

Control Number: 49715



Item Number: 9

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RECEIVED

APPLICATION OF ENTERGY TEXAS
INC. TO AMEND ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY FOR
A PROPOSED 230-KV TRANSMISSION
LINE IN LIBERTY AND HARRIS
COUNTIES, TEXAS

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PUBLIC UTILITY COMMISSION
AUG 12 7:11:02
OF TEXAS

**COMMISSION STAFF'S RECOMMENDATION ON APPLICATION, NOTICE, AND
PROPOSED PROCEDURAL SCHEDULE**

COMES NOW the Commission Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest and files this Staff's Recommendation on Application, Notice, and Proposed Procedural Schedule. In support thereof, Staff shows the following:

I. BACKGROUND

On July 15th. Entergy Texas Inc. (ETI) filed an application to amend their Certificate of Convenience and Necessity (CCN) for the construction of a new single-pole double-circuit 230-kV transmission line. This line will connect the new Timberland substation in Liberty County to the existing China to Heights transmission line.

On July 18, 2019, the Administrative Law Judge (ALJ) issued Order No. 1, requiring Staff to comment on the sufficiency of ETI's application and proposed notice and to propose a procedural schedule by August 12, 2019. This pleading is therefore timely filed.

II. APPLICATION SUFFICIENCY

Staff has reviewed ETI's application and no deficiencies were found. As supported by the attached memorandum of David Bautista, Infrastructure and Reliability Division, Staff recommends that the application be found sufficient for processing.

III. NOTICE SUFFICIENCY

ETI included proof of notice and published notice in the application,¹ as well as the affidavit of proof of notice submitted on August 5, 2019.² Staff has reviewed this proof of notice and published notice and recommends that ETI's text and provision of notice be found to satisfy the requirements of 16 Tex. Admin. Code § 22.52(a) (TAC). Therefore, Staff recommends that ETI's notice be deemed sufficient.

IV. PROPOSED PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule:

Event:	Date:
Application Filed	July 15, 2019
Intervention Deadline	August 29, 2019
Deadline for Intervenors to request a hearing on the merits; deadline for Intervenor comments if no hearing is requested	August 29, 2019
<i>If qualified for informal disposition:</i>	
Deadline for Commission Staff to request a hearing on the merits; deadline for Commission Staff's recommendation on final disposition if no hearing on the merits requested	September 9, 2019
Deadline for ETI to request a hearing or respond to Intervenor comments and Staff recommendation on final disposition; or, deadline for Parties to file a joint proposed order, including proposed findings of fact, conclusions of law, and ordering paragraphs	September 16, 2019
If applicable, administrative review completed — 80 days from date of filing	October 3, 2019

¹ Application of Entergy Texas Inc. to Amend its Certificate of Convenience and Necessity for a Proposed 230-kV Transmission Line in Liberty and Harris Counties, Texas. at Attachments 4, 5, 7, 8, and 13 (July 15, 2019).

² ETI Proof of Notice (August 5, 2019).

VI. CONCLUSION

For the reasons stated above, Staff respectfully recommends that ETI's application be deemed administratively complete for further processing on the merits, that ETI's provision of notice be found sufficient, and that the above proposed procedural schedule be adopted.

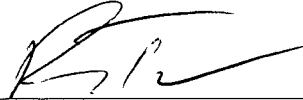
Dated: August 12, 2019

Respectfully Submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Margaret Uhlig Pemberton
Division Director

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DOCKET NO. 49715 CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on August 12, 2019, in accordance with 16 TAC § 22.74.



Rustin Tawater

Public Utility Commission of Texas

Memorandum

TO: Rustin Tawater
Legal Division

FROM: David Bautista
Infrastructure and Reliability Division

DATE: August 12, 2019

RE: Docket No. 49715, *Application of Entergy Texas Inc. to Amend its Certificate of Convenience and Necessity for a Proposed 230-kV Transmission Line in Liberty and Harris Counties, Texas.*

On July 15th. Entergy Texas Inc. (ETI) filed an application to amend their Certificate of Convenience and Necessity (CCN) for the construction of a new single-pole double-circuit 230-kV transmission line. This line will connect the new Timberland substation in Liberty County to the existing China to Heights transmission line. The connection to the transmission line would take place in Harris or Liberty County depending on the route chosen. I reviewed the Application for deficiencies and the affidavits of notice for compliance with the notice requirements.

I. Application Sufficiency

A. I have reviewed the Application and all attachments filed by ETI on August 8, 2019 in this docket for deficiencies. After reviewing all the filed information, I found no deficiencies. Therefore, I find the Application sufficient.

II. Compliance of Notice

A. I have reviewed the notices sent to the landowners, neighboring utilities, municipalities, county authorities, and the Department of Defense Siting Clearing House. These notices were included with the Application as Attachments 4, 5, 7, and 8 as well as the proof of notice filed on August 5, 2019. I found no material deficiencies in the proof of notice or in the Application. Therefore, I find the Application in compliance with the requirements of 16 Tex. Admin. Code (TAC) § 22.52(a)(2) & (3).

- B. I have reviewed the notice provided to the Texas Parks and Wildlife Department and the Office of Public Utility Counsel. These notices were included the Application as Attachments 11 and 10 as well as the proof of notice filed on August 5, 2019. I found no material deficiencies and so find them sufficient and comply with the requirements of 16 TAC § 22.52(a)(1)(E) & (2).
- C. I have reviewed the published notice included in the Application as Attachment 9 as well as the proof of notice filed on August 5, 2019. I found no material deficiencies in the Application or in the proof of notice. Therefore, I find them sufficient and comply with the requirements of 16 TAC § 22.52(a)(1).