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SOAH Docket No. 473-23-21216

PUC Docket No. 55067

**BEFORE THE STATE OFFICE OF
ADMINISTRATIVE HEARINGS APPLICATION**

**APPLICATION OF ONCOR ELECTRIC DELIVERY COMPANY LLC TO AMEND ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY FOR THE RAMHORN HILL TO DUNHAM 345 KV TRANSMISSION LINE IN
DENTON AND WISE COUNTIES**

**INTERVENORS JAMES AND HOLLY LEWIS
FILING EXCEPTIONS TO PROPOSAL FOR DECISION**

**Commissioners, James and Holly Lewis respectfully request that you reconsider the
decision/recommendation of the Administrative Law Justices determined on November 10, 2023.**

Regarding the Ramhorn Hill-Dunham project, The SOAH has recommended granting the certificate and approval of Route 179-C. While the Central Region is experiencing rapid residential growth to include the City of Justin it was decided not to approve the modified route of 179 suggested by the city. In Oncor's reply brief they stated the primary contested issue is which route best meets the requirements of the PURA and the Commission rules. More specifically, the question is which link to use to cross the central region-J4, J3, J22, or I12. Clearly, the central region is most affected by this decision, however, our proposed modification was denied. There were many parties opposed to the use of link J3, but only one for it.

The City of Justin submitted a modified proposal to include the use of link J22. In the reply brief submitted by Oncor, on page 7, it states that modified Route 179 (Justin) was first proposed after the evidentiary record closed, thus no record evidence exists to holistically evaluate the route. Oncor states that modified Route 179 is not a filed route so there is lack of record evidence specifically addressing the cost or environmental data. Modified Route 179 would substitute links I6-J1-J21-J22-L1 for the links I8-J3-K1-L5-L4-L3. If you look at Route 87, one of the original 74 proposed routes, it is almost exactly that substitution. That route has been filed and evaluated. Route 87 also includes, coincidentally, the modifications submitted by La Estancia for Route 179-C. Oncor states that while no cost data for modified Route 179 is in evidence, they estimate the increase in cost would be between \$6-10 million over Route 179. How can that be? Route 87 costs \$181,022,000. The new recommended route or secondary route costs \$176,548,432 and \$177,266,432 respectively. Route 87 would include the Justin modification and the La Estancia modification. It's not fair to "guess" how much of a difference it would be and make a huge decision based on that guess.

Of the habitable structures along Route 179, 64 of the 97 are in Legacy Ranch. Directly behind Legacy Ranch is a wide-open field of 200+ acres. When I asked Mr. Murasek why that wasn't a route option, he basically said they looked at it and it didn't seem feasible. Instead of zigzagging through the middle of our neighborhood the power line could have easily gone down John Wiley Road, a ROW, and across the wide-open field to meet up with link I8, significantly reducing the number of habitable structures impacted. Maybe more habitable structures would be impacted by J22, but most of those structures are at least 300 ft from centerline and the residents affected by this route did not intervene. That is not the case in Legacy Ranch. On Denton Creek Drive alone, where the power line will be installed directly behind those homes, the distance is anywhere from 153 ft -294 ft.

It was stated that the ALJ's don't discuss every fact and concern of every landowner. That's understandable, however, there is no way to understand the impact on our neighborhood by looking at a map. It's a shame that Oncor can ruin the aesthetics of a small neighborhood and there's not much we can do about it. According to Oncor, there were approximately 400 intervenors in the case, 310 of those intervenors were dismissed and a majority of those were residents from the Central region. Why? Because the rules are not made clear on the Oncor website or the PUC website. Not knowing the rules/laws is why most individuals don't get to participate. Imagine 400 intervenors taking part in this case? It's all by design! The wealthy land owners/real estate developers have the means and attorneys to take care of their business. Us little folks don't have that luxury. The few of us that made it through banded together and did what we could with the help of the City of Justin and several other concerned citizens, but looks like we may have lost the fight. One of the other intervenors stated that those opposed to J3 were clearly asking the Commission to put the power lines through somebody's neighborhood, just not theirs! The truth is we don't want it going through ANYBODY'S neighborhood, but, unfortunately, that's not an option. Of course, we don't want it in our backyards-nobody does! And by the way, one of those massive poles is going to be 60 yards from my house and about 10 ft from my back fence. When construction starts come on by and visit. Then maybe you'll understand why we fought so hard.... And be glad it's not you and your family impacted.

In closing, I would like to reiterate that the Central region is significantly impacted by this transmission line, yet the only modifications to the route were made in the other two regions. Doesn't seem fair now does it? Most of the intervenors were from the Central region and most were dismissed, however, the sheer number of intervenors/protestors should not go unnoticed. No residents affected by J22 intervened successfully, except one. Many intervenors opposed J3 while only one was for it, a fact that seems to have gone unnoticed. As stated by Oncor, they are not opposed to the Justin modification and stated at the very beginning that every route was feasible. I urge the Commission to reevaluate the decision of the ALJ'S and at least consider the modification of Route 179 to include the Justin modification. If not, we would greatly appreciate the reason why. While all factors have to be considered, it is understood that the chosen route will not make everyone happy. It is well documented in this filing that the Central region is experiencing rapid growth, but I feel like that has not been fully appreciated and considered. This power line will affect the City of Justin forever and I hope the Commission will realize that and reconsider another option.

Sincerely,

James and Holly Lewis