



Control Number: 48787



Item Number: 30

Addendum StartPage: 0

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PUBLIC UTILITY COMMISSION
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OPEN MEETING COVER SHEET

COMMISSIONER MEMORANDUM

MEETING DATE: May 23, 2019

DATE DELIVERED: May 22, 2019

AGENDA ITEM NO.: 10

CAPTION: **Docket No. 48787; SOAH No. 473-19-1266**
Application of LCRA Transmission Services Corporation and AEP Texas Inc. to Amend their Certificates of Convenience and Necessity for the Proposed Bakersfield to Solstice 345-kV Transmission Line in Pecos County

DESCRIPTION: Commissioner Memoranda

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Arthur C. D'Andrea
Commissioner

Shelly Botkin
Commissioner

John Paul Urban
Executive Director



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Governor

Public Utility Commission of Texas

TO: Chairman DeAnn T. Walker
Commissioner Arthur C. D'Andrea
Commissioner Shelly Botkin

All Parties of Record (*via electronic transmission*)

FROM: Carsi Mitzner *CM*
Commission Advising

RE: Docket No. 48787; *Joint Application of LCRA Transmission Services Corporation and AEP Texas Inc. to Amend Their Certificates of Convenience and Necessity for the Proposed Bakersfield to Solstice 345-kV Transmission Line in Pecos County*
May 23, 2019 Open Meeting, Item No. 10

DATE: May 22, 2019

Please find enclosed a memorandum by Chairman Walker regarding the above-referenced docket. No other commissioner will file a memorandum in this docket.

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Public Utility Commission of Texas

Memorandum

TO: Commissioner Arthur C. D'Andrea
Commissioner Shelly Botkin

FROM: Chairman DeAnn T. Walker 

DATE: May 22, 2019

RE: Open Meeting of May 23, 2019 – Agenda Item No. 10
Docket No. 48787 – *Joint Application of LCRA Transmission Services Corporation and AEP Texas Inc. to Amend Their Certificates of Convenience and Necessity for the Proposed Bakersfield to Solstice 345-kV Transmission Line in Pecos County*

I recommend making the following changes to the revised proposed order in this proceeding.

Findings of fact 7, 17, 29 through 37, and 42 through 53 should be modified in order to avoid confusion of references to specific dockets. In the above findings of fact that reference an order or filing, the Commission should specify in which proceeding – either consolidated Docket No. 48785 or Docket No. 48787 - the order or filing was made.

Finding of fact 53 should be modified to more accurately describe the hearing held on February 19, 2019.

53. On February 19, 2019, at the scheduled hearing on the merits in consolidated Docket No. 48785 concerning routing of the Bakersfield-to-Solstice transmission line ~~was held, the parties announced a settlement and offered at which exhibits were offered by the parties and that were then~~ admitted by the ALJs as follows...

Conclusion of law 9 should be modified for consistency and clarity.

9. No modifications were made to the proposed routes that were included in the application; therefore, Aadditional notice of the settlement route is not required. LCRA and AEP Texas are required to provide notice under 16 TAC § 22.52(a)(6).

Ordering paragraph 3 should be modified for accuracy and clarity.

3. LCRA and AEP Texas must consult ~~cooperate~~ with pipeline owners or operators in the vicinity of the approved route regarding the pipeline owners or operators' assessment of the need to install measures to mitigate the effects of alternating-current interference on existing natural gas pipelines that are paralleled by the proposed electric transmission facilities.

Because the location of this transmission line is in an area with substantial and highly concentrated oil and gas production in the Permian Basin, I propose adding the following ordering paragraph to give LCRA and AEP more flexibility in routing this transmission line. As you know, I have historically removed this language from orders, but due to the specific circumstances related to the Permian Basin and this area in particular, I propose to add it to this order.

OP. LCRA and AEP Texas shall be permitted to deviate from the approved route in any instance in which the deviation would be more than a minor deviation, but only if the following two conditions are met. First, LCRA and AEP Texas shall receive consent from all landowners who would be affected by the deviation regardless of whether the affected landowner received notice of or participated in this proceeding. Second, the deviation shall result in a reasonably direct path toward the terminus of the line and not cause an unreasonable increase in cost or delay the project. Unless these two conditions are met, this paragraph does not authorize LCRA and AEP Texas to deviate from the approved route.

Lastly, I propose delegating to the Office of Policy and Docket Management staff the authority to modify the order to conform to the *Citation and Style Guide for the Public Utility Commission of Texas* and to make other non-substantive changes to the order for such matters as capitalization, spelling, grammar, punctuation, style, correction of numbering, and readability.

I look forward to discussing this matter with you at the open meeting.