



## **Filing Receipt**

**Filing Date - 2023-09-07 09:57:25 AM**

**Control Number - 55067**

**Item Number - 1765**

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

<b>APPLICATION OF ONCOR ELECTRIC DELIVERY COMPANY 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>
---	--	---

**TODD FAMILY HOLDINGS L.P.'S  
INITIAL POST-HEARING BRIEF**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE ("ALJ"):

Todd Family Holdings L.P. ("Todd Family Holdings") files this Initial Post-Hearing Brief in accordance with SOAH Order No. 2, and respectfully shows the following:

1. Todd Family Holdings Supports Proposed Route 179. After the hearing and based upon the evidence presented, Todd Family Holdings supports Route 179, as set forth in Oncor Electric Delivery Company LLC ("Oncor") Application for the Ramhorn Hill-Dunham 345-kV Transmission Line in Denton and Wise Counties Project ("Ramhorn Hill-Dunham Project"). While other routes are competitive, Route 179 best satisfies among the routes presented the statutory and rules-based criteria the ALJ and the Commission must evaluate in determining the route the Ramhorn Hill-Dunham Project must traverse. Todd Family Holdings, therefore, supports approval of the Ramhorn Hill-Dunham Project on an alignment that includes Links A0-A4-B1-B61-B62-C1-C21-C23-C7-E2-E1-E6-G1-G3-H41-H42-H8-I8-J3-K1-L5-L4-L3-L2-M1-M2-M3-R4-V2-Z.

2. Opposition to Routes Including Link V3. Although the land Todd Family Holdings owns would also be adversely affected by any route that includes Links U3,

V1, or W5, Todd Family Holdings opposes any route that includes Link V3, because it is the most destructive of any use of the land:



b. As is clear from Figure 1, Link V3 bisects the Todd Family Holdings land in a dog-leg pattern that renders it substantially unusable for most commercial or residential purposes. If Link V3 were routed south of the operating gas well, the Todd Family Holdings land would be far more usable than most any other configuration, although commercial and residential uses would still be substantially diminished.

c. Link V3 also bisects Tract 2561 and enters Tract 2563, each part of Reunion Texas.

d. Routes using Link V2, rather than Link V3, will not only avoid the Todd Family Holdings land, they will avoid bisecting the currently-under-construction Reunion Texas residential neighborhood.

3. Positive Attributes of Route 179. As Oncor Witness Brenda J. Perkins has testified, Route 179 best meets the criteria the ALJs and the Commission must consider under TEX. UTIL. CODE § 37.056(c)(4)(A)-(D) and 16 TEX. ADMIN. CODE § 25.101(b)(3)(B), for the following reasons, among others:

a. Route 179 is approximately 21.8 miles in length. As such it is only approximately 1.9 miles longer than the shortest route provided in the Application, and is approximately 1.1 miles shorter than the longest route filed.

b. Route 179's estimated cost is \$175,208,000. It is, therefore, more than 35% less costly than the highest cost filed alternative route. Perhaps more importantly, Route 179's estimated cost is only approximately 6.5% more costly than the least-cost filed alternative route.

c. Oncor witnesses have testified that all of the filed alternative routes meet the Commission's policy of prudent avoidance. Route 179, however, performs extremely well under that policy, in that it passes only 97 habitable structures within 500 feet of its centerline. By comparison, Route 179 passes only four more habitable structures than the filed route with the least habitable structures within 500 feet of the proposed line's centerline.

More, Route 179 passes 303 fewer habitable structures than the filed alternative route passing the most.

Oncor Ex. 6. Overall, Route 179 compares favorably to all other routes in meeting the criteria the ALJs and the Commission must evaluate. See Oncor Ex. 6, Direct Testimony of Brenda J. Perkins at 8-12 and Exhibit BJP-5; see also Oncor Ex. 1, Application, Att. 1, Environmental Assessment, Appx. E, Att. 7, Table 7-2 (Environmental Data for Filed Routes) and Att. 3 (Cost Estimates), each of which is incorporated herein by reference as if fully set forth.

4. Conclusion and Prayer. For the above-stated reasons, Todd Family Holdings respectfully requests that the Commission approve Route 179, as set forth in the Application; or, alternatively, not select a route including Link V3; and grant Todd Family Holdings such other and further relief to which it may be justly entitled.

Respectfully submitted,

EWELL, BROWN, BLANKE & KNIGHT LLP

/s/ David F. Brown

111 Congress Avenue, 28<sup>th</sup> Floor

Austin, Texas 78701

(512) 770-4077 (Voice)

(877) 851-6384 (Facsimile)

David F. Brown

State Bar No. 03108700

dbrown@ebbklaw.com

*Counsel for Todd Family Holdings L.P.*

### CERTIFICATE OF SERVICE

I certify that a copy of this document is being filed and served on this, the 7<sup>th</sup> day of September, 2023, in the Public Utility Commission of Texas's Interchange System in accordance with the orders of the presiding officer, SOAH Order No. 2.

/s/ David F. Brown

David F. Brown