



## **Filing Receipt**

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**SOAH DOCKET NO. 473-23-21216  
PUC DOCKET NO. 55067**

<b>APPLICATION OF ONCOR ELECTRIC DELIVERY LLC TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE RAMHORN HILL - DUNHAM 345 KV TRANSMISSION LINE IN DENTON AND WISE COUNTIES</b>	<b>§ § § § § § §</b>	<b>BEFORE THE STATE OFFICE    OF   ADMINISTRATIVE HEARINGS</b>
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**DENTON COUNTY LAND & CATTLE LP AND  
DENTON COUNTY LAND & CATTLE 2 LP'S STATEMENT OF POSITION**

TO THE PUBLIC UTILITY COMMISSION OF TEXAS:

Denton County Land & Cattle LP, and Denton County Land & Cattle 2, (Denton) files this Statement of Position pursuant to the procedural schedule adopted by the Administrative Law Judges (ALJs) in State Office of Administrative Hearings (SOAH) Order No. 2, and in support thereof would respectfully shows:

**I. BACKGROUND**

On June 8, 2023, Oncor Electric Delivery LLC (Oncor) filed its application to amend its certificate of convenience and necessity for the Ramhorn Hill to Dunham 345 kV transmission line (Transmission Line) in Denton and Wise Counties (Application). Pursuant to SOAH Order No. 2, intervening parties are required to file a statement of position or direct testimony on or before July 31, 2023. Therefore, this Statement of Position is timely filed.

**II. STATEMENT OF POSITION**

Denton is the owner and developer of property identified by Oncor in its Application as directly affected by proposed segments "M3" and "M4" of the Transmission Line.<sup>1</sup> Further, Denton is adversely impacted by proposed route segment "M5." As a result, and for the reasons stated below, Denton is opposed to route segments M3, M4, and M5 as currently proposed by Oncor in this proceeding.

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<sup>1</sup> *Application of Oncor Electric Delivery LLC to Amend Its Certificate of Convenience and Necessity for the Ramhorn Hill - Dunham 345 kV Transmission Line in Denton and Wise Counties*, Docket No. 55067, Application Attachment 8, Listing of Directly Affected Land Owners for Notice at 140 (Jun. 8, 2023).

### **Opposition to Route Segment M3**

Denton opposes Route Segment M3, which bisects Denton's property, because it would materially and adversely impact the development of valuable business interests in and around the property and would cause substantial damage to the economic and developmental value of the property and the surrounding area. While the property is currently undeveloped, its location makes it highly valuable for future commercial development. Constructing Segment M3 on Denton's property as proposed by Oncor would stifle future development, render Denton's existing engineering and land use development plans virtually worthless, and would require Denton to reengineer the platting and development of the property to avoid the placement of the Transmission Line, which is substantially detrimental to Denton as well as surrounding developers and landowners in terms of time, resources and cost.

Specifically, light industrial facilities and public infrastructure improvements, including a four lane road, are part of the development plans at the location of the proposed M3, M4, and M5 route segments. The inclusion of those segments in the approved route, particularly segment M3, would adversely impact Denton and its plans to develop the property as the Transmission Line would result in lost access points to the property and an overall reduction of the area that is capable of being developed. Further, the adverse land use impact and resulting economic loss that would result from the placement of the Transmission Line on the proposed M3 segment would be significant from an investment perspective, including but not limited to lost square footage for commercial buildings, significant division of the property and the resulting inefficiency of infrastructure, and a significant reduction in the attractiveness of the commercial development to potential tenants due to necessary adjustments that will have to be made to account for the existence of the Transmission Line in Denton's original concept plan and engineering models, which were developed at significant expense.

Finally, the proposed M3 segment appears to be aligned directly over an existing natural gas well head currently located on the property which indicates that the proposed placement of the M3 segment is not a viable option. This also introduces uncertainty in the construction phase as Oncor may be forced to deviate from the M3 segment location as proposed. This uncertainty regarding the final location of the M3 segment introduces the potential for further delays and potentially significant costs associated with yet another reengineering and platting for the development of the property.

**Opposition to Route Segments M4 and M5**

In addition to the arguments stated above with regard to route segment M3, Denton also opposes route segments M4 and M5 because they have a similar adverse impact to additional property owned by Denton. In particular, the proposed M4 and M5 route segments cross Denton property that has an approved preliminary plat. The final plat has already been filed and is being reviewed by the City of Fort Worth. Denton expects approval of the final plat on November 1, 2023, well in advance of any final approval of the Transmission Line route by the Commission in this proceeding. Consequently, if segments M4 and M5 are ultimately included in the route approved by the Commission, a final plat will have already been approved by the City of Fort Worth prior to the Commission's decision.

**III. CONCLUSION**

For the reasons detailed above, Denton recommends that the Transmission Line not be constructed using route segments M3, M4, or M5 and reserves its right to participate in this proceeding, including conducting discovery, participating in the hearing on the merits, and to take positions based on information presented at the hearing or in briefing.

Respectfully submitted,

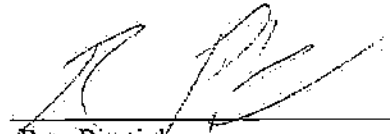


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Roe Pitstick  
Development Manager  
NorthPoint Development  
3315 N. Oak Trafficway  
Kansas City, MO 64116  
(513) 316-4989  
[rpitstick@northpointkc.com](mailto:rpitstick@northpointkc.com)

**CERTIFICATE OF SERVICE**

I certify that a copy of this document was served on all parties of record on this date via the Commission's Interchange in accordance with the Commission's Second Order in Docket No. 50664 suspending PUC Procedural Rule 22.74.

  
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Roe Pitstick