



Control Number: 48253



Item Number: 8

Addendum StartPage: 0

**PUC DOCKET NO. 48253**

2010 JUN -3 AM 10:09

**APPLICATION OF SOUTHWESTERN  
PUBLIC SERVICE COMPANY TO A  
CERTIFICATE OF CONVENIENCE  
AND NECESSITY FOR A PROPOSED  
230-KV TRANSMISSION LINE WITHIN  
HALE COUNTY  
(HALE WIND INTERCONNECTION)**

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**PUBLIC UTILITY COMMISSION  
OF TEXAS**

**SOUTHWESTERN PUBLIC SERVICE COMPANY'S  
AFFIDAVIT OF PROOF OF NOTICE BY MAIL**

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## AFFIDAVIT OF JAMES M. BAGLEY

STATE OF TEXAS           §  
                                      §  
COUNTY OF POTTER       §

BEFORE ME, the undersigned authority, on this day personally appeared James M. Bagley, who being by me first duly sworn, on oath, deposed and said the following:

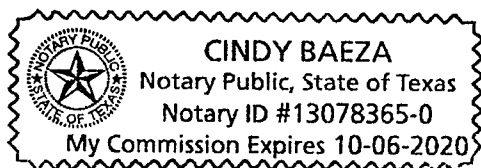
1. My name is James M. Bagley. I am employed by Southwestern Public Service Company ("SPS") as Manager, Regulatory Administration. I am over the age of 18, of sound mind and am capable of making this affidavit. I am authorized to make this affidavit. I have personal knowledge of the facts stated herein, and the facts stated herein are true and correct.
2. On May 25th, 2018, SPS filed with the Public Utility Commission of Texas ("PUCT") an application for a certificate of convenience and necessity for the proposed project. The application has been assigned PUCT Docket No. 48253.
3. On May 25th, 2018, SPS provided notice of the application by first class mail to the county government in Hale County, the Texas County in which the proposed project is located. Copy of the notice is attached as Exhibit A.
4. On May 25th, 2018, SPS provided notice of the application by first class mail to Golden Spread Cooperative, Inc. ("GSEC"), Sharyland Utilities ("SU"), and Lighthouse Electrical Cooperative, Inc. ("LEC"), all neighboring utilities within five miles of the proposed facility. Copy of the notice is attached as Exhibit B.
5. On May 25th, 2018, SPS provided notice of the application by first class mail to the city of Abernathy, Hale Center, and Petersburg, the Texas municipalities within five miles of the proposed facility. Copy of this notice is attached as Exhibit C.
6. On May 25th, 2018, SPS provided notice of the application by first class mail to the owners of land or habitable structures as stated on the county tax rolls of Counties, who could be directly affected by the requested certificate amendment. The notice included a map showing SPS's route, a description of SPS's route, the PUCT brochure entitled "Landowners and Transmission Line Cases at the PUC", the PUCT comments form, and the PUCT intervenor form. A sample copy of the notice, the list of names and addresses of the 21 landowners that notice was sent to, the brochure, the comments form, the intervenor form, the route descriptions, and the map are attached as Exhibit D.
7. On May 25th, 2018, SPS provided notice of the application by first class mail to the Office of Public Utility Counsel ("OPUC"). A copy of the notice is attached as Exhibit E.
8. On May 25th, 2018, SPS provided notice to the Texas Parks and Wildlife Department ("TPWD") of this CCN filing. This consisted of a letter giving an

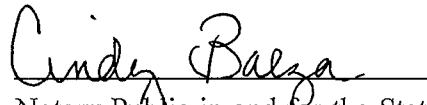
overview of the project along with a copy of SPS's application which included the environmental assessment and route analysis. A copy of the letter is attached to this filing as Exhibit F.

9. On May 25<sup>th</sup>, 2018, SPS provided notice of the application by first class mail to the Department of Defense ("DOD"). On May 25, 2018, SPS provided notice of the application to the DOD to the email address found at <http://www.acq.osd.mil/dodsc/>. A copy of the notice is attached as Exhibit G.
10. On May 25th, 2018, SPS provided notice of the application by first class mail to 5 pipeline companies that own transmission pipelines in the area where the proposed project is located. A sample copy of the notice and the list of names and addresses of the 5 pipeline companies that notice was sent to are attached as Exhibit H.
11. The same map and segment descriptions that are attached in Exhibit D were also provided with the notices covered by Exhibits A, B, C, E, G and H to the Hale County Judge, the Mayors of Abernathy, Hale Center, and Petersburg, OPUC, GSEC, SU, LEC, DOD and the pipeline companies.
12. Some formal contacts related to this proceeding have occurred between SPS and the landowners other than the notices provided by first class mail.

  
JAMES M. BAGLEY

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public, in and for the State of Texas, this 7 day of June 2018.



  
Notary Public in and for the State of Texas

My Commission Expires:

10-06-2020

# **EXHIBIT A**



**Siting and Land Rights**

790 South Buchanan Street  
Amarillo, TX 79101  
Telephone: 806-378-2757  
Facsimile: 806-378-2724

May 25, 2018

VIA FIRST CLASS MAIL

«Judge»  
«Address\_1»  
«City», «State» «Zip»

Dear Judge:

Southwestern Public Service Company ("SPS"), a subsidiary of Xcel Energy Inc., is providing notice of its application to amend its Certificate of Convenience and Necessity ("CCN") in order to construct and operate a single circuit, 230-kilovolt ("kV") electric transmission line between the existing TUCO Substation and the new Hale Wind Collection Substation, both located in Hale County, Texas ("Proposed Project"). SPS has filed an application with the Public Utility Commission of Texas ("Commission" or "PUC") (**Docket No. 48253- Application of Southwestern Public Service Company to Amend A Certificate of Convenience and Necessity for A Proposed 230-kV Transmission Line Within Hale County (Hale Wind Interconnection)**) and is requesting the Commission's approval of the Proposed Project. The new Hale Wind Collection Substation will serve a 478 megawatt ("MW") wind generation plant and associated facilities ("Hale Wind Project"). The Proposed Project is required to interconnect the Hale Wind Project to the SPS system.

The Proposed Project will involve the construction of a new 230-kV transmission line, which will originate at the existing TUCO Substation, located approximately 0.8 mile southeast from the intersection of Interstate 27 and FM 54, in Hale County, Texas. The Proposed Project will terminate at the new Hale Wind Collection Substation approximately 1.7 miles northeast of the intersection of FM 400 and County Road 275, in Hale County, Texas.

The Southwest Power Pool identified the proposed transmission line as a requirement of a Generator Interconnection Agreement. The Proposed Project is needed for the generation from the Hale Wind Project to be accessible to SPS's customers and the SPP Integrated Marketplace.

The proposed 230-kV transmission line will be constructed utilizing primarily single-circuit, concrete monopole structures, which require a smaller surface area than H-frame structures. Angle structures will be either guyed concrete monopoles or self-supporting concrete monopoles. The proposed transmission line will be constructed entirely on new right-of-way ("ROW") with a proposed easement width of 150 feet. In some circumstances, a wider or more narrow easement may be necessary, but these locations and easement widths cannot be determined until the route is approved by the Commission and surveyed.

SPS is proposing one route with a total cost is \$9,441,644 consisting of \$9,317,470 for transmission facilities and \$124,174 for substation facilities.

Enclosed are a copy of a written description of the proposed route and a map of the proposed project. A copy of the complete application, which includes larger, more detailed map, is available for review at SPS's offices at 790 Buchanan Street, 4<sup>th</sup> floor, Amarillo, Texas 79101. The complete application is also available for review on the PUC's website at [www.puc.state.tx.us](http://www.puc.state.tx.us). by using the PUC's filing retrieval system and the Docket No. assigned to the application. Information about the proposed project is also accessible on Xcel Energy's website *Power for the Plains* at <http://www.powerfortheplains.com>.

Persons who wish to intervene in the docket or comment on the application should mail the original and 10 copies of their requests to intervene or comments to:

Public Utility Commission of Texas  
Central Records  
Attn: Filing Clerk  
1701 N. Congress Avenue  
P. O. Box 13326  
Austin, Texas 78711-3326

The deadline for intervention in the proceeding is July 9, 2018, and a letter requesting intervention should be received by the Commission by that date. Persons who wish to intervene in the docket must also mail a copy of their request for intervention to all parties in the docket and all persons that have pending motions to intervene, at or before the time the request for intervention is mailed to the PUC.

The PUC has a brochure titled "Landowners and Transmission Line Cases at the PUC." Copies of the brochure are available from Bryant Coon at 806-378-2757 or James Bagley at 806-378-2868 or may be downloaded from the PUC's website at [www.puc.state.tx.us](http://www.puc.state.tx.us). To obtain additional information about this docket, you may contact the PUC's Customer Assistance Hotline at 512-936-7120 or 888-782-8477. Hearing- and speech-impaired individuals with text telephones ("TTY") may contact the PUC's Customer Assistance Hotline at 512-936-7136 or toll free at 800-735-2989. In addition to the intervention deadline, other important deadlines may already exist that affect your participation in this docket. You should review the orders and other filings already made in the docket.

If you have any questions or need additional information, please call Bryan Coon or James Bagley.

Sincerely,



Sean L. Frederiksen, Manager  
Siting and Land Rights

Enclosures

Hale Wind Interconnect CCN D48253 County Notification List								
	First_Name	Last_Name	Job_Title	City_1	Address_1	Address_2	City	State Zip
1	Bill	Coleman	Judge	Hale County	500 Broadway, Room 200	-	Mainview TX	79072



# **EXHIBIT B**



**Siting and Land Rights**

790 South Buchanan Street  
Amarillo, TX 79101  
Telephone: 806-378-2757  
Facsimile: 806-378-2724

May 25, 2018

VIA FIRST CLASS MAIL

«Utility»  
«Address\_1»  
«City», «State» «Zip»

Dear Utility,

Southwestern Public Service Company ("SPS"), a subsidiary of Xcel Energy Inc., is providing notice of its application to amend its Certificate of Convenience and Necessity ("CCN") in order to construct and operate a single circuit, 230-kilovolt ("kV") electric transmission line between the existing TUCO Substation and the new Hale Wind Collection Substation, both located in Hale County, Texas ("Proposed Project"). SPS has filed an application with the Public Utility Commission of Texas ("Commission" or "PUC") (**Docket No. 48253- Application of Southwestern Public Service Company to Amend A Certificate of Convenience and Necessity for A Proposed 230-kV Transmission Line Within Hale County (Hale Wind Interconnection)**) and is requesting the Commission's approval of the Proposed Project. The new Hale Wind Collection Substation will serve a 478 megawatt ("MW") wind generation plant and associated facilities ("Hale Wind Project"). The Proposed Project is required to interconnect the Hale Wind Project to the SPS system.

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The proposed 230-kV transmission line will be constructed utilizing primarily single-circuit, concrete monopole structures, which require a smaller surface area than H-frame structures. Angle structures will be either guyed concrete monopoles or self-supporting concrete monopoles. The proposed transmission line will be constructed entirely on new right-of-way ("ROW") with a proposed easement width of 150 feet. In some circumstances, a wider or more narrow easement may be necessary, but these locations and easement widths cannot be determined until the route is approved by the Commission and surveyed.

SPS is proposing one route with a total cost is \$9,441,644 consisting of \$9,317,470 for transmission facilities and \$124,174 for substation facilities.

Enclosed are a copy of a written description of the proposed route and a map of the proposed project. A copy of the complete application, which includes larger, more detailed map, is available for review at SPS's offices at 790 Buchanan Street, 4<sup>th</sup> floor, Amarillo, Texas 79101. The complete application is also available for review on the PUC's website at [www.puc.state.tx.us](http://www.puc.state.tx.us). by using the PUC's filing retrieval system and the Docket No. assigned to the application. Information about the proposed project is also accessible on Xcel Energy's website *Power for the Plains* at <http://www.powerfortheplains.com>.

Persons who wish to intervene in the docket or comment on the application should mail the original and 10 copies of their requests to intervene or comments to:

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Central Records  
Attn: Filing Clerk  
1701 N. Congress Avenue  
P. O. Box 13326  
Austin, Texas 78711-3326

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The PUC has a brochure titled "Landowners and Transmission Line Cases at the PUC." Copies of the brochure are available from Bryant Coon at 806-378-2757 or James Bagley at 806-378-2868 or may be downloaded from the PUC's website at [www.puc.state.tx.us](http://www.puc.state.tx.us). To obtain additional information about this docket, you may contact the PUC's Customer Assistance Hotline at 512-936-7120 or 888-782-8477. Hearing- and speech-impaired individuals with text telephones ("TTY") may contact the PUC's Customer Assistance Hotline at 512-936-7136 or toll free at 800-735-2989. In addition to the intervention deadline, other important deadlines may already exist that affect your participation in this docket. You should review the orders and other filings already made in the docket.

If you have any questions or need additional information, please call Bryan Coon or James Bagley.

Sincerely,



Sean L. Frederiksen, Manager  
Siting and Land Rights

Enclosures

	Contact	Utility	Address 1	Address 2	City	State	Zip
1	Mark W. Schwartz President and General Manager	Golden Spread Electric Cooperative, Inc.	P.O. Box 9898		Amarillo	TX	79105
2	Greg Boggs Vice President	Sharyland Utilities	1031 Andrews Highway	Suite 400	Midland	TX	79701
3	Vicki Oswalt VP Regulatory	Sharyland Utilities	600 Congress	Suite 2000	Austin	TX	79701
4	Albert Daniel General Manager	Lighthouse Electric Cooperative	P O Box 600	703 W US Highway 70	Floydada	TX	79235

# **EXHIBIT C**



**Siting and Land Rights**

790 South Buchanan Street  
Amarillo, TX 79101  
Telephone: 806-378-2757  
Facsimile: 806-378-2724

May 25, 2018

VIA FIRST CLASS MAIL

«Mayor»  
«Address\_1»  
«City», «State» «Zip»

Dear Mayor:

Southwestern Public Service Company ("SPS"), a subsidiary of Xcel Energy Inc., is providing notice of its application to amend its Certificate of Convenience and Necessity ("CCN") in order to construct and operate a single circuit, 230-kilovolt ("kV") electric transmission line between the existing TUCO Substation and the new Hale Wind Collection Substation, both located in Hale County, Texas ("Proposed Project"). SPS has filed an application with the Public Utility Commission of Texas ("Commission" or "PUC") (**Docket No. 48253- *Application of Southwestern Public Service Company to Amend A Certificate of Convenience and Necessity for A Proposed 230-kV Transmission Line Within Hale County (Hale Wind Interconnection)***) and is requesting the Commission's approval of the Proposed Project. The new Hale Wind Collection Substation will serve a 478 megawatt ("MW") wind generation plant and associated facilities ("Hale Wind Project"). The Proposed Project is required to interconnect the Hale Wind Project to the SPS system.

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may be necessary, but these locations and easement widths cannot be determined until the route is approved by the Commission and surveyed.

SPS is proposing one route with a total cost of \$9,441,644 consisting of \$9,317,470 for transmission facilities and \$124,174 for substation facilities.

Enclosed are a copy of a written description of the proposed route and a map of the proposed project. A copy of the complete application, which includes larger, more detailed map, is available for review at SPS's offices at 790 Buchanan Street, 4<sup>th</sup> floor, Amarillo, Texas 79101. The complete application is also available for review on the PUC's website at [www.puc.state.tx.us](http://www.puc.state.tx.us) by using the PUC's filing retrieval system and the Docket No. assigned to the application. Information about the proposed project is also accessible on Xcel Energy's website *Power for the Plains* at <http://www.powerfortheplains.com>.

Persons who wish to intervene in the docket or comment on the application should mail the original and 10 copies of their requests to intervene or comments to:

Public Utility Commission of Texas  
Central Records  
Attn: Filing Clerk  
1701 N. Congress Avenue  
P. O. Box 13326  
Austin, Texas 78711-3326

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If you have any questions or need additional information, please call Bryant Coon or James Bagley.

Sincerely,



Sean L. Frederiksen, Manager  
Siting and Land Rights  
Enclosures

Hale Wind Interconnect CCN D48253 City Notification List									
	First_Name	Last_Name	Job_Title	City_1	Address_1	Address_2	City	State	Zip
1	Sharon	Kester-Fair	Mayor	City of Abernathy	811 Avenue D	P O Box 310	Abernathy	TX	79311
2	W.H	Johnson	Mayor	City of Hale Center	702 Main Street	P O Box 532	Hale Center	TX	79041-0532
3	Susie	Martinez	Mayor	City of Petersburg	-	P O Box 326	Petersburg	TX	79250-0326



# **EXHIBIT D**



#### Siting and Land Rights

790 South Buchanan Street  
Amarillo, TX 79101  
Telephone: 806-378-2757  
Facsimile: 806-378-2724

May 25, 2018

VIA FIRST CLASS MAIL

«Landowner\_Name»  
«Address»  
«City», «State» «Zip»

Dear Landowner:

*Application of Southwestern Public Service Company to Amend A Certificate of Convenience  
and Necessity for A Proposed 230-kV Transmission Line Within Hale County, Texas  
(Hale Wind Interconnection)*

**PUBLIC UTILITY COMMISSION OF TEXAS DOCKET NO. 48253**

Southwestern Public Service Company ("SPS"), a subsidiary of Xcel Energy Inc., is providing notice of its application to amend its Certificate of Convenience and Necessity ("CCN") in order to construct and operate a single circuit, 230-kilovolt ("kV") electric transmission line between the existing TUCO Substation and the new Hale Wind Collection Substation, both located in Hale County, Texas ("Proposed Project"). SPS has filed an application with the Public Utility Commission of Texas ("Commission" or "PUC") (**Docket No. 48253- Application of Southwestern Public Service Company to Amend A Certificate of Convenience and Necessity for A Proposed 230-kV Transmission Line Within Hale County (Hale Wind Interconnection)**) and is requesting the Commission's approval of the Proposed Project. The new Hale Wind Collection Substation will serve a 478 megawatt ("MW") wind generation plant and associated facilities ("Hale Wind Project"). The Proposed Project is required to interconnect the Hale Wind Project to the SPS system.

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The Southwest Power Pool identified the proposed transmission line as a requirement of a Generator Interconnection Agreement. The Proposed Project is needed for the generation from the Hale Wind Project to be accessible to SPS's customers and the SPP Integrated Marketplace.

The proposed 230-kV transmission line will be constructed utilizing primarily single-circuit, concrete monopole structures, which require a smaller surface area than H-frame structures. Angle structures will be either guyed concrete monopoles or self-supporting concrete monopoles. The proposed transmission line will be constructed entirely on new right-of-way ("ROW") with a proposed easement width of 150 feet. In some circumstances, a wider or more narrow easement may be necessary, but these locations and easement widths cannot be determined until the route is approved by the Commission and surveyed.

SPS is proposing one route with a total cost of \$9,441,644 consisting of \$9,317,470 for transmission facilities and \$124,174 for substation facilities.

Your land may be directly affected in this docket. If SPS's route is approved by the PUC, SPS will have the right to build a facility, which may directly affect your land. This docket will not determine the value of your land or the value of an easement if one is needed by SPS to build the facility. If you have questions about the transmission line you may contact Bryant Coon at 806-378-2757 or James Bagley at 806-378-2868. A map of SPS's proposed route is included with this letter, along with a written description of the proposed route. Larger, more detailed routing maps may be viewed at SPS's offices at

790 South Buchanan Street, 4th Floor, Amarillo, Texas 79101. Information about the proposed project is also accessible on Xcel Energy's website *Power for the Plains* at <http://www.powerfortheplains.com>.

The PUC has a brochure entitled "Landowners and Transmission Line Cases at the PUC" that provides basic information about how you may participate in this docket, and how you may contact the PUC. Please read this brochure carefully. The brochure includes sample forms for making comments and for making a request to intervene as a party in this docket. Copies of the brochure are enclosed and are also available from Bryant Coon at 806-378-2757, James Bagley 806-378-2868, or may be downloaded from the PUC's website at <http://www.puc.texas.gov/>. *The only way to fully participate in the PUC's decision on where to locate the transmission line is to intervene in the docket. It is important for an affected person to intervene because the utility is not obligated to keep affected persons informed of the PUC's proceedings and cannot predict which route may or may not be approved by the PUC.*

In addition to the contacts listed in the brochure, you may call the PUC's Customer Assistance Hotline at 888-782-8477. Hearing- and speech-impaired individuals with text telephones ("TTY") may contact the PUC's Customer Assistance Hotline at 512-936-7136 or toll free at 800-735-2989.

If you wish to participate in this proceeding by becoming an intervenor, the deadline for intervention in the proceeding is July 9, 2018, and the PUC should receive a letter from you requesting intervention by that date. Mail the request for intervention and 10 copies of the request to:

Public Utility Commission of Texas  
Central Records  
Attn: Filing Clerk  
1701 N Congress Ave  
P O Box 13326  
Austin, Texas 78711-3326

Persons who wish to intervene in the docket must also mail a copy of their request for intervention to all parties in the docket and all persons that have pending motions to intervene, at or before the time the request for intervention is mailed to the PUC. In addition to the intervention deadline, other important deadlines may already exist that affect your participation in this docket. You should review the orders and other filings already made in the docket. The enclosed brochure explains how you can access these filings.

Sincerely,



Sean L. Frederiksen, Manager  
Siting and Land Rights

Enclosures

	Landowner Name_	Tract	Acreage	County	Address_	City_	State	Zip_
1	Irish Family Limited Partnership	HCE1399	8.92	Hale	1801 Broadway	Lubbock	TX	79401
2	Delta Biotech, LLC	HCE1218	4.10	Hale	PO Box 1034	Flora	MS	39071
3	Glenn D & Phyllis Knight	HCE1474	13.80	Hale	6506 County Road 6420	Lubbock	TX	79416
4	Bob J Durham	HCE2255 HCE2261	18.20	Hale	2957 Interstate 27	Abemathy	TX	79311
5	Phillip Carl Trusts, Cynthia K Alexander, Trustee	HCE2287	9.86	Hale	6001 84th St	Lubbock	TX	79424
6	Kyle O. & Shelly D. Smith	HCE2085	17.45	Hale	909 W. Lee St	Floyddada	TX	79235
7	Shawn & Wendy Knight, Todd Knight	HCE2299	12.05	Hale	1601 Ave H	Abemathy	TX	79311
8	Tyson Lane Knight	HCE1223	7.88	Hale	205 Ave N	Abemathy	TX	79311
9	Bill & Debbie Foster	HCE2367	5.62	Hale	7001 N. CR 2160	Lubbock	TX	79415
10	Hinton Vick	HCE2650	3.24	Hale	801 1st Street	Abemathy	TX	79311
11	Don D. Stone	HCE1935 HCE2400 HCE2401	12.63	Hale	1760 CR 275	Abemathy	TX	79311
12	Don & Dianna Stone	HCE1271	6.24	Hale	1760 CR 275	Abemathy	TX	79311
13	G D Clapp et al (Martha Loper), c/o Mark Clapp	HCE2188	25.10	Hale	5022 Fannin St.	Amarillo	TX	79110
14	Y. F. Snodgrass	HCE1688	7.03	Hale	6410 Erskine St.	Lubbock	TX	79416
15	Teresa Jackson	HCE2451	17.88	Hale	12203 Norwood Avenue	Lubbock	TX	79423
16	Charles Scarborough, c/o Southwest Bank	HCE2493 HCE2497	18.14	Hale	P.O. Box 65269	Lubbock	TX	79464
17	Mrs. Arthur Lou Rokohl	HCE2524	18.16	Hale	P.O. Box 237	Ingleside	TX	78362
18	Harlan Brothers Land Inc.	HCE2403	5.63	Hale	166 W. Garza St	Slaton	TX	79364
19	McLaughlin Mary Ann #2, c/o Hale County State Bank Trust	HCE1760	11.85	Hale	1145 Junction Hwy	Kerrville	TX	78028
20	Drake Trust Under Will A. Sharp, c/o Centennial Bank	HCE2638	18.71	Hale	1145 Junction Hwy	Kerrville	TX	78028
21	Floyd & Virginia Ellison	HCE2263	6.47	Hale	1402 E. 5th Street	Petersburg	TX	79250

**Xcel Energy Inc.**  
**Hale Wind Interconnection Project**  
**230-kV Transmission Line**  
**Hale County, Texas**

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Southwestern Public Service Company (SPS), a subsidiary of Xcel Energy has filed an application with the Public Utility Commission of Texas (PUC) to amend its Certificate of Convenience and Necessity (CCN) to construct the proposed Hale Wind Interconnection Project 230-kV transmission line. A detailed description of the proposed route is below.

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**PROPOSED ROUTE DESCRIPTION**

The route begins at the western edge of the existing TUCO substation in Section 9, located approximately 0.8 mile southeast from the intersection of Interstate 27 and FM 54.

The route departs from the western edge of the existing TUCO Substation and runs overhead in a westerly direction for approximately 175 feet, crossing the existing Burlington Northern Santa Fe (BNSF) Railroad. The route then turns north and runs underground for approximately 750 feet, parallel to the existing BNSF Railroad, crossing beneath an existing 69-kV transmission line, an existing 115-kV transmission line, and two existing 230-kV transmission lines, then returns to an overhead configuration and continues in a northerly direction for approximately 2.38 miles, parallel to the existing BNSF Railroad, crossing FM 54, then an existing 69-kV transmission line, and then County Road (CR) 901. The route then turns east at Section 69 for approximately 0.57 mile parallel to the north side of CR 901, immediately crossing the BNSF Railroad and then crossing an existing 69-kV transmission line and CR 663. The route then turns north at Section 68 for 0.97 miles, paralleling the east side of CR 663 and crossing CR 275. After crossing CR 275, the route then immediately turns east at Section 67 for 3.04 miles parallel to the north side of CR 275, crossing an existing 230-kV transmission line, CR 857, CR 665 and CR 828. The route then turns north at Section 3 for 0.94 mile parallel to the east side of CR 828. The route then turns east at Section 3 for 6.39 miles parallel to the south side of CR 613, crossing and then paralleling the south side of an existing 345-kV transmission line, crossing CR 814, CR 684, and FM 400.

The route terminates in Section 45 at the proposed Hale Wind Collection Substation approximately 1.7 miles northeast of the intersection of FM 400 and County Road 275.

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**Landowners and  
Transmission Line Cases  
at the PUC**

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*Public Utility Commission of Texas*



1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7261  
[www.puc.state.tx.us](http://www.puc.state.tx.us)

Effective: June 1, 2011

### ***Purpose of This Brochure***

This brochure is intended to provide landowners with information about proposed new transmission lines and the Public Utility Commission's ("PUC" or "Commission") process for evaluating these proposals. At the end of the brochure is a list of sources for additional information.

The following topics are covered in this brochure:

- How the PUC evaluates whether a new transmission line should be built,
- How you can participate in the PUC's evaluation of a line, and
- How utilities acquire the right to build a transmission line on private property.

You are receiving the enclosed formal notice because one or more of the routes for a proposed transmission line may require an easement or other property interest across your property, or the centerline of the proposed project may come within 300 feet of a house or other habitable structure on your property. This distance is expanded to 500 feet if the proposed line is greater than 230 kilovolts (kV). For this reason, your property is considered **directly affected land**. This brochure is being included as part of the formal notice process.

If you have questions about the proposed routes for a transmission line, you may contact the applicant. The applicant also has a more detailed map of the proposed routes for the transmission line and nearby habitable structures. The applicant may help you understand the routing of the project and the application approval process in a transmission line case but cannot provide legal advice or represent you. *The applicant cannot predict which route may or may not be approved by the PUC. The PUC decides which route to use for the transmission line, and the applicant is not obligated to keep you informed of the PUC's proceedings. The only way to fully participate in the PUC's decision on where to locate the transmission line is to intervene, which is discussed below.*

The PUC is sensitive to the impact that transmission lines have on private property. At the same time, transmission lines deliver electricity to millions of homes and businesses in Texas, and new lines are sometimes needed so that customers can obtain reliable, economical power.

The PUC's job is to decide whether a transmission line application should be approved and on which route the line should be constructed. The PUC values input from landowners and encourages you to participate in this process by intervening in the docket.

### ***PUC Transmission Line Case***

Texas law provides that most utilities must file an application with the PUC to obtain or amend a Certificate of Convenience and Necessity (CCN) in order to build a new transmission line in Texas. The law requires the PUC to consider a number of factors in deciding whether to approve a proposed new transmission line.

The PUC may approve an application to obtain or amend a CCN for a transmission line after considering the following factors:

- Adequacy of existing service;
- Need for additional service;
- The effect of approving the application on the applicant and any utility serving the proximate area;
- Whether the route utilizes existing compatible rights-of-way, including the use of vacant positions on existing multiple-circuit transmission lines;
- Whether the route parallels existing compatible rights-of-way;
- Whether the route parallels property lines or other natural or cultural features;
- Whether the route conforms with the policy of prudent avoidance (which is defined as the limiting of exposures to electric and magnetic fields that can be avoided with reasonable investments of money and effort); and
- Other factors such as community values, recreational and park areas, historical and aesthetic values, environmental integrity, and the probable improvement of service or lowering of cost to consumers in the area.

If the PUC decides an application should be approved, it will grant to the applicant a CCN or CCN amendment to allow for the construction and operation of the new transmission line.<sup>3</sup>

***Application to Obtain or Amend a CCN:***

An application to obtain or amend a CCN describes the proposed line and includes a statement from the applicant describing the need for the line and the impact of building it. In addition to the routes proposed by the applicant in its application, the possibility exists that additional routes may be developed, during the course of a CCN case, that could affect property in a different manner than the original routes proposed by the applicant.

The PUC conducts a case to evaluate the impact of the proposed line and to decide which route should be approved. Landowners who would be affected by a new line can:

- informally file a protest, or
- formally participate in the case as an intervenor.

***Filing a Protest (informal comments):***

If you do not wish to intervene and participate in a hearing in a CCN case, you may file **comments**. An individual or business or a group who files only comments for or against any aspect of the transmission line application is considered a “protestor.”

Protestors make a written or verbal statement in support of or in opposition to the utility’s application and give information to the PUC staff that they believe supports their position.

Protestors are *not* parties to the case, however, and *do not have the right to*:

- Obtain facts about the case from other parties;
- Receive notice of a hearing, or copies of testimony and other documents that are filed in the case;
- Receive notice of the time and place for negotiations;
- File testimony and/or cross-examine witnesses;
- Submit evidence at the hearing; or
- Appeal P.U.C. decisions to the courts.

If you want to make comments, you may either send written comments stating your position, or you may make a statement on the first day of the hearing. If you have not intervened, however, you will not be able to participate as a party in the hearing. Only parties may submit evidence and ***the PUC must base its decision on the evidence.***

***Intervening in a Case:***

To become an intervenor, you must file a statement with the PUC, no later than the date specified in the notice letter sent to you with this brochure, requesting intervenor status (also referred to as a party). This statement should describe how the proposed transmission line would affect your property. Typically, intervention is granted only to directly affected landowners. However, any landowner may request to intervene and obtain a ruling on his or her specific fact situation and concerns. A sample form for intervention and the filing address are attached to this brochure, and may be used to make your filing. A letter requesting intervention may also be used in lieu of the sample form for intervention.

If you decide to intervene and become a party in a case, you will be required to follow certain procedural rules:

- You are required to timely respond to requests for information from other parties who seek information.
- If you file testimony, you must appear at a hearing to be cross-examined.
- If you file testimony or any letters or other documents in the case, you must send copies of the documents to every party in the case and you must file multiple copies with the PUC.
- If you intend to participate at the hearing and you do not file testimony, you must at least file a statement of position, which is a document that describes your position in the case.
- Failure to comply with these procedural rules may serve as grounds for you to be dismissed as an intervenor in the case.
- If you wish to participate in the proceedings it is very important to attend any prehearing conferences.

Intervenors may represent themselves or have an attorney to represent them in a CCN case. If you intervene in a case, you may want an attorney to help you understand the PUC’s procedures and the laws and rules that the PUC applies in deciding whether to approve a transmission line. The PUC encourages landowners to intervene and become parties.<sup>4</sup>



### *Stages of a CCN Case:*

If there are persons who intervene in the case and oppose the approval of the line, the PUC may refer the case to an administrative law judge (ALJ) at the State Office of Administrative Hearings (SOAH) to conduct a hearing, or the Commission may elect to conduct a hearing itself. The hearing is a formal proceeding, much like a trial, in which testimony is presented. In the event the case is referred to SOAH, the ALJ makes a recommendation to the PUC on whether the application should be approved and where and how the line should be routed.

There are several stages of a CCN case:

- The ALJ holds a prehearing conference (usually in Austin) to set a schedule for the case.
- Parties to the case have the opportunity to conduct discovery; that is, obtain facts about the case from other parties.
- A hearing is held (usually in Austin), and parties have an opportunity to cross-examine the witnesses.
- Parties file written testimony before the date of the hearing. Parties that do not file written testimony or statements of position by the deadline established by the ALJ may not be allowed to participate in the hearing on the merits.
- Parties may file written briefs concerning the evidence presented at the hearing, but are not required to do so.
- In deciding where to locate the transmission line and other issues presented by the application, the ALJ and Commission rely on factual information submitted as evidence at the hearing by the parties in the case. In order to submit factual information as evidence (other than through cross-examination of other parties' witnesses), a party must have intervened in the docket and filed written testimony on or before the deadline set by the ALJ.
- The ALJ makes a recommendation, called a **proposal for decision**, to the Commission regarding the case. Parties who disagree with the ALJ's recommendation may file exceptions.
- The Commissioners discuss the case and decide whether to approve the application. The Commission may approve the ALJ's recommendation, approve it with specified changes, send the case back to the ALJ for further consideration, or deny the application. The written decision rendered by the Commission is called a **final order**. Parties who believe that the Commission's decision is in error may file motions for rehearing, asking the Commission to reconsider the decision.
- After the Commission rule on the motion for rehearing, parties have the right to appeal the decision to district court in Travis County.
- 

### *Right to Use Private Property*

The Commission is responsible for deciding whether to approve a CCN application for a proposed transmission line. If a transmission line route is approved that impacts your property, the electric utility must obtain the right from you to enter your property and to build, operate, and maintain the transmission line. This right is typically called an easement.

Utilities may buy easements through a negotiated agreement, but they also have the power of eminent domain (condemnation) under Texas law. Local courts, not the PUC, decide issues concerning easements for rights-of-way. The PUC does not determine the value of property.

The PUC final order in a transmission case normally requires a utility to take certain steps to minimize the impact of the new transmission line on landowners' property and on the environment. For example, the order normally requires steps to minimize the possibility of erosion during construction and maintenance activities.<sup>5</sup>

## HOW TO OBTAIN MORE INFORMATION

The PUC's online filings interchange on the PUC website provides free access to documents that are filed with the Commission in Central Records. The docket number, also called a control number on the PUC website, of a case is a key piece of information used in locating documents in the case. You may access the Interchange by visiting the PUC's website home page at [www.puc.state.tx.us](http://www.puc.state.tx.us) and navigate the website as follows:

- Select "Filings."
- Select "Filings Search."
- Select "Filings Search."
- Enter 5-digit Control (Docket) Number. *No other information is necessary.*
- Select "Search." *All of the filings in the docket will appear in order of date filed.*
- Scroll down to select desired filing.
- Click on a blue "Item" number at left.
- Click on a "Download" icon at left.

Documents may also be purchased from and filed in Central Records. For more information on how to purchase or file documents, call Central Records at the PUC at 512-936-7180. PUC Substantive Rule 25.101, Certification Criteria, addresses transmission line CCNs and is available on the PUC's website, or you may obtain copies of PUC rules from Central Records.

***Always include the docket number on all filings with the PUC. You can find the docket number on the enclosed formal notice.*** Send documents to the PUC at the following address.

Public Utility Commission of Texas

Central Records

Attn: Filing Clerk

1701 N. Congress Avenue

P.O. Box 13326

Austin, TX 78711-3326

The information contained within this brochure is not intended to provide a comprehensive guide to landowner rights and responsibilities in transmission line cases at the PUC. This brochure should neither be regarded as legal advice nor should it be a substitute for the PUC's rules. However, if you have questions about the process in transmission line cases, you may call the PUC's Legal Division at 512-936-7261. The PUC's Legal Division may help you understand the process in a transmission line case but cannot provide legal advice or represent you in a case. You may choose to hire an attorney to decide whether to intervene in a transmission line case, and an attorney may represent you if you choose to intervene.

### ***Communicating with Decision-Makers***

***Do not contact the ALJ or the Commissioners by telephone or email. They are not allowed to discuss pending cases with you. They may make their recommendations and decisions only by relying on the evidence, written pleadings, and arguments that are presented in the case.***

## Request to Intervene in PUC Docket No. 48253

The following information must be submitted by the person requesting to intervene in this proceeding. This completed form will be provided to all parties in this docket. **If you DO NOT want to be an intervenor, but still want to file comments, please complete the "Comments" page.**

Mail this completed form and 10 copies to:

Public Utility Commission of Texas  
Central Records  
Attn: Filing Clerk  
1701 N. Congress Ave.  
P.O. Box 13326  
Austin, TX 78711-3326

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Address, City, State: \_\_\_\_\_

**I am requesting to intervene in this proceeding. As an INTERVENOR, I understand the following:**

- ☐ I am a party to the case;
- ☐ I am required to respond to all discovery requests from other parties in the case;
- ☐ If I file testimony, I may be cross-examined in the hearing;
- ☐ If I file any documents in the case, I will have to provide a copy of that document to every other party in the case; and
- ☐ I acknowledge that I am bound by the Procedural Rules of the Public Utility Commission of Texas (PUC) and the State Office of Administrative Hearings (SOAH).

**Please check one of the following:**

- ☐ I own property with a habitable structure located near one or more of the utility's proposed routes for a transmission line.
- ☐ One or more of the utility's proposed routes would cross my property.
- ☐ Other. Please describe and provide comments. You may attach a separate page, if necessary. \_\_\_\_\_

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**Signature of person requesting intervention:**

\_\_\_\_\_ Date: \_\_\_\_\_

**Comments in Docket No. 48253**

**If you want to be a PROTESTOR only, please complete this form.** Although public comments are not treated as evidence, they help inform the PUC and its staff of the public concerns and identify issues to be explored. The PUC welcomes such participation in its proceedings.

Mail this completed form and 10 copies to:

Public Utility Commission of Texas  
Central Records  
Attn: Filing Clerk  
1701 N. Congress Ave.  
P.O. Box 13326  
Austin, TX 78711-3326

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Address, City, State: \_\_\_\_\_

**I am NOT requesting to intervene in this proceeding. As a PROTESTOR, I understand the following:**

- I am NOT a party to this case;
- My comments are not considered evidence in this case; and
- I have no further obligation to participate in the proceeding.

**Please check one of the following:**

- ☐ I own property with a habitable structure located near one or more of the utility's proposed routes for a transmission line.
- ☐ One or more of the utility's proposed routes would cross my property.
- ☐ Other. Please describe and provide comments. You may attach a separate page, if necessary. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Signature of person submitting comments:**

\_\_\_\_\_ Date: \_\_\_\_\_

Effective: January 1, 2003



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THE STATE OF TEXAS  
**LANDOWNER'S  
BILL OF RIGHTS**

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PREPARED BY THE



OFFICE OF THE  
ATTORNEY GENERAL OF TEXAS



## STATE OF TEXAS LANDOWNER'S BILL OF RIGHTS

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This Landowner's Bill of Rights applies to any attempt by the government or a private entity to take your property. The contents of this Bill of Rights are prescribed by the Texas Legislature in Texas Government Code Sec. 402.031 and Chapter 21 of the Texas Property Code.

1. You are entitled to receive adequate compensation if your property is taken for a public use.
2. Your property can only be taken for a public use.
3. Your property can only be taken by a governmental entity or private entity authorized by law to do so
4. The entity that wants to take your property must notify you that it wants to take your property
5. The entity proposing to take your property must provide you with a written appraisal from a certified appraiser detailing the adequate compensation you are owed for your property
6. The entity proposing to take your property must make a bona fide offer to buy the property before it files a lawsuit to condemn the property – which means the condemning entity must make a good faith offer that conforms with Chapter 21 of the Texas Property Code.
7. You may hire an appraiser or other professional to determine the value of your property or to assist you in any condemnation proceeding
8. You may hire an attorney to negotiate with the condemning entity and to represent you in any legal proceedings involving the condemnation.
9. Before your property is condemned, you are entitled to a hearing before a court appointed panel that includes three special commissioners. The special commissioners must determine the amount of compensation the condemning entity owes for the taking of your property. The commissioners must also determine what compensation, if any, you are entitled to receive for any reduction in value of your remaining property.
10. If you are unsatisfied with the compensation awarded by the special commissioners, or if you question whether the taking of your property was proper, you have the right to a trial by a judge or jury. If you are dissatisfied with the trial court's judgment, you may appeal that decision.

## CONDEMNATION PROCEDURE

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Eminent domain is the legal authority that certain entities are granted that allows those entities to take private property for a public use. Private property can include land and certain improvements that are on that property.

Private property may only be taken by a governmental entity or private entity that is authorized by law to do so. Your property may be taken only for a public purpose. That means it can only be taken for a purpose or use that serves the general public. Texas law prohibits condemnation authorities from taking your property to enhance tax revenues or foster economic development.

Your property cannot be taken without adequate compensation. Adequate compensation includes the market value of the property being taken. It may also include certain damages if your remaining property's market value is diminished by the acquisition itself or by the way the condemning entity will use the property.

## **HOW THE TAKING PROCESS BEGINS**

The taking of private property by eminent domain must follow certain procedures. First, the entity that wants to condemn your property must provide you a copy of this Landowner's Bill of Rights before - or at the same time - the entity first represents to you that it possesses eminent domain authority.

Second, if it has not been previously provided, the condemning entity must send this Landowner's Bill of Rights to the last known address of the person who is listed as the property owner on the most recent tax roll. This requirement stipulates that the Landowner's Bill of Rights must be provided to the property owner at least seven days before the entity makes a final offer to acquire the property.

Third, the condemning entity must make a bona fide offer to purchase the property. The requirements for a bona fide offer are contained in Chapter 21 of the Texas Property Code. At the time a purchase offer is made, the condemning entity must disclose any appraisal reports it produced or acquired that relate specifically to the property and were prepared in the ten years preceding the date of the purchase offer. You have the right to discuss the offer with others and to either accept or reject the offer made by the condemning entity.

## **CONDEMNATION PROCEEDINGS**

If you and the condemning entity do not agree on the value of your property, the entity may begin condemnation proceedings. Condemnation is the legal process that eligible entities utilize to take private property. It begins with a condemning entity filing a claim for your property in court. If you live in a county where part of the property being condemned is located, the claim must be filed in that county. Otherwise, the condemnation claim can be filed in any county where at least part of the property being condemned is located. The claim must describe the property being condemned, state with specificity the public use, state the name of the landowner, state that the landowner and the condemning entity were unable to agree on the value of the property, state that the condemning entity provided the landowner with the Landowner's Bill of Rights, and state that the condemning entity made a bona fide offer to acquire the property from the property owner voluntarily.

## **SPECIAL COMMISSIONERS' HEARING**

After the condemning entity files a condemnation claim in court, the judge will appoint three local landowners to serve as special commissioners. The judge will give you a reasonable period to strike one of the special commissioners. If a commissioner is struck, the judge will appoint a replacement. These special commissioners must live in the county where the condemnation proceeding is filed, and they must take an oath to assess the amount of adequate compensation fairly, impartially, and according to the law. The special commissioners are not legally authorized to decide whether the condemnation is necessary or if the public use is proper. Their role is limited to assessing adequate compensation for you. After being appointed, the special commissioners must schedule a hearing at the earliest practical time and place. The special commissioners are also required to give you written notice of the condemnation hearing.

You are required to provide the condemning entity any appraisal reports that were used to determine your claim about adequate compensation for the condemned property. Under a new law enacted in 2011, landowners' appraisal reports must be provided to the condemning entity either ten days after the landowner receives the report or three business days before the special commissioners' hearing - whichever is earlier. You may hire an appraiser or real estate professional to help you determine the value of your private property. Additionally, you can hire an attorney to represent you during condemnation proceedings.

At the condemnation hearing, the special commissioners will consider your evidence on the value of your condemned property, the damages to remaining property, any value added to the remaining property as a result of the condemnation, and the condemning entity's proposed use of your condemned property.

## **SPECIAL COMMISSIONERS' AWARD**

After hearing evidence from all interested parties, the special commissioners will determine the amount of money that you should be awarded to adequately compensate you for your property. The special commissioners' decision is significant to you not only because it determines the amount that qualifies as adequate compensation, but also because it impacts who pays for the cost of the condemnation proceedings. Under the Texas Property Code, if the special commissioners' award is less than or equal to the amount the condemning entity offered to pay before the proceedings began, then you may be financially responsible for the cost of the condemnation proceedings. However, if the special commissioners' award is more than the condemning entity offered to pay before the proceedings began, then the condemning entity will be responsible for the costs associated with the proceedings.

The special commissioners are required to provide the court that appointed them a written decision. That decision is called the "Award." The Award must be filed with the court and the court must send written notice of the Award to all parties. After the Award is filed, the condemning entity may take possession of the property being condemned, even if either party appeals the Award of the special commissioners. To take possession of the property, the condemning entity must either pay the amount of the Award or deposit the amount of the Award into the court's registry. You have the right to withdraw funds that are deposited into the registry of the court.

## **OBJECTION TO THE SPECIAL COMMISSIONERS' AWARD**

If either the landowner or the condemning entity is dissatisfied with the amount of the Award, either party can formally object to the Award. In order to successfully make this valuation objection, it must be filed in writing with the court. If neither party timely objects to the special commissioners' Award, the court will adopt the Award as the final judgment of the court.

If a party timely objects to the special commissioners' Award, the court will hear the case in the same manner that other civil cases are heard. Landowners who object to the Award and ask the court to hear the matter have the right to a trial and can elect whether to have the case decided by a judge or jury. The allocation of any trial costs is decided in the same manner that costs are allocated with the special commissioners' Award. After trial, either party may appeal any judgment entered by the court.

## **DISMISSAL OF THE CONDEMNATION ACTION**

A condemning entity may file a motion to dismiss the condemnation proceeding if it decides it no longer needs your condemned property. If the court grants the motion to dismiss, the case is over and you are entitled to recover reasonable and necessary fees for attorneys, appraisers, photographers, and for other expenses incurred to the date of the hearing on the motion to dismiss.

If you wish to challenge the condemning entity's authority to take your property, you can lodge that challenge by filing a motion to dismiss the condemnation proceeding. Such a motion to dismiss would allege that the condemning entity did not have the right to condemn your property. For example, a landowner could challenge the condemning entity's claim that it seeks to take the property for a public use. If the court grants the landowner's motion, the court may award the landowner reasonable and necessary fees for attorneys, appraisers, photographers, and for other expenses incurred to the date of the hearing or judgment.



## **RELOCATION COSTS**

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If you are displaced from your residence or place of business, you may be entitled to reimbursement for reasonable expenses incurred while moving personal property from the residence or relocating the business to a new site. However, during condemnation proceedings, reimbursement for relocation costs may not be available if those costs are separately recoverable under another law. Texas law limits the total amount of available relocation costs to the market value of the property being moved. Further, the law provides that moving costs are limited to the amount that a move would cost if it were within 50 miles.

## **RECLAMATION OPTIONS**

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If private property was condemned by a governmental entity, and the public use for which the property was acquired is canceled before that property is used for that public purpose, no actual progress is made toward the public use within ten years or the property becomes unnecessary for public use within ten years, landowners may have the right to repurchase the property for the price paid to the owner by the entity at the time the entity acquired the property through eminent domain.

## **DISCLAIMER**

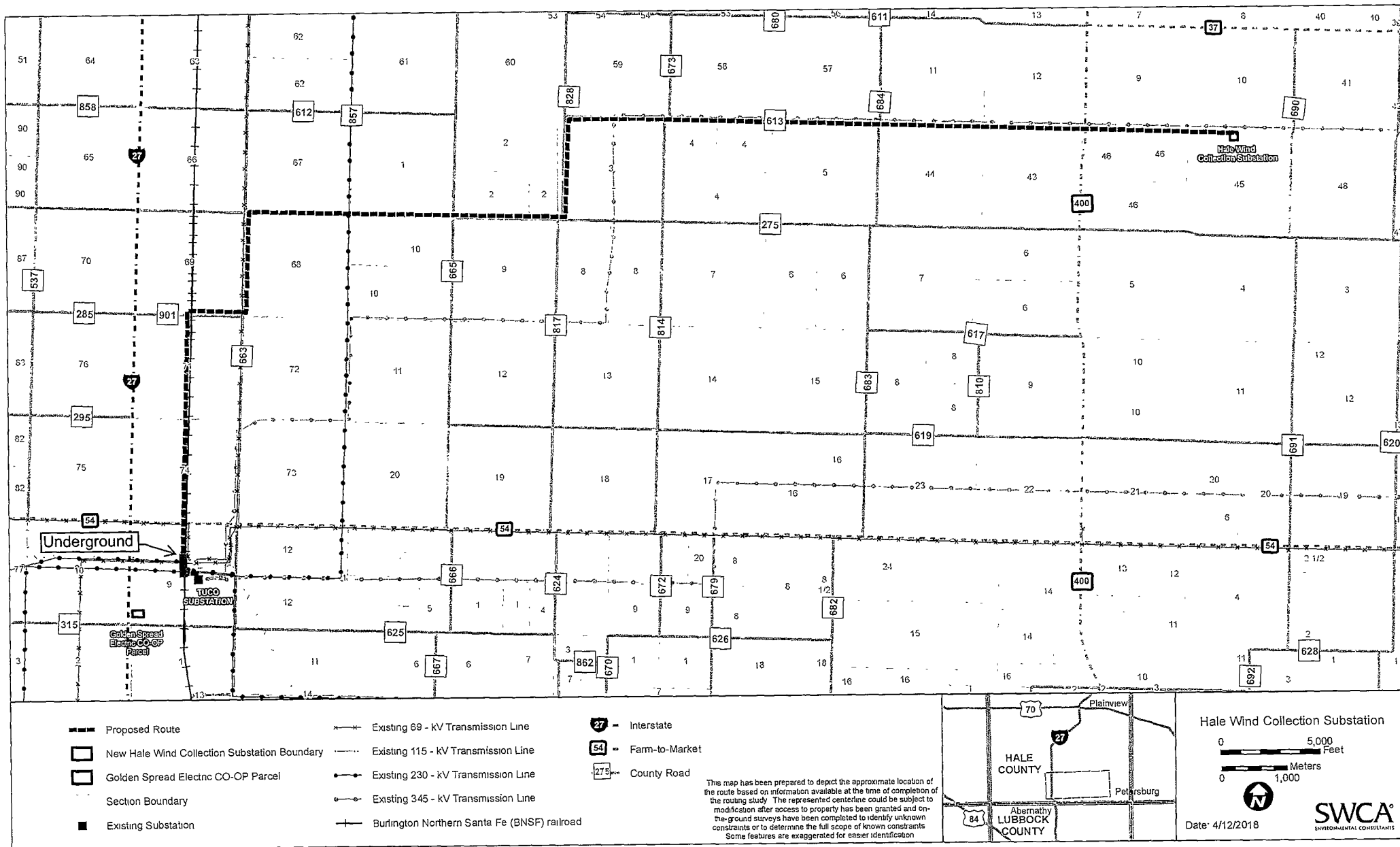
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The information in this statement is intended to be a summary of the applicable portions of Texas state law as required by HB 1495, enacted by the 80th Texas Legislature, Regular Session. This statement is not legal advice and is not a substitute for legal counsel.

## **ADDITIONAL RESOURCES**

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Further information regarding the procedures, timelines and requirements outlined in this document can be found in Chapter 21 of the Texas Property Code.



# **EXHIBIT E**



#### Siting and Land Rights

790 South Buchanan Street  
Amarillo, TX 79101  
Telephone: 806-378-2757  
Facsimile: 806-378-2724

May 25, 2018

Michele Gregg  
Office of Public Utility Counsel  
P.O. Box 12397  
Austin, TX 78711-2397

Dear Ms. Gregg:

Southwestern Public Service Company ("SPS"), a subsidiary of Xcel Energy Inc., is providing notice of its application to amend its Certificate of Convenience and Necessity ("CCN") in order to construct and operate a single circuit, 230-kilovolt ("kV") electric transmission line between the existing TUCO Substation and the new Hale Wind Collection Substation, both located in Hale County, Texas ("Proposed Project"). SPS has filed an application with the Public Utility Commission of Texas ("Commission" or "PUC") (**Docket No. 48253- Application of Southwestern Public Service Company to Amend A Certificate of Convenience and Necessity for A Proposed 230-kV Transmission Line Within Hale County (Hale Wind Interconnection)**) and is requesting the Commission's approval of the Proposed Project. The new Hale Wind Collection Substation will serve a 478 megawatt ("MW") wind generation plant and associated facilities ("Hale Wind Project"). The Proposed Project is required to interconnect the Hale Wind Project to the SPS system.

The Proposed Project will involve the construction of a new 230-kV transmission line, which will originate at the existing TUCO Substation, located approximately 0.8 mile southeast from the intersection of Interstate 27 and FM 54, in Hale County, Texas. The Proposed Project will terminate at the new Hale Wind Collection Substation approximately 1.7 miles northeast of the intersection of FM 400 and County Road 275, in Hale County, Texas.

The Southwest Power Pool identified the proposed transmission line as a requirement of a Generator Interconnection Agreement. The Proposed Project is needed for the generation from the Hale Wind Project to be accessible to SPS's customers and the SPP Integrated Marketplace.

The proposed 230-kV transmission line will be constructed utilizing primarily single-circuit, concrete monopole structures, which require a smaller surface area than H-frame structures. Angle structures will be either guyed concrete monopoles or self-supporting concrete monopoles. The proposed transmission line will be constructed entirely on new right-of-way ("ROW") with a proposed easement width of 150 feet. In some circumstances, a wider or more narrow easement may be necessary, but these locations and easement widths cannot be determined until the route is approved by the Commission and surveyed.

SPS is proposing one route with a total cost is \$9,441,644 consisting of \$9,317,470 for transmission facilities and \$124,174 for substation facilities.

Enclosed are a copy of a written description of the proposed route and a map of the proposed project. A copy of the complete application, which includes larger, more detailed map, is available for review at SPS's offices at 790 Buchanan Street, 4<sup>th</sup> floor, Amarillo, Texas 79101. The complete application is also available for review on the PUC's website at [www.puc.state.tx.us](http://www.puc.state.tx.us). **by using** the PUC's filing retrieval system and the Docket No. assigned to the application. Information about the proposed project is also accessible on Xcel Energy's website *Power for the Plains* at <http://www.powerfortheplains.com>.

Persons who wish to intervene in the docket or comment on the application should mail the original and 10 copies of their requests to intervene or comments to:

Public Utility Commission of Texas  
Central Records  
Attn: Filing Clerk  
1701 N. Congress Avenue  
P. O. Box 13326  
Austin, Texas 78711-3326

The deadline for intervention in the proceeding is July 9, 2018, and a letter requesting intervention should be received by the Commission by that date. Persons who wish to intervene in the docket must also mail a copy of their request for intervention to all parties in the docket and all persons that have pending motions to intervene, at or before the time the request for intervention is mailed to the PUC.

The PUC has a brochure titled "Landowners and Transmission Line Cases at the PUC." Copies of the brochure are available from Bryant Coon at 806-378-2757 or James Bagley at 806-378-2868 or may be downloaded from the PUC's website at [www.puc.state.tx.us](http://www.puc.state.tx.us). To obtain additional information about this docket, you may contact the PUC's Customer Assistance Hotline at 512-936-7120 or 888-782-8477. Hearing- and speech-impaired individuals with text telephones ("TTY") may contact the PUC's Customer Assistance Hotline at 512-936-7136 or toll free at 800-735-2989. In addition to the intervention deadline, other important deadlines may already exist that affect your participation in this docket. You should review the orders and other filings already made in the docket.

If you have any questions or need additional information, please call Bryan Coon or James Bagley.

Sincerely,



Sean L. Frederiksen, Manager  
Siting and Land Rights

Enclosures

# **EXHIBIT F**



#### Siting and Land Rights

790 South Buchanan Street  
Amarillo, TX 79101  
Telephone: 806-378-2757  
Facsimile: 806-378-2724

May 25, 2018

Julie Wicker  
Wildlife Habitat Assessment Program  
Wildlife Division  
Texas Parks and Wildlife Department  
4200 Smith School Road  
Austin, Texas 78744

Dear Ms. Wicker:

Southwestern Public Service Company ("SPS"), a subsidiary of Xcel Energy Inc., is providing notice of its application to amend its Certificate of Convenience and Necessity ("CCN") in order to construct and operate a single circuit, 230-kilovolt ("kV") electric transmission line between the existing TUCO Substation and the existing Hale Wind Collection Substation, both located in Hale County, Texas ("Proposed Project"). SPS has filed an application with the Public Utility Commission of Texas ("Commission" or "PUC") (**Docket No. 48253- Application of Southwestern Public Service Company to Amend A Certificate of Convenience and Necessity for A Proposed 230-kV Transmission Line Within Hale County (Hale Wind Interconnection)**) and is requesting the Commission's approval of the Proposed Project. The existing Hale Wind Collection Substation will serve a 478 megawatt ("MW") wind generation plant and associated facilities ("Hale Wind Project"). The Proposed Project is required to interconnect the Hale Wind Project to the SPS system.

The Proposed Project will involve the construction of a new 230-kV transmission line, which will originate at the existing TUCO Substation, located approximately 0.8 mile southeast from the intersection of Interstate 27 and FM 54, in Hale County, Texas. The Proposed Project will terminate at the existing Hale Wind Collection Substation approximately 1.7 miles northeast of the intersection of FM 400 and County Road 275, in Hale County, Texas.

The Southwest Power Pool identified the proposed transmission line as a requirement of a Generator Interconnection Agreement. The Proposed Project is needed for the generation from the Hale Wind Project to be accessible to SPS's customers and the SPP Integrated Marketplace.

The proposed 230-kV transmission line will be constructed utilizing primarily single-circuit, concrete monopole structures, which require a smaller surface area than H-frame structures. Angle structures will be either guyed concrete monopoles or self-supporting concrete monopoles. The proposed transmission line will be constructed entirely on new right-of-way ("ROW") with a proposed easement width of 150 feet. In some circumstances, a wider or more narrow easement may be

necessary, but these locations and easement widths cannot be determined until the route is approved by the Commission and surveyed.

SPS is proposing one route with a total cost is \$9,441,644 consisting of \$9,317,470 for transmission facilities and \$124,174 for substation facilities.

Enclosed are a copy of a written description of the proposed route and a map of the proposed project. A copy of the complete application, which includes larger, more detailed map, is available for review at SPS's offices at 790 Buchanan Street, 4<sup>th</sup> floor, Amarillo, Texas 79101. The complete application is also available for review on the PUC's website at [www.puc.state.tx.us](http://www.puc.state.tx.us). by using the PUC's filing retrieval system and the Docket No. assigned to the application. Information about the proposed project is also accessible on Xcel Energy's website *Power for the Plains* at <http://www.powerfortheplains.com>.

Persons who wish to intervene in the docket or comment on the application should mail the original and 10 copies of their requests to intervene or comments to:

Public Utility Commission of Texas  
Central Records  
Attn: Filing Clerk  
1701 N. Congress Avenue  
P. O. Box 13326  
Austin, Texas 78711-3326

The deadline for intervention in the proceeding is July 9, 2018, and a letter requesting intervention should be received by the Commission by that date. Persons who wish to intervene in the docket must also mail a copy of their request for intervention to all parties in the docket and all persons that have pending motions to intervene, at or before the time the request for intervention is mailed to the PUC.

The PUC has a brochure titled "Landowners and Transmission Line Cases at the PUC." Copies of the brochure are available from Bryant Coon at 806-378-2757 or James Bagley at 806-378-2868 or may be downloaded from the PUC's website at [www.puc.state.tx.us](http://www.puc.state.tx.us). To obtain additional information about this docket, you may contact the PUC's Customer Assistance Hotline at 512-936-7120 or 888-782-8477. Hearing- and speech-impaired individuals with text telephones ("TTY") may contact the PUC's Customer Assistance Hotline at 512-936-7136 or toll free at 800-735-2989. In addition to the intervention deadline, other important deadlines may already exist that affect your participation in this docket. You should review the orders and other filings already made in the docket.

If you have any questions or need additional information, please call Bryan Coon at 806-378-2757 or James Bagley at 806-378-2868.

Sincerely,



Sean L. Frederiksen, Manager  
Siting and Land Rights

Enclosures



# **EXHIBIT G**



#### Siting and Land Rights

790 South Buchanan Street  
Amarillo, TX 79101  
Telephone: 806-378-2757  
Facsimile: 806-378-2724

May 25, 2018

DOD Siting Clearinghouse  
3400 Defense Pentagon, Room 5C646  
Washington, DC 20301-3400

Dear Department of Defense:

Southwestern Public Service Company ("SPS"), a subsidiary of Xcel Energy Inc., is providing notice of its application to amend its Certificate of Convenience and Necessity ("CCN") in order to construct and operate a single circuit, 230-kilovolt ("kV") electric transmission line between the existing TUCO Substation and the new Hale Wind Collection Substation, both located in Hale County, Texas ("Proposed Project"). SPS has filed an application with the Public Utility Commission of Texas ("Commission" or "PUC") (**Docket No. 48253- Application of Southwestern Public Service Company to Amend A Certificate of Convenience and Necessity for A Proposed 230-kV Transmission Line Within Hale County (Hale Wind Interconnection)**) and is requesting the Commission's approval of the Proposed Project. The new Hale Wind Collection Substation will serve a 478 megawatt ("MW") wind generation plant and associated facilities ("Hale Wind Project"). The Proposed Project is required to interconnect the Hale Wind Project to the SPS system.

The Proposed Project will involve the construction of a new 230-kV transmission line, which will originate at the existing TUCO Substation, located approximately 0.8 mile southeast from the intersection of Interstate 27 and FM 54, in Hale County, Texas. The Proposed Project will terminate at the new Hale Wind Collection Substation approximately 1.7 miles northeast of the intersection of FM 400 and County Road 275, in Hale County, Texas.

The Southwest Power Pool identified the proposed transmission line as a requirement of a Generator Interconnection Agreement. The Proposed Project is needed for the generation from the Hale Wind Project to be accessible to SPS's customers and the SPP Integrated Marketplace.

The proposed 230-kV transmission line will be constructed utilizing primarily single-circuit, concrete monopole structures, which require a smaller surface area than H-frame structures. Angle structures will be either guyed concrete monopoles or self-supporting concrete monopoles. The proposed transmission line will be constructed entirely on new right-of-way ("ROW") with a proposed easement width of 150 feet. In some circumstances, a wider or more narrow easement may be necessary, but these locations and easement widths cannot be determined until the route is approved by the Commission and surveyed.

SPS is proposing one route with a total cost is \$9,441,644 consisting of \$9,317,470 for transmission facilities and \$124,174 for substation facilities.

Enclosed are a copy of a written description of the proposed route and a map of the proposed project. A copy of the complete application, which includes larger, more detailed map, is available for review at SPS's offices at 790 Buchanan Street, 4<sup>th</sup> floor, Amarillo, Texas 79101. The complete application is also available for review on the PUC's website at [www.puc.state.tx.us](http://www.puc.state.tx.us), by using the PUC's filing retrieval system and the Docket No. assigned to the application. Information about the proposed project is also accessible on Xcel Energy's website *Power for the Plains* at <http://www.powerfortheplains.com>.

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Public Utility Commission of Texas  
Central Records  
Attn: Filing Clerk  
1701 N. Congress Avenue  
P. O. Box 13326  
Austin, Texas 78711-3326

The deadline for intervention in the proceeding is July 9, 2018, and a letter requesting intervention should be received by the Commission by that date. Persons who wish to intervene in the docket must also mail a copy of their request for intervention to all parties in the docket and all persons that have pending motions to intervene, at or before the time the request for intervention is mailed to the PUC.

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If you have any questions or need additional information, please call Bryan Coon or James Bagley.

Sincerely,



Sean L. Frederiksen, Manager  
Siting and Land Rights

Enclosures

# **EXHIBIT H**



#### Siting and Land Rights

790 South Buchanan Street  
Amarillo, TX 79101  
Telephone: 806-378-2757  
Facsimile: 806-378-2724

April 27, 2018

«Company\_Name»  
«Address\_1», «Address\_2»  
«City», «State» «Zip»

Dear Pipeline Owner:

Southwestern Public Service Company ("SPS"), a subsidiary of Xcel Energy Inc., is providing notice of its application to amend its Certificate of Convenience and Necessity ("CCN") in order to construct and operate a single circuit, 230-kilovolt ("kV") electric transmission line between the existing TUCO Substation and the new Hale Wind Collection Substation, both located in Hale County, Texas ("Proposed Project"). SPS has filed an application with the Public Utility Commission of Texas ("Commission" or "PUC") (**Docket No. 48253- Application of Southwestern Public Service Company to Amend A Certificate of Convenience and Necessity for A Proposed 230-kV Transmission Line Within Hale County (Hale Wind Interconnection)**) and is requesting the Commission's approval of the Proposed Project. The new Hale Wind Collection Substation will serve a 478 megawatt ("MW") wind generation plant and associated facilities ("Hale Wind Project"). The Proposed Project is required to interconnect the Hale Wind Project to the SPS system.

The Proposed Project will involve the construction of a new 230-kV transmission line, which will originate at the existing TUCO Substation in Section 9, located approximately 0.8 mile southeast from the intersection of Interstate 27 and FM 54, in Hale County, Texas. The Proposed Project will terminate in Section 45 at the new Hale Wind Collection Substation approximately 1.7 miles northeast of the intersection of FM 400 and CR 275, in Hale County, Texas.

The Southwest Power Pool identified the proposed transmission line as a requirement of a Generator Interconnection Agreement. The Proposed Project is needed for the generation from the Hale Wind Project to be accessible to SPS's customers and the SPP Integrated Marketplace.

The proposed 230-kV transmission line will be constructed utilizing primarily single-circuit, concrete monopole structures, which require a smaller surface area than H-frame structures. Angle structures will be either guyed concrete monopoles or self-supporting concrete monopoles. The proposed transmission line will be constructed entirely on new right-of-way ("ROW") with a proposed easement width of 150 feet. In some circumstances, a wider or more narrow easement may be necessary, but these locations and easement widths cannot be determined until the route is approved by the Commission and surveyed.

SPS is proposing one route with a total cost is \$9,441,644 consisting of \$9,317,470 for transmission facilities and \$124,174 for substation facilities.

Enclosed are a copy of a written description of the proposed route and a map of the proposed project. A copy of the complete application, which includes larger, more detailed map, is available for review at SPS's offices at 790 Buchanan Street, 4<sup>th</sup> floor, Amarillo, Texas 79101. The complete application is also available for review on the PUC's website at [www.puc.state.tx.us](http://www.puc.state.tx.us). by using the PUC's filing retrieval system and the Docket No. assigned to the application. Information about the proposed project is also accessible on Xcel Energy's website *Power for the Plains* at <http://www.powerfortheplains.com>.

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Public Utility Commission of Texas  
Central Records  
Attn: Filing Clerk  
1701 N. Congress Avenue  
P. O. Box 13326  
Austin, Texas 78711-3326

The deadline for intervention in the proceeding is June 11, 2018, and a letter requesting intervention should be received by the Commission by that date. Persons who wish to intervene in the docket must also mail a copy of their request for intervention to all parties in the docket and all persons that have pending motions to intervene, at or before the time the request for intervention is mailed to the PUC.

The PUC has a brochure titled "Landowners and Transmission Line Cases at the PUC." Copies of the brochure are available from Bryant Coon at 806-378-2757 or James Bagley at 806-378-2868 or may be downloaded from the PUC's website at [www.puc.state.tx.us](http://www.puc.state.tx.us). To obtain additional information about this docket, you may contact the PUC's Customer Assistance Hotline at 512-936-7120 or 888-782-8477. Hearing- and speech-impaired individuals with text telephones ("TTY") may contact the PUC's Customer Assistance Hotline at 512-936-7136 or toll free at 800-735-2989. In addition to the intervention deadline, other important deadlines may already exist that affect your participation in this docket. You should review the orders and other filings already made in the docket.

If you have any questions or need additional information, please call Bryan Coon or James Bagley.

Sincerely,



Sean L. Frederiksen, Manager  
Siting and Land Rights

Enclosures

**Hale Wind Interconnect  
D \_\_\_\_\_  
Pipeline Operators**

ONEOK	ONEOK, Inc.	P O BOX 871 MD 12.2		Tulsa	OK	74102	Wesley R. Dunbar
ATMOS	Atmos Pipeline - Texas	5420 LBJ Freeway	Suite 1557	Dallas	TX	75240	John J. Hardgrave
AGRITEXGAS	AGRITEXGAS, LP	325 N. St. Paul	Suite 4300	Dallas	TX	75201	Norman W. Smith
CANADIAN RIVER	Canadian River Municipal Water Authority	P O BOX 9		Sanford	TX	79078	Kent Satterwhite, P.E.
NORTHERN	Northern Natural Gas Co.	1111 South 103rd St		Omaha	NE	68124	Royce Ramsey