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Filing Date - 2024-08-19 10:15:38 AM

Control Number - 56799

Item Number - 16

SOAH DOCKET NO. 473-24-22699
PUC DOCKET NO. 56799

APPLICATION OF ONCOR ELECTRIC	§	BEFORE THE STATE OFFICE
DELIVERY COMPANY LLC TO	§	
AMEND ITS CERTIFICATE OF	§	OF
CONVENIENCE AND NECESSITY FOR	§	
THE REITER SWITCH-TESORO 345-	§	ADMINISTRATIVE HEARINGS
KV TRANSMISSION LINE IN ECTOR	§	
AND MIDLAND COUNTIES	§	

**COMMISSION STAFF’S RECOMMENDATION ON SUFFICIENCY OF THE
APPLICATION AND NOTICE**

On July 25, 2024, Oncor Electric Delivery Company LLC (Oncor) filed an application to amend its certificate of convenience and necessity to construct the Reiter Switch-Tesoro double-circuit 345-kilovolt transmission line in Ector and Midland Counties.

On August 14, 2024, State Office of Administrative Hearings Order No. 2 was issued, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file its recommendation regarding the sufficiency of Oncor’s application and notice by August 19, 2024. Therefore, this pleading is timely filed.

I. RECOMMENDATION ON APPLICATION SUFFICIENCY

Staff has reviewed the application and, as detailed in the attached memorandum from Caitlin Gaspar of the Infrastructure Division, recommends that the application be found sufficient for further processing. Further, as detailed in Ms. Gaspar’s memorandum, Staff recommends that Oncor’s responses to the standard Order No. 1 questions regarding alternatives to the project are sufficient. This recommendation does not address the merits of the application.

II. RECOMMENDATION ON NOTICE SUFFICIENCY

On August 14, 2024, Oncor filed an affidavit attesting to the provision of notice to cities, counties, the Office of Public Utility Counsel, Texas Parks and Wildlife Department, the Department of Defense Siting Clearinghouse (now known as the Military Aviation and Installation Assurance Siting Clearinghouse), and landowners as required under 16 Texas Administrative Code (TAC) § 22.52(a).¹ Additionally, on August 14, 2024, Oncor filed an affidavit attesting to the

¹ Affidavit Attesting to the Provision of Notice to Cities, Counties, OPUC, TPWD, Department of Defense Siting Clearinghouse, and Landowners (Aug. 14, 2024).

provision of newspaper notice.² Staff has reviewed Oncor's proof of notice documents and, as supported by Ms. Gaspar's attached memorandum, recommends that Oncor's direct and published notices include all required information and were provided in compliance with the requirements of 16 TAC § 22.52(a). Therefore, Staff recommends that Oncor's notice be found sufficient.

III. CONCLUSION

For the reasons detailed above, Staff respectfully requests the entry of an order deeming the application and notice sufficient.

Dated: August 19, 2024

Respectfully Submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Marisa Lopez Wagley
Division Director

Ian Groetsch
Managing Attorney

/s/ David Skawin
David Skawin
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² Affidavit Attesting to the Provision of Newspaper Notice (Aug. 14, 2024).

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CERTIFICATE OF SERVICE

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document will be provided to all parties of record via electronic mail on August 19, 2024, in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ David Skawin
David Skawin

Public Utility Commission of Texas

Memorandum

TO: David Skawin
Legal Division

FROM: Caitlin Gaspar
Infrastructure Division

DATE: August 19, 2024

RE: **STAFF RECOMMENDATION**
Docket No. 56799, Application of Oncor Electric Delivery Company LLC to Amend a Certificate of Convenience and Necessity for the Reiter Switch-Tesoro Switch 345 kV Transmission Line Project in Ector and Midland Counties, Texas

On July 25, 2024, Oncor Electric Delivery Company LLC (Oncor) filed an application to amend its Certificate of Convenience and Necessity to construct a new double-circuit 345 kV transmission line that begins at Oncor's planned Reiter Switch in Ector County and ends at Oncor's existing Tesoro Switch in Midland County. This line will address reliability needs in the Permian Basin region of West Texas that have arisen due to load growth, load integration requests, and age of existing facilities. The Electric Reliability Council of Texas (ERCOT) has also determined the need for the proposed transmission line and has identified it as a Tier 1 project under 16 Tex. Admin. Code (TAC) § 25.101(b)(3)(D). The planned Reiter Switch will be located approximately 1.2 miles north of the intersection of State Highway (SH) Loop 338 and Farm-to-Market Road 3503, south of Odessa, Texas. The existing Tesoro Switch is located approximately 1.5 miles southeast of the intersection of Interstate Highway 20 and SH Loop 338, near Odessa, Texas. Depending on the route selected, the line will be between approximately 4.0 to 5.2 miles in length and will require a 160-foot-wide right-of-way. I have reviewed the Application and Affidavits Attesting to the Provision of Notice and Newspaper Notice filed August 14, 2024, for deficiencies and for compliance with notice requirements.

I. Application Sufficiency

- I have reviewed the Application and all attachments filed by Oncor for deficiencies. I identified no material deficiencies and therefore find the Application sufficient.
- I have reviewed Oncor's responses to the standard four questions regarding alternatives to the project that were filed on July 25, 2024, and recommend that Oncor's responses be deemed sufficient.

II. Compliance of Notice

- I have reviewed the notices sent to counties and municipal authorities, neighboring utilities, Department of Defense Siting Clearing House, and landowners. These notices were included with the Application and with the Affidavits Attesting to the Provision of Notice. I found no material deficiencies and therefore recommend they be deemed compliant with the requirements of 16 Tex. Admin. Code (TAC) § 22.52(a)(2) & (3).
- I have reviewed the notice provided to the Office of Public Utility Counsel and the Texas Parks and Wildlife Department. These notices were included with the Application and with the Affidavits Attesting to the Provision of Notice. I found no material deficiencies and therefore recommend they be deemed compliant with the requirements of 16 TAC § 22.52(a)(1)(E) & (a)(2).
- I have reviewed the published notices included with the Application and with the Affidavits Attesting to the Provision of Newspaper Notice. I found no material deficiencies and therefore recommend they be deemed compliant with the requirements of 16 TAC § 22.52(a)(1).