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

APPLICATION OF ONCOR	§	BEFORE THE STATE OFFICE
ELECTRIC DELIVERY LLC TO	§	
AMEND ITS CERTIFICATE OF	§	
CONVENIENCE AND NECESSITY	§	OF
FOR THE RAMHORN HILL-DUNHAM	§	
345-KV TRANSMISSION LINE IN	§	
DENTON AND WISE COUNTIES	§	ADMINISTRATIVE HEARINGS

**NEW DIMENSION INVESTMENTS II, LLC'S
INITIAL POST-HEARING BRIEF**

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September 7, 2023

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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	§ § § § § § §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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**NEW DIMENSION INVESTMENTS II, LLC’S
INITIAL POST-HEARING BRIEF**

New Dimension Investments II, LLC (New Dimension Investments) files this Initial Post-Hearing Brief. Pursuant to State Office of Administrative Hearings (SOAH) Order No. 2, the deadline to file initial briefs is September 7, 2023.¹ Therefore, this brief is timely filed, and in support, New Dimension Investments would show the following:

I. INTRODUCTION AND SUMMARY

On June 8, 2023, Oncor Electric Delivery Company, LLC (Oncor) filed an application to amend its certificate of convenience and necessity (CCN) to construct and operate a proposed 345-kilovolt (kV) transmission line and associated facilities (Ramhorn Hill-Dunham Project) in Denton and Wise Counties (Application). Based on the routes proposed by the parties during the hearing on the merits, Oncor requests that the Public Utility Commission of Texas (Commission) approve the construction of this transmission line on Route 179 as the route that best meets the applicable legal criteria. Route 179 is comprised of 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.

The Commission Staff witness supported selection of Route 179-C, which is a modified version of Route 179 introduced by Oncor in response to a discovery request by intervenor Edgar Brent Watkins and Mary Ann Livengood. Route 179-C utilizes all the same segments as Route 179 through Link M1, and then utilizes Links M5-R2-R5-U3-V3-V4-Z, instead of Links M2-M3-R4-V2-Z. New Dimension Investments has no objection to the selection of Route 179 or Route 179-C.

¹ SOAH Order No. 2 Memorializing Prehearing Conference; Finding Notice and Application Sufficient; Adopting Procedural Schedule; Setting Hearing on the Merits (Jun. 27, 2023).

Oncor and Halff Associates, Inc. (Halff), who prepared the Environmental Assessment and Routing Study supporting the Application, proposed 74 alternative routes for the proposed transmission line and identified Route 179 as the best alternative route weighing the factors set forth in PURA² § 37.056(c) and 16 Texas Administrative (TAC) § 25.101(b)(3)(B).³ In selecting Route 179, Oncor balanced all the factors and chose a route that best meets the criteria in PURA § 37.056(c) and 16 TAC § 25.101(b)(3)(B). Commission Staff recommended Route 179-C as the route that best meets the applicable criteria,⁴ and the Texas Parks and Wildlife Department (TPWD) and other intervenors identified Route 137 as the route that should be selected.⁵ Route 137 is comprised of Links A0-A4-B1-B61-B62-C1-C21-C22-C8-C9-E8-F2-F1-F5-G1-G3-H41-H42-H8-I8-J3-K1-L5-L4-L3-L2-M1-M2-M4-R5-U3-V3-V4-Z. New Dimension Investments does not object to selection of Route 179, Route 179-C, or Route 137.

New Dimension Investments strongly opposes any route that uses Segment R6, which is proposed to be sited through the middle of property owned by New Dimension Investments. New Dimension Investments owns two properties within the study area, which are located at 525 County Road (CR) 4840, Haslet, Texas 76052 and 585 CR 4840, Haslet, Texas 76052 (CR 4840 Properties).⁶ The CR 4840 Properties owned by New Dimension Investments are located in the eastern most portion of the study area and both properties are bordered by CR 4840 and natural gas pipelines on the south.⁷ Proposed Segment R6 cuts directly through the middle of the CR 4840 Properties.⁸ Additionally, there is a flood plain on the southern portion of the CR 4840 Properties and a creek to the east of the CR 4840 Properties.⁹ Because of the roads, gas pipelines, flood plain, and creek already on the CR 4840 Properties, proposed Segment R6 would have an extremely negative effect on the CR 4840 Properties and could inhibit the intended development of the properties.

² Public Utility Regulatory Act, Tex. Util. Code §§ 11.001–66.016 (PURA).

³ Oncor Ex. 1, Application at 24 and Attachment 7—Routing Memorandum at 4–5.

⁴ PUC Staff Ex. 1 at 17.

⁵ Edgar Brent Watkins and Mary Ann Livengood (Watkins) Ex. 5—Texas Parks and Wildlife Department’s Comment Letter (dated July 19, 2023) at 5–6.

⁶ New Dimension Investments Ex. 1 at 3.

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

New Dimension Investments also opposes any route that uses Segment U1, which is proposed to be sited along the length of the property adjacent to the property under contract by New Dimension Investments and is in close proximity to it. New Dimension Investments is in contract for the property located immediately north of the CR 4840 Properties.¹⁰ This property is located at 265 Iron Horse Court, Rhome, Texas 76052 (Iron Horse Property).¹¹ As part of its development, New Dimension Investments plans to construct a road extension from the CR 4840 Properties to a city road accessing Highway 114.¹²

New Dimension Investments purchased the CR 4840 Properties, and has contracted to purchase the Iron Horse Property, for the purpose of developing an industrial space in three- to five-acre tracts intended for two to four tenants per tract to be used for business, commercial, and industrial purposes.¹³ New Dimension Investments has created site plans for dividing the affected properties into separate, smaller parcels for sale and rent.¹⁴ The industrial warehouse spaces are intended to serve residential communities that have recently been built nearby by providing places of business for contractors such as roofers, plumbers, electricians, etc.¹⁵ As this is a newly and rapidly developing area, the residents of these communities would have difficulty accessing needed resources without warehouses for contractors nearby.¹⁶ The Rhome and Newark areas are highly competitive markets for leasing and selling tracts of land, and New Dimension Investments is and intends to continue to be an active participant in that market.¹⁷

Proposed Segments R6 and U1 would have a negative effect on the industrial space being developed by New Dimension Investments and its buyers and tenants, and the transmission line would be incompatible in this densely populated community. In addition, use of proposed Segments R6 and U1 would devalue the retirement investments of the employees of Southwest Sales, an Employee Stock Ownership Plan, or ESOP, of which New Dimension Investments is

¹⁰ New Dimension Investments Ex. 1 at 3.

¹¹ *Id.*

¹² *Id.*

¹³ *Id.* at 4.

¹⁴ *Id.* at 5.

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.*

the investment vehicle for.¹⁸ Therefore, New Dimension Investments opposes Segment R6 and any routes that incorporate Segment R6 (including Routes 11, 26, and 192); and Segment U1, and any routes that incorporate Segment U1 (including Routes 1, 41, 42, 65, 67, 72, 86, 94, 96, 103, 117, 138, 142, 143, 207, and 218).

II. IDENTIFICATION OF UNCONTESTED ISSUES AND UNDISPUTED FACTS

Not addressed.

III. PROCEDURAL HISTORY

Not addressed.

IV. JURISDICTION AND NOTICE

Not addressed.

V. PRELIMINARY ORDER ISSUES

A. Preliminary Order Issue No. 1 [Adequacy of Application and Number of Routes]

Not addressed.

B. Preliminary Order Issue No. 2 [Notice of Application]

Not addressed.

C. Preliminary Order Issue No. 3 [Notice of Public Meeting]

Not addressed.

D. Preliminary Order Issue No. 4 [Public Input]

Oncor held public meetings on December 7, 2023 and December 8, 2023 at the Marriott Hotel & Golf Club Champions Circle in Fort Worth, Texas.¹⁹ A total of 172 people signed in and a total of 71 questionnaires were received at the public meetings.²⁰ Additional

¹⁸ *Id.* at 1–2, 7. As the investment vehicle for Southwest Sales, the employees’ retirement funds directly correlate to New Dimension Investments’ performance and the investments it chooses to make on behalf of the employees of Southwest Sales. New Dimension Investments purchases properties with the profits of Southwest Sales.

¹⁹ Oncor Ex. 1 at 24.

²⁰ *Id.* at 25.

questionnaires were received by electronic mail.²¹ Most comments received involved avoiding Segments D1 through D4.²² Routes 179 and 179-C do not contain Segments D1 through D4.²³

E. Preliminary Order Issue No. 5 [Need]

Not addressed.

F. Preliminary Order Issue No. 6 [Load]

Not addressed.

G. Preliminary Order Issue No. 7 [Distribution and Other Alternatives]

Not addressed.

H. Preliminary Order Issue No. 8 [Routing]

1. Route Selection Overview

Based on the testimony and record evidence in this case, New Dimension Investments recommends that the Commission approve Route 179 as the proposed alternative route that best meets the criteria for granting a CCN. Route 179 was the route selected by Oncor and its consultant as the “best meets” route.²⁴ Alternatively, New Dimension Investments is unopposed to the Commission approving Route 179-C or Route 137. Route 179-C was the route selected by Commission Staff as the best route when weighing the factors set forth in PURA § 37.056(c)(4) and in 16 TAC § 25.101(b)(3)(B).²⁵ Route 137 was identified by the Texas Parks and Wildlife Department as “the route having the least potential to impact fish and wildlife resources.”²⁶ For the reasons detailed throughout this brief, New Dimension Investments strongly opposes Routes 1, 11, 26, 41, 42, 65, 67, 72, 86, 94, 96, 103, 117, 138, 142, 143, 192, 207, and 218 because they utilize one or more of Segments R6 and U1.²⁷

²¹ *Id.*

²² Oncor Ex. 1, Attachment 1—Environmental Assessment and Alternative Routing Analysis at 5-1 to 5-11.

²³ Oncor Ex. 1, Table 7-1 at D-5.

²⁴ Oncor Ex. 1, Attachment 7—Routing Memorandum at 4–5.

²⁵ PUC Staff Ex. 1 at 17.

²⁶ Watkins Ex. 5 at 5.

²⁷ New Dimension Investments Ex. 1 at 6–7.

As indicated by the wording of Issue No. 8 in the Commission's preliminary order,²⁸ the selection of a route requires a weighing of multiple factors identified in PURA § 37.056(c) and 16 TAC § 25.101(b)(3)(B). Accordingly, a route that performs well on several criteria is preferable. Employing this holistic approach, there are numerous routes that perform better than Routes 1, 11, 26, 41, 42, 65, 67, 72, 86, 94, 96, 103, 117, 138, 142, 143, 192, 207, and 218 when considering all criteria. For example, Route 179 meets the Commission's routing criteria based on a balancing of the following key attributes:

- **Length:** The length of Route 179 is approximately 21.8 miles, which is only 1.9 miles longer than the shortest among all the filed routes.
- **Cost:** The transmission line estimated cost for Route 179 is \$175,208,000, which is approximately 6.5 percent more than the least expensive alternative route and approximately 35.5 percent less than the most expensive alternative route.
- **Habitable Structures:** There are 97 habitable structures within 500 feet of the centerline of Route 179, which is on the lower end of the range of all the proposed alternative transmission line routes, which varies from 95 to 400.
- **Length Parallel to Existing Corridors:** Route 179 parallels existing compatible corridors for 23 percent of its length. Although Route 117 possesses the highest percentage parallel to existing corridors with 40 percent of its length, that route is longer in length and has a higher number of habitable structures within 500 feet of its centerline.
- **Length Through Commercial/Industrial Areas:** Route 179 has 4,607 feet of its route through commercial/industrial areas, which is on the lower end of the range of all the proposed alternative transmission line routes, which varies from 4,085 feet to 14,702 feet.

Route 179-C also meets the Commission's routing criteria based on a balancing of the following key attributes:

- **Habitable Structures:** The centerline of Route 179-C is within 500 feet of 98 habitable structures, which is tied for 4th least of the proposed alternative routes,

²⁸ Order of Referral and Preliminary Order at 8 (Jun. 9, 2023).

and only five more than the route with the least habitable structures within 500 feet of its centerline.

- **Parks and Recreational Areas:** Route 179-C does not cross any parks or recreational areas and has four parks or recreational areas within 1,000 feet of its centerline, which is just one more than the routes with the fewest within 1,000 feet of their centerline.
- **Length:** Route 179-C is the 29th shortest route of the 74 filed alternative routes, and is 5,249 feet longer than the shortest route, but is 10,596 feet shorter than the longest route.

2. Effect of Granting Certificate on Oncor and Any Electric Utility Serving the Proximate Area

Not addressed.

3. Community Values

Route 179 and Route 179-C perform favorably when considering community values. In Oncor's Application, Halff states that term "community values" is included as a factor for the consideration of transmission line certification under Section 37.056(c)(4) of the Texas Utilities Code.²⁹ Halff continues and defines the term "'community resources' to be areas or other natural resources recognized by a national, regional, or local community."³⁰ This includes parks, recreation areas, historical or archeological sites, or scenic vistas.³¹

Subsumed within the evaluation of community values is public input, which is discussed in Section V.D. above, and which weighs against any route that includes segments D1 through D4. These segments are not contained in Routes 179 or 179-C. Route 179-C's centerline is within 500 feet of 98 habitable structures, or the 4th least of the proposed alternative routes.³² Route 179 has 97 habitable structures within 500 feet of its centerline.³³ Route 179-C is the 29th shortest route of the 74 filed routes, and crosses the least amount of cropland and hay meadow

²⁹ Oncor Ex. 1, Attachment 1—Environmental Assessment and Alternative Routing Analysis at 3-64.

³⁰ *Id.*

³¹ *Id.*

³² PUC Staff Ex. 1 at 28.

³³ *Id.*

land.³⁴ Route 179-C also avoids Segments F2, F3, E8, M4, R1, R3, R6, T5, T4, T3, T2, Q5, Q2, Q7, G9, and DC, which were all specifically opposed by commentators.³⁵

Furthermore, Routes 179 and 179-C have three FAA registered airports within 20,000 feet of the proposed route, and four FAA registered airport location within 10,000 feet of the proposed route.³⁶ Regarding electronic installations, Route 179 and Route 179-C also only have two FM radio tower, microwave tower, or other electronic installation located within 2,000 feet of the proposed route centerline.³⁷

4. Recreational Park Areas

Halff identified twenty parks and recreational areas that are either crossed by or are within 1,000 feet of the centerline of the filed proposed alternative routes.³⁸ Of the filed alternative routes, routes range from crossing no parks or recreational areas to crossing eleven parks or recreational areas; and from crossing no length of a park or recreational area to crossing 3,844 feet of parks and recreational areas.³⁹ Both Route 179 and Route 179-C cross no parks or recreational areas, and have four parks and recreational areas within 1,000 feet of their centerlines.⁴⁰

5. Cultural, Aesthetic, and Historical Values

The filed alternative routes range from one historical or archeological site within 1,000 feet of its centerline to five.⁴¹ The length of the routes across areas of high archeological or historical site potential ranges from 28,161 feet to 64,206 feet.⁴²

Route 179 crosses one archaeological site and has two additional archaeological or historical sites within 1,000 feet of its centerline.⁴³ Specifically, Route 179 crosses Facility ID

³⁴ *Id.* at 29.

³⁵ *Id.*

³⁶ Oncor Ex. 25—Environmental Data for Alternative Route Evaluation.

³⁷ *Id.*

³⁸ Oncor Ex. 1, Attachment 16—Parks and Recreational Areas within 1,000 Feet of the Filed Alternative Routes.

³⁹ *Id.*

⁴⁰ *Id.*; PUC Staff Ex. 1 at 31.

⁴¹ Oncor Ex. 1, Attachment 1 – Environmental Assessment and Alternative Route Analysis at Table 7-2.

⁴² *Id.*

number 41DN552, a former schoolhouse (along with 33 other filed alternative routes), and comes within 90 feet of Facility ID number 41DN553, a historic house, at Link L2, 380 feet of that same historic house at Link M1, and within 610 feet of Dunham Cemetery (along with all filed alternative routes).⁴⁴ Route 179-C's centerline is within 610 feet of the Dunham Cemetery on Segment AO (which effects all filed alternative routes), within 90 feet of a historic house on Segment L2, and crosses a former schoolhouse on Segment M1.⁴⁵ Route 179-C crosses 56,753 feet of areas of high archeological or historical site potential.⁴⁶

In terms of aesthetics, there are not significant material differences between the routes.

6. Environmental Integrity

Commission Staff states that transmission lines do not often create many long-term impacts on soils and that primary impacts on vegetation would be the result of site preparation and clearing of existing woody vegetation in the right-of-way.⁴⁷ As Commission Staff noted, Oncor would attempt to minimize adverse impacts to vegetation and retain existing ground cover where possible and to restore disturbed areas with native species where possible.⁴⁸ Furthermore, there are not federally listed endangered or threatened plant species known to occur in Denton and Wise counties; however, TPWD lists rare plant species that require special consideration.⁴⁹ Route 179-C has one known rare or unique plant location in its right-of-way.⁵⁰

7. Engineering Constraints

No party provided evidence of significant engineering constraints that were not included in Oncor's application.

⁴³ Oncor Ex. 1, Attachment 17—Cultural Resources within 1,000 Feet of the Filed Alternative Routes.

⁴⁴ *Id.*

⁴⁵ PUC Staff Ex. 1 at 33.

⁴⁶ *Id.*

⁴⁷ *Id.* at 35.

⁴⁸ *Id.*

⁴⁹ *Id.* at 36.

⁵⁰ *Id.*

8. Costs

The estimated total project cost of Oncor's proposed transmission line ranges from \$243,190,000 to \$313,460,000, depending on the route chosen.⁵¹ Route 179 has an estimated total cost of \$253,607,000 and Route 179-C has an estimated total cost of \$251,143,000.⁵² Route 179-C is the 22nd least expensive proposed alternative route.⁵³ While there are less expensive routes that can be chosen, the less expensive routes have more habitable structures within 500 feet of their centerlines than Route 179-C.⁵⁴ Furthermore, as explained by Commission Staff, Route 179-C makes better use of compatible rights-of-way as a percentage of its total length than several other routes and is shorter than several other routes.⁵⁵

9. Use of Existing Corridors

From a perspective of paralleling existing corridors, Routes 179 performs very well.⁵⁶ Route 179 parallels existing compatible corridors for approximately 23 percent of its length (22.68 percent to be exact) (including apparent property boundaries).⁵⁷ Route 179 has 26,061 feet of its length parallel to existing compatible rights-of-way.⁵⁸ Route 179-C also parallels existing compatible corridors for approximately 23 percent of its length (23.25 percent to be exact) (including apparent property boundaries).⁵⁹ Route 179-C has 25,665 feet of its length parallel to existing compatible rights-of-way.⁶⁰ Although Route 117 possesses the highest percentage parallel to existing corridors (40 percent), it is longer in route length (22.7 miles) and has a higher number of habitable structures within 500 feet its centerline (263).⁶¹ Route 221 has

⁵¹ Oncor Ex. 24, Attachment No. 3.

⁵² Oncor Ex. 25.

⁵³ Staff Ex. 2 at 41.

⁵⁴ *Id.* at 41–42.

⁵⁵ *Id.*

⁵⁶ Oncor Ex. 1, Attachment 1—Environmental Assessment and Alternative Route Analysis at Table 7-2; Oncor Ex. 1, Attachment 7—Routing Memorandum at 4.

⁵⁷ Oncor Ex. 1, Attachment 7—Routing Memorandum at 4.

⁵⁸ Oncor Ex. 1, Attachment 1—Environmental Assessment and Alternative Route Analysis at Table 7-2.

⁵⁹ PUC Staff Ex. 1 at 44.

⁶⁰ *Id.*

⁶¹ Oncor Ex. 1, Attachment 7—Routing Memorandum at 4.

the lowest percentage (17 percent) parallel to existing corridors.⁶² Route 179 parallels existing compatible rights-of-way for a good portion of its length compared to other filed alternative routes, and higher than any of the Routes 1, 41, 42, 65, 67, 72, 86, 94, 96, 103, 143, 192, and 207.⁶³

10. Prudent Avoidance

Prudent avoidance is defined as “the limiting of exposures to electric and magnetic fields that can be avoided with reasonable investments of money and effort.”⁶⁴ It is typically measured by the number of habitable structures directly affected by the proposed routes.⁶⁵ The habitable structure counts included in the Application indicate that the number of structures within 500 feet of the centerline of the proposed alternative routes ranges from 93 to 400.⁶⁶ There are 97 habitable structures within 500 feet of the centerline of Route 179 and 98 habitable structures within 500 feet of the centerline of Route 179-C.⁶⁷ Overall, Routes 179 and 179-C have the third and fourth least habitable structures of the proposed alternative routes within 500 feet of their centerlines.⁶⁸

11. Additional Routing Concerns [Electronic Installations, Airports, Irrigation Systems, etc.]

Addressed in Section H.3.

12. Summary Routing Recommendation

Route 179 and Route 179-C are two of several viable routes and, on the whole, perform best when weighing the factors under PURA § 37.056(c) when compared to Routes 1, 11, 26, 41, 42, 65, 67, 72, 86, 94, 96, 103, 117, 138, 142, 143, 192, 207, and 218. From a qualitative perspective, this route would preserve the community values expressed via public input. From a quantitative perspective, Route 179 and Route 179-C are cost effective, minimize the effect on

⁶² Oncor Ex. 1, Attachment 7—Routing Memorandum at 4.

⁶³ Oncor Ex. 1, Attachment 1—Environmental Assessment and Alternative Route Analysis at Table 7-2.

⁶⁴ 16 TAC § 25.101(a)(6).

⁶⁵ PUC Staff Ex. 1 at 48.

⁶⁶ *Id.* at 49–51.

⁶⁷ Oncor Ex. 25.

⁶⁸ PUC Staff Ex. 1 at 49.

habitable structures, and preserve the environmental integrity of the study area. Route 137 is also a viable route and performs well when weighing the factors under PURA § 37.056(c).

I. Preliminary Order Issue No. 9 [Alternative Routes/Configurations]

Two modifications or alternative routes based off of Route 179-C have been proposed by La Estancia Investments, L.P. (La Estancia). These modifications are Route 179-C La Estancia Alternate 1 and Route 179-C La Estancia Alternate 1 and 2 Combined.⁶⁹ Route 179-C La Estancia Alternate 1 “is the modification that La Estancia and Furst have proposed that moves the route down the railroad corridor.”⁷⁰ It is the far eastern of the modifications.⁷¹ Also, Route 179-C La Estancia Alternate 1 and 2 Combined has the modification on the far eastern side, but also has the option to have Link E6 move the route north along FM 1171.⁷² Regarding the cost for the proposed routes including modifications, Route 179-C La Estancia Alternate 1 has a total estimated cost of \$251,393,000 and Route 179-C La Estancia Alternate 1 and 2 Combined has a total estimated cost of \$250,675,000.⁷³

J. Preliminary Order Issue No. 10 [Contributions and Accommodations for Alternative Routes/Configurations]

Not addressed.

K. Preliminary Order Issue No. 11 [State/Federal Reliability Standards]

Not addressed.

L. Preliminary Order Issue No. 12 [Cost to Consumers]

Not addressed.

M. Preliminary Order Issue No. 13 [Congestion Cost Savings]

Not addressed.

⁶⁹ Oncor Ex. 25.

⁷⁰ Tr at 32:21–23 (Day 2).

⁷¹ Tr. at 32:22–23 (Day 2).

⁷² Tr. at 33:1–4 (Day 2).

⁷³ Oncor Ex. 25.

N. Preliminary Order Issue No. 14 [Best Management Practices]

Not addressed.

O. Preliminary Order Issue No. 15 [Additional Practices Proposed]

Not addressed.

P. Preliminary Order Issue No. 16 [Texas Parks and Wildlife Recommendations]

New Dimension Investments is unopposed to Route 137, which was the route identified by the Texas Parks and Wildlife Department as “the route having the least potential to impact fish and wildlife resources.”⁷⁴ Route 137 does not utilize any of the segments opposed by New Dimension Investments.

Q. Preliminary Order Issue No. 17 [Permits]

Not addressed.

R. Preliminary Order Issue No. 18 [Coastal Management Program]

Not addressed.

S. Preliminary Order Issue No. 19 [Limitation of Authority]

Not addressed.

T. Preliminary Order Issue No. 20 [Impact on Generators]

Not addressed.

U. Preliminary Order Issue No. 21 [Route Modifications]

Addressed in Section I.

VI. CONCLUSION

New Dimension Investments strongly opposes any route that uses any portion of Segments R6 and U1 based on the evidence discussed in this brief. New Dimension Investments respectfully supports approval of Route 179, Route 179-C, or any other reasonable route supported by the evidence in this proceeding that does not incorporate Segments R6 or U1.

⁷⁴ Watkins Ex. 5 at 5.

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 7, 2023, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ William A. Faulk, III

William A. Faulk, III