

Control Number: 44547



Item Number: 416

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SOAH DOCKET NO. 473-15-3595

P.U.C. DOCKET NO. 44547

2015 JUN -8 PM 2: 16

APPLICATION OF CENTERPOINT  
ENERGY HOUSTON ELECTRIC, LLC  
TO AMEND A CERTIFICATE OF  
CONVENIENCE AND NECESSITY  
FOR A PROPOSED 345-KV  
TRANSMISSION LINE WITHIN GRIMES,  
HARRIS AND WALLER COUNTIES

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§

BEFORE THE STATE OFFICE  
OF  
ADMINISTRATIVE HEARINGS

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WALLER COUNTY COMMISSIONERS COURT  
MOTION TO INTERVENE

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TO THE HONORABLE Lilo D. Pomerleau, Administrative Law Judge:

COMES NOW, the Waller County Commissioners Court ("County") and files this, its Motion to Intervene pursuant to PUC Proc R. §§ 22.103 and 22.104.

**I. Standing to Intervene/Justiciable Interest**

Procedural Rule 22.103(b) states that a person has standing to intervene if that person "has or represents persons with a justiciable interest which may be adversely affected by the outcome of the proceeding."

The County is responsible to protect the health, welfare and safety of its citizens. On March 18, 2015, the County passed a resolution, attached hereto and incorporated in its entirety herein, finding it in the public interest and to the benefit of the residents of the town/county and the citizens of the state to support the no-build option for the Brazos Valley Connection electrical transmission line project a/k/a the CenterPoint Project. (Attachment 1) On June 3, 2015, the Court adopted a resolution, attached hereto and incorporated in its entirety herein, to seek intervention in SOAH Docket 473-15-3595 in opposition of CenterPoint's application for the amendment of its Certificate of Convenience and Necessity. (Attachment 2) The County believes there is no need for the CenterPoint Project and if the project is approved, citizens of the County

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will have their private property taken and other properties will see a reduction in property values, thus diminishing the tax base of the County. Moreover, the County believes the CenterPoint Project, if approved, would detract from the beauty and integrity of the County's environment and could cause adverse environmental and health impacts. Therefore, the County believes that, on behalf of its citizens, it has a justiciable interest, which may be adversely affected by the outcome of this proceeding.

The CenterPoint transmission line, no matter which route is selected, would cross the County and its multiple public roads. The County has easements for many of the County roads. The County is concerned about the effect new transmission lines would have on its infrastructure, mainly public roads. The County supervises and maintains public roads within the County and objects to any route that will adversely impact the County's infrastructure, and thereby its long term transportation plans. The County has a justiciable interest that could be adversely impacted by approval of CenterPoint's application with any and all of the alternative routes included in the application.

## **II. Authorized Representative**

The legal representative for the County in this proceeding is:

JD Head, Lead counsel  
State Bar Number 09322400  
Bob Renbarger  
State Bar Number 16768100  
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Email: [bob@fbhf.com](mailto:bob@fbhf.com)

All pleadings, correspondence, documents, and requests for information should be served on the designated lead counsel.

### III. Prayer

WHEREFORE, the County respectfully prays that it be granted Intervenor status to participate in this proceeding.

Respectfully submitted,

FRITZ, BYRNE, HEAD & FITZPATRICK, PLLC  
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By: 

J.D. Head

State Bar No. 09322400

[jdhead@fbhf.com](mailto:jdhead@fbhf.com)

ATTORNEYS FOR WALLER COUNTY  
COMMISSIONERS COURT

## CERTIFICATE OF SERVICE

I, J.D. Head, lead counsel for the Waller County Commissioners Court, certify that a true and correct copy of the foregoing document was served on all parties of record and parties who have filed Motions to Intervene by first-class mail, fax, or email on June 8, 2015.

  
\_\_\_\_\_  
J.D. Head

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Cindy P. Croncich  
(Cydia P. Family Ltd. Partnership)  
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(Exempt and Non-Exempt Trust)  
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Karen Edwards  
(Betelgeuse Trust)  
Eric Clark  
Lynette Weaver Allen  
Richard Weaver  
Cathy Weaver Ferguson  
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Susan Weaver Stovall  
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Attorneys for Grimes County

# RESOLUTION

**WHEREAS**, Waller County supports the NO BUILD OPTION for the Brazos Valley Connection Electrical Transmission Line Project, and;

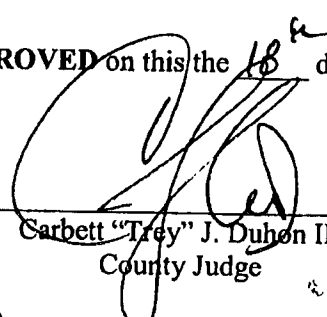
**WHEREAS**, Waller County supports expanding Houston Area Power Plants, and/ or building plants in the Houston Area, and;

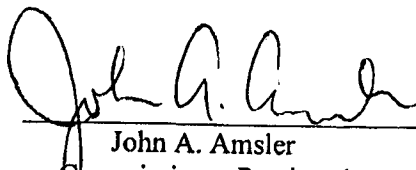
**WHEREAS**, Waller County finds that CenterPoint Energy's Brazos Valley Connection transmission line is not a necessity for future electrical needs for our region, and;


**WHEREAS**, Waller County finds it is in the public interest and to the benefit of the residents of the town/county and the citizens of this state to support the no-build option for the Brazos Valley Connection electrical transmission line project.


**NOW, THEREFORE, BE IT RESOLVED THAT**, Waller County supports the no-build option for the Brazos Valley Connection electrical transmission line project and supports expanding Houston area power plants, and/or building new plants in the Houston Area.

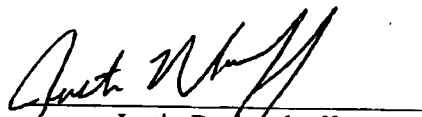
PASSED AND APPROVED on this the 18<sup>th</sup> day of March 2015.

  
 Carbett "Trey" J. Duhon III  
 County Judge

  
 John A. Amsler  
 Commissioner Precinct 1

  
 Russell Klecka  
 Commissioner Precinct 2

  
 Jeron Barnett  
 Commissioner Precinct 3

  
 Justin Beckendorff  
 Commissioner Precinct 4

**WALLER COUNTY COMMISSIONERS COURT RESOLUTION**

WHEREAS, on April 24, 2015, CenterPoint Energy Houston Electric, LLC (CenterPoint) filed an application with the Public Utility Commission of Texas (PUC) to amend its Certificate of Convenience and Necessity (CCN) for a 345-kilovolt transmission line in Grimes, Harris and Waller Counties, Texas (a/k/a the CenterPoint Project" or "the Brazos Valley Connection Electrical Transmission Line Project"); and

WHEREAS, on April 6, 2015, the Waller County Sub-Regional Planning Commission adopted a Resolution supporting the no-build option for CenterPoint Brazos Valley Connection Electrical Transmission Line Project; and

WHEREAS, on March 18, 2015, Waller County adopted a Resolution supporting the no-build option for the CenterPoint Brazos Valley Connection Electrical Transmission Line Project; and

WHEREAS, the Resolutions of Waller County and the Waller County Sub-Regional Planning Commission are incorporated for all purposes in this Resolution; and

WHEREAS, the PUC has referred CenterPoint's application to the State Office of Administrative Hearings (SOAH) for a contested case hearing; and

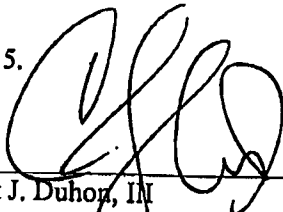
WHEREAS, the Waller County Commissioners Court believe there is no need for the CenterPoint Project and, if the CenterPoint Project is approved, citizens of Waller County will have their private property taken and other properties will see a reduction in property values, thus diminishing the tax base for Waller County; and

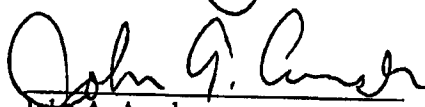
WHEREAS, the Waller County Commissioners Court believe the CenterPoint Project, if approved, would detract from the beauty and integrity of the County's environment and could cause adverse environmental impacts; and

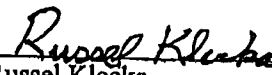
WHEREAS, the Waller County Commissioners Court believe that, on behalf of its citizens, it is necessary to intervene in the SOAH proceeding concerning the CenterPoint Project.

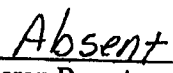
THEREFORE, BE IT RESOLVED, that the Waller County Commissioners Court authorizes the law firm of Fritz, Byrne, Head & Fitzpatrick, PLLC to seek intervention in SOAH Docket No. 473-15-3595; PUC Docket No. 44547 on behalf of the Waller County Commissioners Court in opposition of CenterPoint's application for the amendment of the CCN.


Approved in open court this 3 day of June, 2015.

  
Carbett J. Duhon, III  
Waller County Judge

  
John A. Amsler  
Commissioner Precinct 1

  
Russel Klecka  
Commissioner Precinct 2

  
Jeron Barnet  
Commissioner Precinct 3

  
Justin Beckendorf  
Commissioner Precinct 4