



## **Filing Receipt**

**Filing Date - 2023-07-31 08:12:36 PM**

**Control Number - 55067**

**Item Number - 1487**

PUC DOCKET NO. 55067

INTERVENING STATEMENT AND EVIDENCE  
CHALLENGE OF ROUTE ADEQUACY AND HEARING REQUEST  
CONCERNING  
APPLICATION OF ONCOR LLC TO  
AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY OF  
FOR THE RAMHORN HILL- DUNHAM 345-KV TRANSMISSION  
LINE IN DENTON AND WISE COUNTIES

INTERVENING EVIDENCE - ROUTE ADEQUACY

of

DEBORAH N. DALLAS, TRUSTEE

on behalf of

DEBORAH N. DALLAS REVOCABLE LIVING TRUST

July 31, 2023

Filing Clerk  
Central Records  
Public Utility Commission of Texas  
1701 North Congress Avenue  
Austin, Texas 78711-3326

Dear Filing Clerk,

My name is Deborah N. Dallas. In this statement of evidence and Challenge to Route Adequacy, I will introduce direct evidence that is compelling and shall deem route 146 does not meet procedural guidelines due to findings and statements within the Halff meeting notes and email communications in the beginning months of 2023.

I am the owner and reside alongside my 22-year-old and 15-year-old daughters and our canine companion "Bear" at 105 Big Sky Circle, Northlake, TX 76226. I purchased this property as my personal residence in May of 2020.

105 Big Sky Circle is a 3,000 Square Foot, two (2) story private residence within the community of Canyon Falls. It was built in 2019 as the model for Landon Homes and was subsequently purchased and included in my revocable living trust. The value and functionable inhabitability of this property would become a complete loss due to the immediate location of the power lines which would abut my rear and eastward facing property line. The property to my east is the 263-acre Ewing Ranch, currently used for raising cattle.

If approved, these dual 345KV lines with the future dual 138KV lines would directly abut my property line and be within 53 feet of my residential structure. Specifically, my bedroom, living room, kitchen windows, and within 40 feet of my exterior covered and attached patio and living space; making my home unable to be occupied due to an overwhelming amount of associated health, safety, aesthetic and noise related issues all derived from the massive megawatt power lines.

The easement setback variance requested by ONCOR is 100 feet vs the typical 500 foot for this size of an infrastructure project, that puts the center of these 120-145 foot structures 50 feet from my property/fence line. The monopole wings/arms will be 25 feet from my property line (this distance is represented in the picture with the telephone pole in EXHIBIT #5). In addition, the maintenance of this easement will switch from the current 30-foot maintenance to a policy noted in EXHIBIT #6 which will clear cut all two inch or greater trees and shrubs and clear cut an open space to nearby Canyon Falls Drive and the proposed location of a Tower structure to support links, C5 and C8. It will increase vehicular noise greatly as well as reduce all privacy and aesthetic value. I ask that this variance request be denied.

With over 33 years of professional experience in the mortgage and finance industry, it is my professional opinion and noted by real estate professionals, journals and associations that the ONCOR project would eliminate all financial value and greatly reduce the inhabitability of the private residence located at 105 Big Sky Circle, Northlake, TX 76226. All structures within this extreme proximity become nearly

uninhabitable structures and are therefore doomed to become blighted land if the proposed transmission line, Route 146, and route Links C5, C8 were approved by the PUC. This proposed link route of C5 directly abuts my property in this matter. I have attached EXHIBITS #1, #2 , #3, #4 and #5 as evidence of proximity.

I strongly denounce this application and subsequent project alternative routes and links as noted above. I ask that the PUC deny Route 146 and route links, C1, C5, C8, C21, C22, C23 and those links adjacent to or connecting to those links.

I am strongly in favor of the placement of the transmission line within the United States Army Core of Engineers Grapevine Lake land holdings. Proposed by Oncor's Russell Marusak and the USACE in the Halff meeting minutes dated February 6, 2023, and attached as EXHIBIT #7 to this evidentiary statement.

In these meeting notes and emails the USACE, ONCOR and State, Town and Congressional leadership are noted as stating in affect that this is the preferred route (avoids residents and schools, etc.) and explain the CATex process. The reason for not proposing this route seems to be time and costs for ONCOR, as well as lack of due diligence on government policies and timelines. The USACE states it is willing to expedite this process and US Congressman, Dr. Michael Burgess' office was also present during the discussion of this request process. If requested for assistance, Congressmen Burgess' committee services put this within his committee purview and expertise in the U.S. Congress. ONCOR to our knowledge never made this request.

It is clear via process flow of communications that ONCOR struggled with understanding the differences between an (EIS) Environmental Impact Study and an Environment Assessment (EA) application for CATex and the USACE corrects the timelines and guidelines as well as applications to be used. ONCOR were mistakenly estimating project approval of greater than 3 years and the response from the USACE is likely less than 12 months from route request on CATex.

ONCOR has to date chosen to go for an easier and possibly less costly option, therefore the alternative route changes to the North in lieu of pursuing the use of USACE land. I ask the PUC to request that ONCOR work with the USACE and all relevant government agencies to meet its project goals via the proper use of government land options and deny alternate routes north of 1171.

I ask that the USACE alternative route South of the Trailwood Development and then along the southern border of FM 1171 also known as Cross Timbers Road, which is referred to in Exhibit #5, be approved and the appropriate use of Federal and State Funds be utilized in a manner that supports the power grid without sacrificing the rights and interests of citizens.

Sincerely,

Electronically Signed by

Deborah N. Dallas, Trustee

Date: July 31, 2023

EXHIBITS



EXHIBIT #1



EXHIBIT #2

EXHIBITS

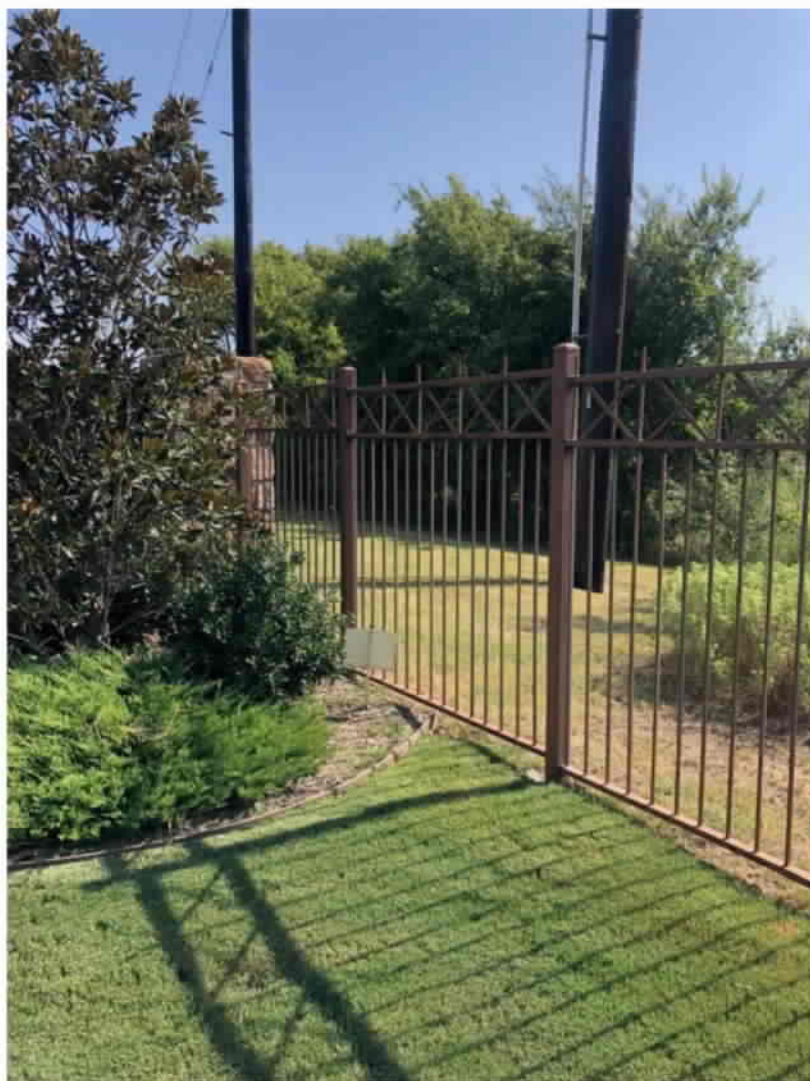


EXHIBIT #3



EXHIBIT #4

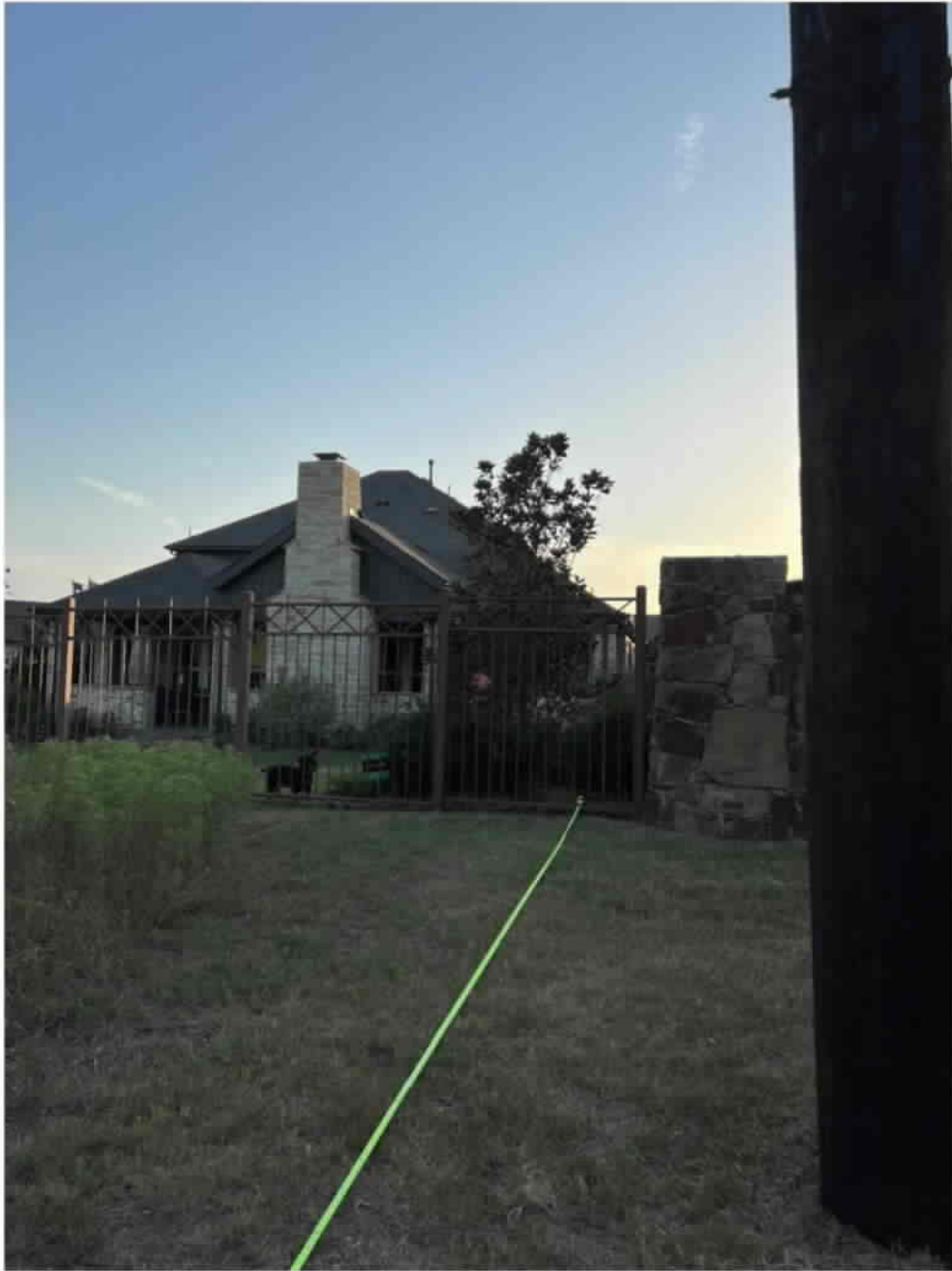


EXHIBIT #5

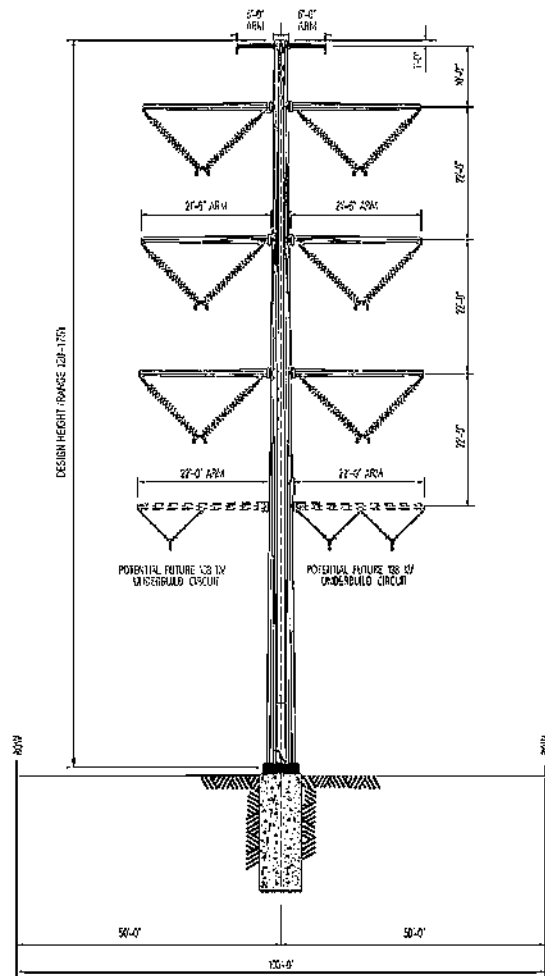


FIGURE 1-2. TYPICAL DOUBLE-CIRCUIT 345 kV STEEL POLE WITH 138 kV UNDERBUILD

Figure not to Scale

### 1.3.2 Right-of-Way Requirements

The proposed ROW width for the proposed project will be approximately 100 feet in most circumstances. The ROW normally extends an equal distance on both sides of the transmission line centerline. Additional ROW may be required at line angles or dead ends or for terrain-related constraints. Reduced ROW may also be required in certain constrained areas.



### 1.3.3 Clearing Requirements

All brush and undergrowth within the ROW will be removed and maintained. For areas requiring hand clearing, vegetation will be cut level with the ground. No stump exceeding two inches above the ground will remain. Any tree located in a fence line having a diameter greater than 4 inches will be cut even with the top of the fence. Stumps located on hillsides or uneven ground will be cut where a mowing machine can pass over the ROW without striking any stumps, roots, or snags.

### 1.3.4 Monopole Structure Assembly and Erection

Foundations for the monopole structures will be completed before erecting the structures. All monopole structures will have an anchor bolted foundation. A hole will be augered into the ground at each structure location, an anchor bolt cage will be placed in addition to steel rebar to reinforce the foundation, and the hole will be filled with concrete. Depth and diameter of the foundation will vary depending on the design of the structure specific to that location.

### 1.3.5 Conductor Stringing

Once a series of structures has been erected along the transmission line centerline, the conductor stringing phase can begin. Specialized equipment will be attached to properly support and protect the conductor during the pulling, tensioning, and sagging operations. Once conductors and shield wire are in place and tension and sag have been verified, conductor and shield wire hardware is installed at each suspension point to maintain conductor position. Conductor stringing continues until the transmission line construction is complete. All construction equipment will be removed after construction is completed. All temporary culverts and environmental controls previously installed will be removed once construction is completed.

**MEETING MINUTES**

**To:** Mr. James Murphy **Attendees:** See attached list  
**From:** Mr. Russell Marusak  
**Subject:** USACE/Oncor Field Visit  
**Meeting Date:** February 6, 2023  
**Location:** Knob Hills Park  
**Minutes Date:** February 7, 2023  
**Project:** Ramhorn Hill—Dunham 345 kV transmission line project

Item	Description	Action
1.	After a brief introduction of attendees, Halff presented a map of the eastern portion of the project study area to orient the group, provide a project overview, and to set the objectives of the meeting. The presented map was Figure 3C as presented, without modification, at the public open house meetings on December 7 and 8, 2022.	None
2.	Halff briefly explained the preliminary links on the map and routing constraints south of the US 377 / FM 1171 Intersection. Specifically, Halff addressed the routing approach as it pertained to crossing the existing overhead transmission line, US 377, and the rail corridor in light of other physical constraints in the area (e.g. structures; utilities).	None
3.	The group addressed the existing utility corridors as identified in the USACE Grapevine Lake Master Plan. Oncor, Halff, and USACE acknowledged that Corridor 14 and 15 as identified in the Master Plan were the only suitable corridors. For example, use of Corridor 11 of 12 would still require additional crossings of the same environmentally sensitive area at a separate location. It was verified that modification of the Master Plan to utilize these utility corridors could be achieved through a categorical exclusion (CATEX). The utility corridor would need to accommodate the width (100 feet) of the above-ground transmission line project. Per the master plan, these corridors currently permit the use of subsurface boring.	None
4.	In consideration of the routing process, and at the request of the Towns of Flower Mound, Northlake, and Argyle, Halff proposed that a route across USACE property not utilizing a utility corridor as identified in the lake master plan might be best achieved south of the Trailwood Development. The group relocated to that general proximity to view the landscape.	None
5.	No specific route was finalized. Halff discussed general routing principles as it pertains to paralleling property boundaries, with the general intent to minimize fragmentation of land use and habitats. Halff noted this was PUC guidance, and that allowances to deviate from a property line offset could be made if it was environmentally preferable to existing vegetation or creek crossings.	None
6.	The USACE provided a brief summary of the Outgrant Process and how a request would proceed. A new route through a designated Environmentally Sensitive Area would require a full NEPA review. General timelines were discussed of at least 12 months. Halff requested that the USACE provide written communication of the process	USACE

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and timeline to get an approved route through the Outgrant Process, including real estate requirements. The USACE agreed to do so.

7. It was the USACE's understanding that Oncor would need to have a fully approved route before Oncor would consider including a route across USACE property in their CCN application, which the USACE understood to be May 2023. Halff noted that they would confirm this stance with Oncor.

Halff

*UPDATE: Constructability is a key requirement of the PUCT for any filed route. Until a crossing can be approved through the USACE Outgrant Process, constructability of any link across USACE property remains uncertain. To provide the PUCT a constructable link, USACE approval will be required.*



**TABLE 5-1. SUMMARY OF MEETINGS WITH THE USACE FOLLOWING THE  
PUBLIC PARTICIPATION MEETINGS**

Meeting Date	Meeting Location	Represented Parties	Meeting Summary
January 19, 2023	Office of U.S. Rep. Burgess	USACE Fort Worth District U.S. Rep. Burgess District Office Town of Argyle Town of Northlake Town of Flower Mound Oncor	<ul style="list-style-type: none"> <li>• Oncor explained in detail the need for the Roanoke area projects, project criticality and timeline, and correspondence with the USACE.</li> <li>• USACE detailed responsibilities pursuant to the National Environmental Policy Act (NEPA) and their approach to minimizing impacts to protected lands.</li> <li>• USACE addressed possibility of expanding or modifying existing utility corridors defined in the lake master plan.</li> <li>• Cities expressed the preference for utilizing USACE land for alternative routes.</li> <li>• USACE was open to further investigation of potential non-corridor crossing along Graham Branch.</li> </ul>
February 6, 2023	On-site	USACE Fort Worth District State Rep. Parker Office Oncor Half	<ul style="list-style-type: none"> <li>• Attendees reviewed the general character of the habitat along Graham Branch, south of Trailwood neighborhood.</li> <li>• No fixed route was determined.</li> <li>• USACE summarized the Non-recreational Outgrant process and typical timelines for reviewing and processing requests.</li> </ul>
February 14, 2023	Lewisville Lake Office	USACE Fort Worth District U.S. Rep. Burgess District Office State Rep. Parker Office Town of Argyle Town of Northlake Town of Flower Mound Town of Bartonville Oncor Half	<ul style="list-style-type: none"> <li>• USACE stated that an aerial crossing in the vicinity of the field visit will not be approved.</li> <li>• Minor impacts such as spanning Utility Corridor 15 could be approved by a CATEX.</li> <li>• USACE outlined the NEPA review process and projected best-case timeline.</li> <li>• Town representatives inquired about further studies regarding feasibility for an underground construction alternative.</li> <li>• Oncor explained that undergrounding a project of this size was infeasible.</li> <li>• Other options that could be explored either through a CATEX or EA approval were suggested for Oncor's consideration.</li> </ul>

## 02/02/23 Email response from USACE

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**From:** Adetoro, Ifeoluwa  
**Sent:** Thursday, February 2, 2023 12:29 PM  
**To:** Macallister, Timothy L CIV USARMY CESWF (USA); Gresback, Thomas Robert LN (USA)  
**Cc:** Murphy, James A CIV USARMY CESWF (USA)  
**Subject:** RE: Oncor / USACE : Ramhorn Hill -Dunham 345kV

Thank you Mr. Macallister for the clarification. This is very helpful.

Rgds,  
Ife Adetoro, P.E.  
Oncor | Regulatory, External Affairs  
817-716-3124

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**From:** Macallister, Timothy L CIV USARMY CESWF (USA) [mailto:Tim.L.MacAllister@usace.army.mil]  
**Sent:** Thursday, February 2, 2023 12:25 PM  
**To:** Adetoro, Ifeoluwa <Ifeoluwa.Adetoro@oncor.com>; Gresback, Thomas Robert LN (USA) <Thomas.R.Gresback@usace.army.mil>  
**Cc:** Murphy, James A CIV USARMY CESWF (USA) <James.A.Murphy@usace.army.mil>  
**Subject:** RE: Oncor / USACE : Ramhorn Hill -Dunham 345kV

Hello Mr. Adetoro – Our USACE NEPA process for an Environmental Assessment (EA) strives to complete actions within a 12 month time frame, acknowledging that at times this may be a little quicker or longer. The link you have provided is for DOE's Environmental Impact Statement processes and EIS' generally involve a much longer timeframe. We do not anticipate this effort would be an EIS, rather, an EA.

I hope this clarifies things, but if not, please feel free to let me know if I can provide additional information.

Tim

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**From:** Adetoro, Ifeoluwa <Ifeoluwa.Adetoro@oncor.com>  
**Sent:** Thursday, February 2, 2023 12:03 PM  
**To:** Gresback, Thomas Robert LN (USA) <Thomas.R.Gresback@usace.army.mil>  
**Cc:** Murphy, James A CIV USARMY CESWF (USA) <James.A.Murphy@usace.army.mil>; Macallister, Timothy L CIV USARMY CESWF (USA) <Tim.L.MacAllister@usace.army.mil>  
**Subject:** [Non-DoD Source] RE: Oncor / USACE : Ramhorn Hill -Dunham 345kV

Thank you, Tim. In regards to NEPA permitting timelines, I was going off what I was able to pull from the [energy.gov](https://www.energy.gov) and [doe websites](https://www.doe.gov).

Quick research on NEPA permitting process and timelines :

- [https://ceq.doe.gov/docs/nepa-practice/CEQ\\_EIS\\_Timeline\\_Report\\_2020-6-12.pdf](https://ceq.doe.gov/docs/nepa-practice/CEQ_EIS_Timeline_Report_2020-6-12.pdf) – Timelines of NEPA Environmental Impact Statement (EIS) permit timelines (median of 3.5 years)
- NEPA process from [www.energy.gov](https://www.energy.gov) attached.

Please let me know what an accurate representation of the NEPA and CATex approval timeline with the USACE is like.

We received the updated invite to meet on Monday, and I am looking forward to it as well.

## 02/02/23 Email response from USACE

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Rgds,  
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## 02/02/23 Email response from USACE

Page 2 of 3

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Ife Adetoro, P.E.  
Oncor | Regulatory, External Affairs  
817-716-3124

From: Gresback, Thomas Robert LN (USA) [mailto:Thomas.R.Gresback@usace.army.mil]  
Sent: Wednesday, February 1, 2023 6:05 PM  
To: Adetoro, Ifeoluwa <Ifeoluwa.Adetoro@oncor.com>  
Cc: Murphy, James A CIV USARMY CESWF (USA) <James.A.Murphy@usace.army.mil>; Macallister, Timothy L CIV USARMY CESWF (USA) <Tim.L.MacAllister@usace.army.mil>  
Subject: RE: Oncor / USACE : Ramhorn Hill -Dunham 345kv

Ife,

Thank you for your follow-up note to our mtg in Congressman Burgess office two weeks ago.

It looks like the on-site is now set for Monday 6 Feb at 0900 with a rally point of Nob Hill Park in Flower Mound.

The one thing that jumps out at us is your line of 42 months for the standard NEPA Process; it normally is much less.

Again, we will work with ONCOR on the CATex process as Mr. MacAllister stated. Look forward to seeing you on Monday. All the best. Tom Gresback

Tom Gresback  
Director, Intergovernmental Affairs &  
Strategic Communications  
Fort Worth District  
U.S. Army Corps of Engineers  
[Thomas.R.Gresback@usace.army.mil](mailto:Thomas.R.Gresback@usace.army.mil)  
Office: 817-886-6585  
Cell: 817-223-9245

From: Adetoro, Ifeoluwa <Ifeoluwa.Adetoro@oncor.com>  
Sent: Tuesday, January 31, 2023 2:42 PM  
To: Gresback, Thomas Robert LN (USA) <Thomas.R.Gresback@usace.army.mil>  
Cc: Murphy, James A CIV USARMY CESWF (USA) <James.A.Murphy@usace.army.mil>  
Subject: [Non-DoD Source] Oncor / USACE : Ramhorn Hill -Dunham 345kv

Good Afternoon Tom,

It was great meeting with you and your team at Dr. Burgess's office on 1/19/23. You handed me your card and I wanted to make good use of it by reaching out to verify that I have listed correctly what Oncor and USACE next steps are in regards to the proposed Ramhorn Hill – Dunham 345kv transmission line project.

At the meeting on 1/19/23, Congressman Michael Burgess invited representatives from Oncor and the USACE to meet with him and Mayor David Retting of Northlake, Mayor Derek France of Flower Mound and Mayor Livingston of Argyle. The meeting resulted in a commitment by Oncor and the Corps to work together to identify potential crossings on Corps property that could be feasible for inclusion in the southern alternative route that Northlake and Argyle have suggested. At the meeting, USACE stated that crossing Corps property would require NEPA permitting, however, that permitting process could be expedited for approval within 12-18 months as opposed to the typical 42+ month long process. USACE also expressed their ability to grant a categorical exclusion within the existing utility corridors to allow for the build of

## 02/02/23 Email response from USACE

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overhead transmission lines and allowance of the 100 ft. easement required by Oncor, which will not require NEPA permitting.

EXHIBIT #7