my phone reception is either a dropped call or has static that interrupts the call.

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RESPONSES TO REQUEST FOR INFORMATION

TNMP-LDE-1-3: Please see your direct testimony, Page 6, Lines 26. Please explain the specific health considerations relating to exposure from transmission lines that you are concerned about and produce all documents which you are aware of that support this contention.

RESPONSE: In my direct testimony Page 6, Line 26, I stated that “I have a condition called Meniere’s disease. I am very sensitive to sound. If the transmission lines are built on my property, I would hear them in “surround sound stereo!” This is my personal experience. I hear a frequency that is of intense buzzing/crackling in my ears. It is a miserable experience. I cannot function if I have to endure exposure to power lines 24/7 with this affecting my life!

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RESPONSES TO REQUEST FOR INFORMATION

TNMP-LDE-1-4: Please see your direct testimony, Page 7, Lines 4-5. Please explain your contention that “TNMP” and their entities...would destroy most of this community values” and produce any documents which support this contention.

RESPONSE: Our comment in our direct testimony, Page 7, Lines 5 and 6 is “....would destroy WHAT most of this community values”. Our community values include our mature trees, our privacy and security by our heavily wooded boundaries, our natural wildlife habitat, and the uniqueness of mother-nature’s landscape.

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RESPONSES TO REQUEST FOR INFORMATION

TNMP-LDE-1-5: Please see your direct testimony, Page 7, Lines 7-8 and your contention that TNMP “did not enquire what our plans were for our properties.” Did you attend the initial public meeting hosted by TNMP on November 3, 2011?

RESPONSE: Yes, we did attend the public meeting on November 3, 2011. I communicated to Lisa Meaux that our property was severed by Segment B of proposed Route 1. This meeting was a come-and-go meeting and I was greeted by Lisa and at no time did anyone ask about our future plans for our property.

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RESPONSES TO REQUEST FOR INFORMATION

TNMP-LDE-1-6: Please see your direct testimony, Page 8, Lines 5-7. Please explain the specific "devaluation" that you are concerned about and produce all documents which you are aware of that support this contention.

RESPONSE: Our opinion as a landowner is that our property will be devalued if this transmission line is built on our property. Our opinion is the market value of our property will be worth more without the transmission line being located within 64 feet of our home, severing our property, plus destroying an 80 foot path of mature trees.

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RESPONSES TO REQUEST FOR INFORMATION

TNMP-LDE-1-7: Please see your direct testimony, Page 8, Lines 7-8. Please explain the specific "health and safety issues associated with the proposed transmission line" that you are concerned about and produce all documents which you are aware of that support this contention.

RESPONSE: Our lay opinion is one of a general concern about the unknown negative health impacts (see Exhibits 3 and 4 in Jack and Pat Robinson's Response to TNMP's First RFI). We, also, have general concerns about the transmission line causing fires especially during hot, dry weather (see Exhibit A-7 in Jack and Pat Robinson's Direct Testimony).

Exhibit Documents Referenced Above Are:

Executive Summary of the California EMF Risk Evaluation

Research Ordered by U.S. Congress to NIEHS

Texas A & M Forest Division Report on Fires Caused by Power Lines

Attachments: None.

Prepared by: Linda and Don Eaves

Sponsored by: Linda and Don Eaves

Intervenors Eaves' Responses to TNMP's First Requests for Information
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RESPONSES TO REQUEST FOR INFORMATION

TNMP-LDE-1-8: Do you support Alternative Route 12, 13, 14, 14, 16, 18, 19, and/or 20? For each of these Alternative Route(s) you do not support, please explain why you do not support such route(s).

RESPONSE: While we do not oppose any southern route (including Alternative Routes 12, 13, 14, 15, 16, 18, 19 or 20), we especially support route 18 for the reasons explained in the direct testimony of Mark Turnbough. On any route that uses Links H3, I3, or J3 as part of a southern route, we support underground construction of those segments to avoid any potential impact it may have on the Tejas Stone Ranch airstrip. We, especially, support the southernmost tap point at Link W2 to avoid the habitable structures at the tap point at Link O2.

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RESPONSES TO REQUEST FOR INFORMATION

TNMP-LDE-1-9: If Segment I3 is ultimately selected by the Commission as part of the transmission line route, do you support underground construction of this segment so as to avoid any potential impact it may have on the Tejas Stone Ranch airstrip.

RESPONSE: Yes.

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RESPONSES TO REQUEST FOR INFORMATION

TNMP- LDE-1-10: Does your property currently have any existing easements granted?

RESPONSE: Our property does not have existing easements.

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RESPONSES TO REQUEST FOR INFORMATION

TNMP-LDE-1-11: Please see your direct testimony, Page 8, Lines 10-13. Please Identify all specific communications with TNMP relating to this and, if the communication was in writing, please produce a copy.

RESPONSE: Via telephone conversation between Don Eaves and Jeff Kitner with TNMP, Don was told that any further infrastructure from the Westminster substation would go only North and East of the substation. Please refer to your document that was e-mailed to Don and Linda Eaves titled "Westminster CCN Distribution Study" Project No. 70437.

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Sponsored by: Linda and Don Eaves