



## Filing Receipt

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**DOCKET NO. 52455**

<b>APPLICATION OF ONCOR</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>ELECTRIC DELIVERY COMPANY</b>	<b>§</b>	
<b>LLC TO AMEND ITS CERTIFICATE</b>	<b>§</b>	<b>OF TEXAS</b>
<b>OF CONVENIENCE AND NECESSITY</b>	<b>§</b>	
<b>FOR THE OLD COUNTRY SWITCH</b>	<b>§</b>	
<b>345-KV TAP TRANSMISSION LINE IN</b>	<b>§</b>	
<b>ELLIS COUNTY</b>		

**COMMISSION STAFF’S RECOMMENDATION ON THE APPLICATION, NOTICE,  
AND REQUEST FOR REFERRAL TO THE STATE OFFICE OF ADMINISTRATIVE  
HEARINGS**

On August 26, 2021, Oncor Electric Delivery Company LLC (Oncor) filed an application to amend its Certificate of Convenience and Necessity (CCN) No. 30043 for a proposed 345-kilovolt (kV) transmission line in Ellis County.

On August 30, 2021, the administrative law judge (ALJ) filed Order No. 1, requiring the Staff of the Public Utility Commission (Staff) of Texas to file a recommendation on the sufficiency of the application and notice and to propose a procedural schedule by September 24, 2021. Therefore, this pleading is timely filed.

**I. APPLICATION SUFFICIENCY**

Staff has reviewed the application and, as supported by the attached memorandum of John Poole, Infrastructure Division, recommends that the application be found sufficient for further processing. This recommendation does not address the merits of the application.

**II. NOTICE SUFFICIENCY**

On September 16, 2021, ETI respectively filed an affidavit attesting to the provision of direct notice of the application and an affidavit attesting to the publication of notice of the application, as required under 16 Texas Administrative Code (TAC) § 22.52(a). Staff has reviewed Oncor’s proof of notice documents and, as supported by Mr. Poole’s attached memorandum, recommends that Oncor’s direct and published notices included all required information and were provided in compliance with the requirements of 16 TAC § 22.52(a). Therefore, Staff recommends that Oncor’s notice be found sufficient.

### **III. REQUEST FOR REFERRAL TO STATE OFFICE OF ADMINISTRATIVE HEARINGS**

On September 16, 2021, Lone Star Texas Land & Cattle Company, LLC filed a request for a hearing on the merits. Therefore, Staff respectfully requests an order referring this docket to the State Office of Administrative Hearings (SOAH) for a hearing on the merits, and Staff does not propose a procedural schedule at this time.

### **IV. CONCLUSION**

Based on the foregoing, Staff respectfully requests that the application be deemed sufficient for further processing of this docket, Oncor's provision of notice be found sufficient, and that this docket be referred to SOAH.

Dated: September 24, 2021

Respectfully submitted,

#### **PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION**

Rachelle Nicolette Robles  
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Managing Attorney

/s/Rashmin Asher for Mildred Anaele

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**DOCKET NO. 52455**  
**CERTIFICATE OF SERVICE**

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on September 24, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Rashmin Asher for Mildred Anaele  
Mildred Anaele

# *Public Utility Commission of Texas*

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## **Memorandum**

**TO:** Mildred Anaele  
Legal Division

**FROM:** John Poole, P.E.  
Infrastructure Division

**DATE:** September 24, 2021

**RE:** Docket No. 52455, *Application of Oncor Electric Delivery Company LLC to Amend its Certificate of Convenience and Necessity for the Old Country Switch 345-kV Tap Transmission Line in Ellis County.*

On August 26, 2021 Oncor Electric Delivery Company LLC (Oncor) filed an application to amend their Certificate of Convenience and Necessity (CCN) to allow them to build a new single circuit 345 kilovolt (kV) transmission line to be built on double circuit capable lattice steel “V” tower structures in Ellis County, Texas. This transmission line will connect the proposed Oncor Old Country Switch Station, to be located approximately two miles west of Interstate Highway 35 East and approximately 0.3 miles east of Farm to Market Road 876 along the existing Oncor Venus Switch-Navarro Switch 345 kV transmission line, to the proposed Oystercatcher Solar Substation located near the intersection of Iola Lane and LR Campbell Road approximately 3.5 miles north-northwest of Italy, Texas. The line will proceed in a generally southwesterly direction for about 3.2 to 4.9 miles. I have 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 Oncor on August 26, 2021 in this docket for deficiencies. After reviewing all the filed information, I found no material deficiencies. Therefore, I find the Application sufficient.
- II. Compliance of Notice

- A. I have reviewed the notices sent to the landowners, neighboring utilities, county and municipal authorities, and the Department of Defense Siting Clearing House. These notices were included with the Application as Attachments 8 and 9 as well as the proof of notice filed on September 16, 2021. 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 Texas Administrative 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 with the Application as Attachments 12 and 9 along with the proofs of notice filed on September 16, 2021. 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 10 as well as the proof of notice filed on September 21, 2021. 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).