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STATE OF TEXAS &
COUNTY OF CAMERON & RESOLUTION NUMBER 2022-0906-040(R)
CITY OF SAN BENITO &

A RESOLUTION OF THE CITY OF SAN BENITO, TEXAS IN SUPPORT OF AEP TEXAS AND SHARYLAND UTILITIES' LA PALMA TO KINGFISHER DOUBLE-CIRCUIT 345-KV ELECTRIC TRANSMISSION LINE PROJECT TO IMPROVE THE TRANSMISSION NETWORK IN THE LOWER RIO GRANDE VALLEY, CAMERON COUNTY AND THE SAN BENITO, TEXAS REGION.

WHEREAS, following the winter storms in February of 2021, the Electric Reliability Council of Texas (ERCOT) determined the need for electric transmission improvements in Texas; and

WHEREAS, the Public Utility Commission (PUC), a state agency created by the state of Texas legislature to provide statewide regulation of rates and services of certain utilities, ordered a project to support the electric transmission service needs in Cameron County and the Lower Rio Grande Valley; and

WHEREAS, on October 14, 2021, the PUC issued an order in Project No. 52682 that required AEP Texas and Sharyland to develop a CCN application for approval to close the loop from Palmito to North Edinburg, and further required that the application be filed no later than June 30, 2022; and

WHEREAS, the PUC's ordered project will consist of building from a range of 4.35 to 10.91 miles of double-circuit 345-kilovolt (kV) transmission line, upgrading AEP Texas' La Palma Substation and constructing Sharyland Utilities' proposed Kingfisher Substation; and

WHEREAS, AEP Texas, Inc. (AEP Texas) and Sharyland Utilities, L.L.C. (Sharyland) (collectively, Applicants) are proposing to construct a new La Palma to Kingfisher Double-Circuit 345-kV Transmission Line Project (Project) in Cameron County, Texas in connection with the PUC ordered project; and

WHEREAS, if the Project is approved by the PUC, the Project provides an additional transmission line and substation that adds resiliency against severe weather events; and

WHEREAS, the Project establishes a second power line to ensure customers continue to receive power if the other area transmission line experiences an extended outage; and

WHEREAS, on June 29, 2022, Applicants filed a Certificate of Convenience and Necessity (CCN) with the PUC following a review of public input on electric transmission line route link development and additional route analysis; and

WHEREAS, the City of San Benito supports utility infrastructure improvement projects that add reliability and resiliency against severe weather events and that support economic and population growth in the City of San Benito and Cameron County, Texas; and

WHEREAS, the City of San Benito is responsible for maintaining responsible land development through the enforcement of codes and ordinances to maintain a clean environment for its citizens and natural habitats for wildlife; and

WHEREAS, the City of San Benito, its citizens, and those of the surrounding area, recognize the unique natural beauty of the Resaca De Los Fresnos, a natural meandering channel resembling a wide river, that provides scenic waterfront views adjacent to the City’s expressways, major thoroughfares, parklands, area subdivisions and rural farmlands; and

WHEREAS, the Resaca De Los Fresnos is prominently situated within the heart of the City of San Benito, that the city became known as “*The Resaca City*”; and

WHEREAS, the City of San Benito promotes and engages in the conservation and enhancement of natural and cultural resources in accordance with its Comprehensive Master Plan and its Parks and Recreation Master Plan; and

WHEREAS, the City of San Benito, by providing development incentives, regulations, and policies, has been advocating for the preservation of open spaces by individuals, corporations, non-profits, and public agencies to enhance the livability, aesthetic value, and natural beauty of the city; and

WHEREAS, the City of San Benito favors preserving the natural scenic beauty that the Resaca De Los Fresnos provides by advocating for reducing the number of resaca powerline crossings and the length of the resaca power line crossings; and

WHEREAS, the City of San Benito is responsible for enforcing its platting ordinance and subdivision regulations within its city limits and extraterritorial jurisdiction (ETJ); and

WHEREAS, the City of San Benito has recently approved multiple rezoning and voluntary annexation cases in anticipation of full-scale development located in close proximity, and in conflict with the proposed southern routes or links of the proposed Project; and

WHEREAS, it is expected that in January 2023, the PUC will make the final decision on the final Project route to be constructed; and

WHEREAS, there is a need for reliability and service improvements within Cameron County and the City of San Benito both to improve existing service and to serve Cameron County’s extensive growth; and

WHEREAS, if the Applicants application is approved, the Applicants will construct the Project along the route selected by the PUC; and

WHEREAS, Applicant’s application included 19 geographically diverse routing alternatives for the Commission’s consideration, which traverse various areas across the City of San Benito and portions of Cameron County; and

WHEREAS, of the Applicants’ 19 filed routes, Routes 1 through 4 are among the shortest and most direct; and

WHEREAS, Routes 1 through 4, in the City of San Benito’s opinion, have the greatest negative impact on the aesthetic beauty, the environment and on-going land planning of an oxbow areas of the Resaca De Los Fresnos where planned developments and vital transportation links are proposed; and

WHEREAS, transportation links and connections of Resaca Shores Boulevard, Early Road and planned future Sonora Drive will provide full and immediate access to Sam Houston Boulevard (State Highway 345), San Jose Road (Farm Road 3462) and Lovett Road; and

WHEREAS, these links and connections will provide more efficient access to U.S. Business Highway 77 and Expressway 83 and optimize access for area residents, first responders, and related stakeholders; and

WHEREAS, Routes 5 and 6 would have the least impact on existing and planned development in the City of San Benito; and

WHEREAS, Routes 7 through 19 are among the longest and most expensive routes for the Applicants; and

WHEREAS, Routes 5 and 6 are two routes that would best protect the City of San Benito's values related to cultural resources, natural resources, aesthetic values, community values and planned development; and

WHEREAS, the City of San Benito desires that the PUC approve the Applicants' Project along Route 5 or Route 6 for the reasons herein stated; and

WHEREAS, the City of San Benito recognizes that the PUC may select any of the 19 submitted routes or any new route; and

WHEREAS, should the PUC select a route other than Route 5 or Route 6, the City of San Benito requests that Routes 1, 2, 3 and 4, be excluded from the alternate route selection.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SAN BENITO, TEXAS, THAT:

ARTICLE 1. It is hereby officially found and determined that, regarding Public Utility Commission of Texas Order Number 52682 related to AEP Texas, Inc., and Sharyland Utilities, L.L.C.'s application to amend its Certificate of Convenience and Necessity for the purpose of constructing a new La Palma to Kingfisher double-circuit 345-kV transmission line project in Cameron County, Texas, Route 5, or Route 6 are the best routes that best reflect the community values of the City of San Benito.

ARTICLE 2. The City of San Benito provides its official support for AEP Texas and Sharyland's construction of the La Palma to Kingfisher double-circuit 345-kV transmission line project on Route 5 or Route 6. Should any other route be selected by the Public Utility Commission, the City of San Benito provides its support to any alternative route that excludes Routes 1, 2, 3 and 4.

ARTICLE 3. The City Secretary is hereby authorized and directed to file a letter on behalf of the City of San Benito affirming the City's support for AEP Texas and Sharyland's construction of the La Palma to Kingfisher 345-kV transmission line project along Route 5 or Route 6. Should any other route be selected by the PUC, the City of San Benito provides its support to any alternative route that excludes Routes 1, 2, 3, and 4, which resolution (this resolution) the City Secretary shall file with the Public Utility Commission of Texas in **Docket No. 53727** no later than October 15, 2022.

Effective Date.

This Resolution shall be effective upon the date of passage by the City Commission.


PASSED, APPROVED, AND ADOPTED this 6th day of September, 2022 by the City of San Benito City Commission at its' Regular City Commission Meeting.

CITY OF SAN BENITO, TEXAS

Ricardo Guerra

Honorable Ricardo Guerra
Mayor

ATTEST:


Ruth A. McGinnis
City Secretary

