



Control Number: 57633



Item Number: 48

**PUC DOCKET NO. 57633
SOAH DOCKET NO. 473-25-15631**

APPLICATION OF ONCOR ELECTRIC DELIVERY COMPANY LLC TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE RIVERTON-SAND LAKE 138-KV TRANSMISSION LINE IN REEVES AND WARD COUNTIES	§ § § § § § §	PUBLIC UTILITY COMMISSION OF TEXAS
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ORDER

This Order addresses the application of Oncor Electric Delivery Company LLC to amend its certificate of convenience and necessity (CCN) number 30043 to construct, own, and operate the Riverton-to-Sand Lake 138-kilovolt (kV) transmission line in Reeves and Ward counties. The parties filed a unanimous agreement resolving the issues between themselves for the construction of the new transmission facilities along the proposed route. The Commission approves the proposed route and amends Oncor's CCN number 30043 to the extent provided in this Order.

I. Findings of Fact

The Commission makes the following findings of fact.

Applicant

1. Oncor is a Delaware limited liability company registered with the Texas secretary of state under filing number 800880712.
2. Oncor owns and operates for compensation in Texas facilities and equipment to transmit and distribute electricity in the Electric Reliability Council of Texas (ERCOT) region.
3. Oncor holds CCN number 30043 to provide service to the public.

Application

4. On February 13, 2025, Oncor filed an application to amend its CCN number 30043 for the construction of a new double-circuit 138-kV transmission line in Reeves and Ward counties.

5. Oncor hired Kimley-Horn and Associates, Inc. to prepare an environmental assessment and alternative route analysis for the proposed transmission line, which was included as part of the application.
6. No party challenged the sufficiency of the application.
7. In Order No. 2 filed on March 10, 2025, the Commission administrative law judge (ALJ) found the application sufficient.

Description of the Transmission Facilities and Proposed Transmission Line

8. Oncor proposes to construct, own, operate, and maintain a new double-circuit 138-kV transmission line to be built on steel monopole structures, with one circuit initially installed, between Oncor's existing Riverton switch in Reeves County and Oncor's existing Sand Lake switch in Ward County.
9. The route approved in this Order is approximately 40 miles in length.
10. Oncor's Riverton switch is located in Reeves County, approximately three miles southeast of the unincorporated town of Orla.
11. Oncor's Sand Lake switch is located in Ward County, approximately six miles northeast of the town of Pecos City.
12. The transmission line will parallel Oncor's existing Riverton–Sand Lake 345kV transmission line for its entire length.
13. The transmission line will be located wholly within Oncor's existing 220-foot-wide right-of-way for its entire length.
14. The transmission line will be primarily constructed on double-circuit capable steel monopole structures.
15. One circuit will be initially installed on the transmission line, and the vacant circuit position will remain available for the future addition of a second 138-kV circuit.
16. The typical structure used for the transmission line will be approximately 85 to 110 feet in height.

Schedule

17. Oncor estimates it will finalize engineering and design by October 2025; procure materials and equipment by February 2026; and complete construction of and energize the facilities in December 2026.

Public Input

18. On October 21, 2024, Kimley-Horn mailed consultation letters to various public officials and agencies informing them of the proposed transmission line and giving them an opportunity to provide information about the proposed transmission line and the general proposed transmission line area. In response, Kimley-Horn received information from various public officials and agencies.
19. Oncor held a public meeting on December 5, 2024 at the Reeves County Civic Center in Pecos.
20. Oncor directly mailed individual written notices of the public meeting to all owners of property within 300 feet of the centerline of the proposed transmission line. The notice included a map of the study area depicting the proposed route and a description of the proposed transmission line.
21. Oncor emailed notice of the public meeting to the Military Aviation and Installation Assurance Siting Clearinghouse.
22. Notice of the public meeting was published on November 21, 2024, in *The Monahans News*, a newspaper of general circulation in Ward County, and in the *Pecos Enterprise*, a newspaper of general circulation in Reeves County.
23. A total of three people signed in as attendees at the in-person public meeting.
24. Oncor provided questionnaires at the public meeting requesting input. No questionnaires were received at the meeting from attendees, and no questionnaires or letters were received after the public participation meeting by either Oncor or Kimley-Horn before filing the application.

Notice of the Application

25. On March 5, 2025, Oncor filed the affidavit of Christina Bitolas of the *Pecos Enterprise*, a newspaper having general circulation in Reeves County, attesting to publication of notice

- on February 20, 2025. On the same date, Oncor filed the affidavit of Christy Sullivan of the *Monahans News*, a newspaper having general circulation in Ward County, attesting to the publication of notice on February 20, 2025.
26. On March 5, 2025, Oncor filed the affidavit of Jonathan Richards, regulatory project manager at Oncor, attesting to the provision of notice on February 13, 2025, as follows:
- a. Oncor sent written notice of the filing of the application by first class mail to directly affected landowners;
 - b. Oncor sent written notice of the filing of the application by priority mail to county officials in Reeves and Ward counties;
 - c. Oncor sent written notice of the filing of the application by FedEx overnight delivery to the Office of Public Utility Counsel;
 - d. Oncor sent written notice of the filing of the application by FedEx overnight delivery and email to the Department of Defense Military Aviation and Installation Assurance Siting Clearinghouse;
 - e. Oncor sent courtesy written notice of the filing of the application by first class mail to certain pipeline associations, owners, and operators;
 - f. Oncor mailed by FedEx overnight delivery a full copy of the application and all attachments, including the environmental assessment, to the Texas Parks and Wildlife Department;
 - g. Oncor sent written notice of the application by priority mail to Texas-New Mexico Power Company, the only utility providing the same utility service within five miles of the proposed facilities; and
 - h. Oncor sent written notice of the filing of the application by priority mail to Barstow and Pecos City, municipalities within five miles of the requested facilities.
27. In Order No. 2 filed on March 10, 2025, the Commission ALJ found Oncor's notice sufficient.

28. On April 16, 2025, Oncor filed a supplemental affidavit of Mr. Richards attesting that supplemental notice of the application was sent by priority mail, FedEx, or first class mail to landowners after initial notices were returned undeliverable.

Intervenors

29. In Order No. 3 filed on March 11, 2025, the Commission ALJ granted the McGary Entities' request to intervene.
30. In Order No. 4 filed on March 25, 2025, the Commission ALJ granted the Johnson Sisters Agency's and Delaware Basin Midstream LLC's requests to intervene.
31. In State Office of Administrative Hearings (SOAH) Order No. 3 filed on April 22, 2025, the SOAH ALJ dismissed the McGary Entities and the Johnson Sisters Agency as parties for failing to file direct testimony or a statement of position.

Referral to SOAH

32. On March 26, 2025, the Commission referred this docket to SOAH and issued a preliminary order that, among other things, established a decision deadline and specified issues to be addressed in this proceeding.
33. On May 28, 2025, the parties filed an agreement resolving the issues between themselves and joint motions to admit evidence, dismiss the case from SOAH's docket, and remand the case to the Commission.
34. In SOAH Order No. 4 filed on May 28, 2025, the SOAH ALJ dismissed the case from SOAH's docket, cancelled the hearing on the merits, and remanded the proceeding to the Commission.

Testimonies

35. On February 14, 2025, Oncor filed the direct testimony of its witnesses: Julie Jones, energy specialist at Kimley-Horn; Trey Nolan, transmission assets planning engineer in the transmission planning group at Oncor; Ankur Patel, senior engineer in the transmission engineering line design group at Oncor; and Amy L. Zapletal, project manager senior in the transmission engineering right-of-way group at Oncor.

36. On April 8, 2025, Delaware Basin Midstream filed the direct testimony of its witness Jared Pannell, staff corrosion engineer for Western Midstream Partners, LP, the parent company of Delaware Basin Midstream, and exhibit JP-1.
37. On April 11, 2025, Delaware Basin Midstream filed errata to the direct testimony of its witness Mr. Pannell.
38. On April 11, 2025, Commission Staff filed the direct testimony of its witness Eduardo Acosta, engineer in the Commission's infrastructure division.
39. On April 14, 2025, Oncor filed errata to the direct testimony of its witnesses Ms. Zapetal and Mr. Patel.
40. On April 17, 2025, Oncor filed the rebuttal testimony of its witness Mr. Patel.

Evidentiary Record

41. In SOAH Order No. 4 filed on May 28, 2025, the SOAH ALJ admitted the following evidence into the record of this proceeding:
 - a. Oncor's application, with accompanying attachments, filed on February 13, 2025;
 - b. the direct testimonies and accompanying exhibits of Oncor witnesses Ms. Jones, Mr. Nolan, Mr. Patel, and Ms. Zapetal filed on February 14, 2025;
 - c. Oncor's responses to standard Order No. 1 questions filed on February 14, 2025;
 - d. Oncor's affidavit attesting to the provision of notice to cities, neighboring utilities, counties, the Office of Public Utility Counsel, Texas Parks and Wildlife Department, Department of Defense Military Aviation and Installation Assurance Siting Clearinghouse, and landowners filed on March 5, 2025;
 - e. Commission Staff's recommendation on the sufficiency of the application and notice, with accompanying memorandum from Mr. Acosta, filed on March 6, 2025;
 - f. the direct testimony of Mr. Pannell, with accompanying exhibit, on behalf of Delaware Basin Midstream filed on April 8, 2025;
 - g. Oncor's response to Delaware Basin Midstream's first request for information filed on April 9, 2025;

- h. Oncor's response to SOAH Order No. 1 filed April 10, 2025;
- i. the direct testimony of Mr. Acosta, with accompanying attachments, on behalf of Commission Staff filed on April 11, 2025;
- j. the errata to the direct testimony Mr. Pannell, with accompanying revised exhibit, on behalf of Delaware Basin Midstream filed on April 11, 2025;
- k. Oncor's notice of errata and accompanying attachments filed on April 14, 2025;
- l. Oncor's notice and request for approval regarding Oncor's first supplemental affidavit attesting to the provision of notice, with accompanying attachments, filed on April 16, 2025;
- m. rebuttal testimony of Oncor witness Mr. Patel filed on April 17, 2025;
- n. Delaware Basin Midstream's withdrawal of request for hearing on the merits filed on April 18, 2025; and
- o. the agreement filed on May 28, 2025.

Route Adequacy

- 42. Oncor's application presented a single route located wholly within Oncor's existing right-of-way for the Commission's consideration.
- 43. No party filed testimony or a position statement challenging whether the application provided an adequate number of reasonably differentiated routes to conduct a proper evaluation, and no party requested a hearing on route adequacy.
- 44. The application provided an adequate and sufficiently delineated route to conduct a proper evaluation.

Adequacy of Existing Service and Need for Additional Service

- 45. The proposed transmission line is a component of the Delaware Basin Stage 4 transmission upgrades identified by ERCOT in the 2019 Delaware Basin Load Integration Study Report (Delaware Basin Study), which was endorsed by ERCOT as a Tier 1 project according to ERCOT Nodal Protocol § 3.11.4.

46. Oncor prepared a submittal to ERCOT's Regional Planning Group for its portion of the Delaware Basin stage 3 and 4 projects, which it submitted for independent review on March 18, 2024.
47. ERCOT's independent review of the Delaware Basin stage 3 and 4 Project recommended that the Stage 3 and 4 upgrades, including this proposed transmission line, be in service by Summer 2027 to resolve potential voltage collapse and other reliability violations during an N-1 contingency under certain North American Electric Reliability Corporation Category P7 contingencies.
48. On December 3, 2024, ERCOT's board of directors formally endorsed the Delaware Basin stage 3 and 4 Project upgrades, including this proposed transmission line, as a Tier 1 reliability project.
49. The proposed transmission line is needed to address reliability issues driven by rapid load growth and to improve import capability into the Delaware Basin.
50. No party challenged the need for the proposed transmission line, and Commission Staff recommended approval of the proposed transmission line.
51. Oncor demonstrated a reasonable need for the transmission line.

Proposed Transmission Line Alternatives

52. In the Delaware Basin Study, ERCOT evaluated numerous alternative options to address load growth and reliability criteria violations in the Delaware Basin.
53. ERCOT's evaluation of alternatives was informed by transmission service provider input, steady-state and reliability studies, power transfer analyses, congestion analyses, and a comparison of estimated costs.
54. Oncor did not identify or examine any additional options because the Stage 3 and 4 upgrades, including the proposed transmission line, underwent a robust analysis as part of the Delaware Basin Study.
55. Distribution alternatives to the proposed transmission line would not address the need for a broader transmission buildout in the Delaware Basin to address rapidly increasing electrical demand.

56. Upgrading voltage or bundling of conductors of existing facilities and adding transformers would also fail to address the identified reliability issues or provide the necessary level of service to meet electric demand in the area.

Effect of Amending the CCN on Other Utilities

57. Oncor is the only electric utility involved in the construction of the proposed transmission line, and no other utilities' existing facilities will be used.
58. The proposed transmission line will not adversely affect service by other utilities in the area.

Estimated Costs

59. The estimated cost of the proposed transmission line facilities is \$70,855,000.
60. The costs for the minimal work needed to terminate the proposed 138-kV transmission line at Riverton switch and Sand Lake switch are included in the estimated cost of the proposed 138-kV transmission line facilities, and the proposed transmission line contains no additional station work.
61. The costs associated with the re-termination work that will be performed in conjunction with the proposed transmission line will be captured in a separate project.
62. The total estimated cost for the proposed transmission line is reasonable.
63. The proposed transmission line will be financed through a combination of debt and equity.

Prudent Avoidance

64. Prudent avoidance, as defined in 16 Texas Administrative Code (TAC) § 25.101(a)(6), is the "limiting of exposures to electric and magnetic fields that can be avoided with reasonable investments of money and effort."
65. There are 78 known habitable structures located within 320 feet of the proposed route's centerline.
66. The proposed route parallels an existing electric transmission line for its entire length.
67. The proposed route complies with the Commission's policy of prudent avoidance.

Community Values

- 68. Information regarding community values was received from local, state, and federal agencies and incorporated into the routing analysis and the transmission line's route selection.
- 69. The proposed transmission line adequately addresses the expressed community values.

Using or Paralleling Compatible Rights-of-Way and Paralleling Property Boundaries

- 70. The proposed route uses existing transmission line right-of-way for the entirety of its route.
- 71. The proposed route parallels or is adjacent to existing transmission lines for the entirety of its route.
- 72. The proposed route parallels or is adjacent to existing public roads or highways for 65,847 feet.
- 73. The proposed route parallels or is adjacent to apparent property boundaries for 84,665 feet.
- 74. The proposed route uses or parallels existing compatible corridors to a reasonable extent.

Engineering Constraints

- 75. Oncor evaluated engineering and construction constraints when developing the proposed route.
- 76. Oncor did not identify any engineering constraints that would prevent the construction of transmission facilities along the proposed route.

Other Comparisons of Land Uses and Land Types

- 77. The study area primarily consists of rural land with some scattered development associated with oil and gas activities.

a. Radio Towers and Other Electronic Installations

- 78. There are no commercial AM radio transmitters within 10,000 feet of the proposed route's centerlines.
- 79. There are no FM radio transmitter or microwave relay station within 2,000 feet of the proposed route's centerlines.
- 80. There is one communication tower located within 2,000 feet of the proposed route centerline. The tower is located 1,180 feet southwest of the proposed route centerline.

81. It is unlikely that the presence of the proposed transmission facilities along the proposed route will adversely affect any communication facilities or operations in the proximity of the proposed route.

b. Airstrips, Airports, and Heliports

82. There are no airports registered with the Federal Aviation Administration with a runway longer than 3,200 feet located within 20,000 feet of the proposed route's centerline.
83. There are no airports registered with the Federal Aviation Administration with a runway shorter than or exactly 3,200 feet located within 10,000 feet of the proposed route's centerline.
84. There are no private airstrips located within 10,000 feet of the proposed route's centerline.
85. There are no heliports located within 5,000 feet of the proposed route's centerline.
86. It is unlikely that the presence of transmission facilities along the proposed route will adversely affect any airports, airstrips, or heliports.

c. Irrigation Systems

87. None of the proposed route crosses land irrigated by known mobile irrigation systems.
88. It is unlikely that the presence of the proposed transmission facilities along the proposed route will adversely affect any agricultural lands with known mobile irrigation systems.

d. Pipelines

89. The proposed route is parallel and adjacent to existing pipelines for 16,593 feet.
90. It is unlikely that the presence of the proposed transmission facilities along the proposed route will adversely affect any pipelines that transport hydrocarbons.

Recreational and Park Areas

91. The proposed route does not cross any public parks or recreational areas.
92. There are no recreational or park areas within 1,000 feet of the proposed route's centerlines.
93. It is unlikely that the presence of transmission facilities along the proposed route will adversely affect the use and enjoyment of any recreational or park areas.

Historical and Archaeological Areas

94. There are 18 recorded cultural resource sites identified as being crossed by the proposed route.
95. There are 24 recorded cultural resource sites located within 1,000 feet of the centerline of the proposed route.
96. The proposed route crosses land with high archaeological or historical site potential for 17,137 feet.
97. It is unlikely that the presence of transmission facilities along the proposed route will adversely affect archaeological or historical resources.

Aesthetic Values

98. The proposed routes are not located within the foreground visual zone of parks or recreational areas.
99. The proposed route is located within the foreground visual zone of U.S. and state highways for 97,156 feet.
100. It is unlikely that the presence of transmission facilities along the proposed route will significantly or adversely affect the aesthetic quality of the landscape.

Environmental Integrity

101. The routing analysis analyzed the possible effects of the transmission facilities on numerous environmental factors.
102. Current county listings for federally and state-listed threatened and endangered species were obtained from the United States Fish and Wildlife Service and Texas Parks and Wildlife Department. United States Fish and Wildlife Service-designated critical habitat locations were included in the review.
103. Construction and operation of the transmission facilities will have no significant effect on the physiographic or geologic features of the area.
104. Oncor will conduct inspections during and after construction of the transmission facilities to identify soil erosion areas and assess appropriate erosion control practices.

105. Construction and operation of the transmission facilities will have minimal adverse impact on the surface water resources of the area.
106. Construction and operation of the transmission facilities are anticipated to have no significant impact on the groundwater or aquatic resources of the area.
107. There is one state-listed threatened plant species that has potential to occur within the study area, the dune umbrella-sedge.
108. There is one federally-listed endangered wildlife species, the northern aplomado falcon, and one federal candidate species, the monarch butterfly, with potential to occur in the study area.
109. There are five state-listed threatened fish and wildlife species with potential to occur in the study area: the black bear, the headwater catfish, the Texas horned lizard, the white-faced ibis, and the zone-tailed hawk.
110. No federally-determined critical habitat is designated in the study area for any endangered or threatened species.
111. After approval of the route, field surveys may be performed, if necessary, to identify potential suitable habitat for federally- or state-listed fish and wildlife species and determine the need for any additional species-specific surveys. If potential suitable habitat is identified or federally- or state-listed fish and wildlife species are observed during a field survey of the approved route, Oncor may further coordinate with the Texas Parks and Wildlife Department and United States Fish and Wildlife Service to determine avoidance and/or mitigation strategies.
112. Oncor can construct the transmission facilities in an ecologically sensitive manner along the route.
113. Oncor will mitigate any effect on federally-listed plant or fish and wildlife species according to standard practices and measures taken in accordance with the Endangered Species Act.
114. It is appropriate for Oncor to follow the procedures to protect raptors and migratory birds as outlined in the following publications: *Reducing Avian Collisions with Power Lines: The State of the Art in 2012*, Edison Electric Institute and Avian Power Line Interaction

Committee, Washington, D.C. 2012; *Suggested Practices for Avian Protection on Power Lines: The State of the Art in 2006*, Edison Electric Institute, Avian Power Line Interaction Committee, and the California Energy Commission, Washington, D.C. and Sacramento, CA, 2006; and *Avian Protection Plan Guidelines*, Avian Power Line Interaction Committee and United States Fish and Wildlife Service, April 2005. It is appropriate for Oncor to take precautions to avoid disturbing occupied nests and to take steps to minimize the burden of construction on migratory birds during the nesting season of the migratory bird species identified in the area of construction.

115. It is appropriate for Oncor to minimize the amount of flora and fauna disturbed during construction of the transmission line, except to the extent necessary to establish appropriate right-of-way clearance for the proposed transmission line.
116. It is appropriate for Oncor to re-vegetate cleared and disturbed areas using native species and consider landowner preferences and wildlife needs in doing so.
117. It is appropriate for Oncor to avoid, to the maximum extent practical, causing adverse environmental impacts to sensitive plant and animal species and their habitats as identified by the Texas Parks and Wildlife Department and the United States Fish and Wildlife Service.
118. It is appropriate for Oncor to implement erosion-control measures and return each affected landowner's property to its original contours and grades unless the landowner agrees otherwise. However, it is not appropriate for Oncor to restore original contours and grades where different contours or grades are necessary to ensure the safety or stability of any transmission line.
119. It is appropriate for Oncor to exercise extreme care to avoid affecting non-targeted vegetation or animal life when using chemical herbicides to control vegetation within the rights-of-way. The use of chemical herbicides to control vegetation within rights-of-way is required to comply with the rules and guidelines established in the Federal Insecticide, Fungicide, and Rodenticide Act and with Texas Department of Agriculture regulations.
120. It is appropriate for Oncor to use best management practices to minimize the potential burden on migratory birds and threatened or endangered species.

121. It is unlikely that the presence of transmission facilities along the route will adversely affect the environmental integrity of the surrounding landscape.

Texas Parks and Wildlife Department's Comments and Recommendations

122. On December 13, 2024, the Texas Parks and Wildlife Department provided Kimley-Horn information and recommendations regarding the preliminary study area for the proposed transmission line.
123. The Texas Parks and Wildlife Department was provided a copy of the environmental assessment and application for the proposed transmission line.
124. The Commission does not address the Texas Parks and Wildlife Department's recommendations for which there is not record evidence to provide sufficient justification, adequate rationale, or an analysis of any benefits or costs associated with the recommendation.
125. Before beginning construction, it is appropriate for Oncor to undertake appropriate measures to identify whether a habitat for potential endangered or threatened species exists and to respond appropriately.
126. Oncor will use avoidance or mitigation procedures, as appropriate, to comply with laws protecting federally listed species.
127. Oncor will re-vegetate rights-of-way as necessary and according to Oncor's vegetation management practices, the stormwater pollution prevention plan developed for construction of the proposed transmission line, if any, and in many instances, landowner preferences or requests.
128. Oncor's standard vegetation removal, construction, and maintenance practices adequately address concerns expressed by the Texas Parks and Wildlife Department.
129. Oncor will use appropriate avian protection procedures.
130. Oncor will comply with all environmental laws and regulations, including those governing threatened and endangered species.

131. Oncor will comply with all applicable regulatory requirements in constructing the transmission facilities, including any applicable requirements under section 404 of the Clean Water Act.
132. Oncor will cooperate with the United States Fish and Wildlife Service and the Texas Parks and Wildlife Department if threatened or endangered species' habitats are identified during field surveys.
133. If construction impacts federally listed species or their habitat or impacts water under the authority of the United States Army Corps of Engineers or the Texas Commission on Environmental Quality (TCEQ), Oncor will cooperate with the United States Fish and Wildlife Service, United States Army Corps of Engineers, and TCEQ, as appropriate, to obtain permitting and perform any required mitigation.
134. The standard mitigation requirements included in the ordering paragraphs in this Order, coupled with Oncor's standard practices, are reasonable measures for a transmission service provider to undertake when constructing a transmission line and are sufficient to address the Texas Parks and Wildlife Department's comments and recommendations.
135. This Order addresses only those recommendations by the Texas Parks and Wildlife Department for which there is record evidence.
136. The recommendations and comments made by the Texas Parks and Wildlife Department do not necessitate any modifications to the proposed transmission facilities.

Permits

137. Before beginning construction of the transmission facilities approved by this Order, Oncor will obtain any necessary permits from the Texas Department of Transportation or any other applicable state agency if the facilities cross state-owned or -maintained properties, roads, or highways.
138. Before beginning construction of the transmission facilities approved by this Order, Oncor will obtain a miscellaneous easement from the General Land Office if the transmission line crosses any state-owned riverbed or navigable stream.
139. Before commencing construction of the transmission facilities approved by this Order, it is appropriate for Oncor to obtain a general permit to discharge under the Texas pollutant

discharge elimination system for stormwater discharges associated with construction activities as required by the TCEQ. In addition, before commencing construction, it is appropriate for Oncor to (a) prepare a stormwater pollution prevention plan, if required, (b) submit a notice of intent to the TCEQ, if required, and (c) comply with all other applicable requirements of the general permit.

140. Before beginning construction of the transmission facilities approved by this Order, it is appropriate for Oncor to obtain any necessary permits or clearances from federal, state, or local authorities.
141. Before beginning construction of the transmission facilities approved by this Order, it is appropriate for Oncor to conduct a field assessment of the entire length of the transmission line to identify water resources, cultural resources, potential migratory bird issues, and threatened and endangered species' habitat impacted as a result of the transmission line. As a result of this assessment, Oncor will identify any additional permits that are necessary, will consult any required agencies, will obtain all necessary permits or clearances from federal, state, or local authorities, and will comply with the relevant permit conditions during construction and operation of the transmission line.
142. After designing and engineering the alignments, structure locations, and structure heights, Oncor will make a final determination of the need for Federal Aviation Administration notification based on the final structure locations and designs. If necessary, Oncor will use lower-than-typical structure heights, line marking, or line lighting on certain structures to avoid or accommodate Federal Aviation Administration requirements.

Coastal Management Program

143. No part of the proposed transmission facilities is located within the Coastal Management Program as defined in 31 TAC § 27.1.
144. Construction of the proposed transmission facilities along the proposed route will not have any effect on the applicable coastal natural resource areas as defined under Texas Natural Resources Code § 33.203 and 31 TAC § 27.1.

Probable Improvement of Service or Lowering of Cost

145. The transmission line approved by this Order is needed to serve projected load growth and will result in an improvement in the ability to serve the anticipated load.
146. While construction of the transmission line approved by this Order will result in an increase in cost to customers, a less costly alternative is not viable.
147. The transmission line is not being proposed to, and is not expected to, result in a lowering of cost to consumers.

Limitation of Authority

148. It is not reasonable and appropriate for a CCN order to be valid indefinitely because it is issued based on the facts known at the time of issuance.
149. Seven years is a reasonable and appropriate limit to place on the authority granted in this Order to construct the transmission facilities.

Informal Disposition

150. More than 15 days have passed since the completion of notice provided in this docket.
151. Oncor, Delaware Basin Midstream, and Commission Staff are the only parties to this proceeding.
152. Delaware Basin Midstream requested a hearing, but it withdrew its request, and no hearing was needed after the parties executed the agreement.
153. Commission Staff recommends approval of the application.
154. This decision is not adverse to any party.

II. Conclusions of Law

The Commission makes the following conclusions of law.

1. The Commission has authority over this matter under PURA §§ 14.001, 32.001, 35.005(d), 37.051, 37.053, 37.054, and 37.056.
2. Oncor is a public utility as defined in PURA § 11.004(1) and an electric utility as defined in PURA § 31.002(6).

3. Oncor must obtain the approval of the Commission to construct the proposed transmission line and provide service to the public using the proposed transmission facilities under PURA § 37.053.
4. SOAH exercised authority over this proceeding under PURA § 14.053 and Texas Government Code §§ 2001.058, 2003.021, and 2003.049.
5. The application is sufficient under 16 TAC § 22.75(d).
6. The application complies with the requirements of 16 TAC § 25.101.
7. Oncor provided notice of the application in compliance with PURA § 37.054 and 16 TAC § 22.52(a).
8. Oncor held a public meeting and provided notice of the public meeting in compliance with 16 TAC § 22.52(a)(4).
9. The Commission processed this docket in accordance with the requirements of PURA, the Administrative Procedure Act,¹ and Commission rules.
10. The proposed transmission facilities using the proposed route are necessary for the service, accommodation, convenience, or safety of the public within the meaning of PURA § 37.056(a).
11. The construction of the proposed transmission facilities along the proposed route complies with PURA § 37.056(c)(4) and 16 TAC § 25.101(b)(3)(B), including the Commission's policy of prudent avoidance, to the extent reasonable to moderate the impact on the affected community and landowners.
12. The Texas Coastal Management Program does not apply to any of the proposed transmission facilities approved in this Order, and the requirements of 16 TAC § 25.102 do not apply to the application.
13. The requirements for administrative approval in 16 TAC § 25.101(b)(3)(C) have been met in this proceeding.

¹ Tex. Gov't Code §§ 2001.001–.903.

14. The requirements for informal disposition in 16 TAC § 22.35 have been met in this proceeding.

III. Ordering Paragraphs

In accordance with these findings of fact and conclusions of law, the Commission issues the following orders.

1. The Commission amends Oncor's CCN number 30043 to include the construction, ownership, and operations of the new double-circuit-capable Riverton switch to Sand Lake switch 138-kV transmission line along the proposed route in Reeves and Ward counties, with one circuit installed initially, to the extent provided in this Order.
2. Oncor must consult with pipeline owners or operators in the vicinity of the proposed route regarding the pipeline owners' or operators' assessment of the need to install measures to mitigate the effects of alternating-current interference on existing metallic pipelines that are paralleled by the electric transmission facilities approved by this Order.
3. Oncor must conduct surveys, if not already completed, to identify metallic pipelines that could be affected by the transmission line and coordinate with pipeline owners in modeling and analyzing potential hazards because of alternating-current interference affecting metallic pipelines being paralleled.
4. Oncor must comply with all applicable local, state, and federal laws, regulations, and permits.
5. Oncor must obtain all permits, licenses, plans, and permissions required by state and federal law that are necessary to construct the transmission facilities approved by this Order, and if Oncor fails to obtain any such permit, license, plan, or permission, it must notify the Commission immediately.
6. Oncor must identify any additional permits that are necessary, consult any required agencies (such as the United States Army Corps of Engineers and the United States Fish and Wildlife Service), obtain all necessary environmental permits, and comply with the relevant conditions during construction and operation of the transmission facilities approved by this Order.

7. Before commencing construction, Oncor must obtain a general permit to discharge under the Texas pollutant discharge elimination system for stormwater discharges associated with construction activities if required by the TCEQ. In addition, if more than five acres will be disturbed during construction of the transmission line and associated facilities, Oncor must, before commencing construction, prepare the necessary stormwater pollution prevention plan, submit a notice of intent to the TCEQ, and comply with all other applicable requirements of the general permit.
8. If Oncor encounters any archaeological artifacts or other cultural resources during construction, work must cease immediately in the vicinity of the artifact or resource, and Oncor must report the discovery to, and act as directed by, the Texas Historical Commission.
9. Before beginning construction, Oncor must undertake reasonable measures to identify whether a potential habitat for endangered or threatened species exists and must respond as required by applicable law or permit.
10. Oncor must use best management practices to minimize the potential harm to migratory birds and threatened or endangered species created by the approved transmission facilities.
11. Oncor must follow the procedures to protect raptors and migratory birds as outlined in the following publications: *Reducing Avian Collisions with Power Lines: The State of the Art in 2012*, Edison Electric Institute and Avian Power Line Interaction Committee, Washington, D.C. 2012; *Suggested Practices for Avian Protection on Power Lines: The State of the Art in 2006*, Edison Electric Institute, Avian Power Line Interaction Committee, and the California Energy Commission, Washington, D.C. and Sacramento, CA 2006; and *Avian Protection Plan Guidelines*, Avian Power Line Interaction Committee, and United States Fish and Wildlife Service, April 2005.
12. Oncor must take precautions to avoid disturbing occupied nests and to minimize the burden of the construction of the approved transmission facilities on migratory birds during the nesting season of the migratory bird species identified in the area of construction.
13. Oncor must exercise extreme care to avoid affecting non-targeted vegetation or animal life when using chemical herbicides to control vegetation within the rights-of-way. Herbicide

- use must comply with the rules and guidelines established in the Federal Insecticide, Fungicide, and Rodenticide Act and with Texas Department of Agriculture regulations.
14. Oncor must minimize the amount of flora and fauna disturbed during construction of the transmission facilities, except to the extent necessary to establish appropriate right-of-way clearance for the transmission facilities.
 15. Oncor must re-vegetate using native species and to consider landowner preferences and wildlife needs in doing so.
 16. To the maximum extent practical, Oncor must avoid adverse environmental effects on sensitive plant and animal species and their habitats, as identified by the Texas Parks and Wildlife Department and the United States Fish and Wildlife Service.
 17. Oncor must implement reasonable erosion-control measures as appropriate. Erosion-control measures may include inspection of the rights-of-way before and during construction to identify erosion areas and the implementation special precautions as determined reasonable to minimize the effect of vehicular traffic over the areas.
 18. Oncor must take reasonable measures to return each affected landowner's property to its original contours and grades unless otherwise agreed to by the landowner or the landowner's representative. However, Oncor is not required to restore original contours and grades where a different contour or grade is necessary to ensure the safety or stability of the transmission facilities or the safe construction, operation, and maintenance of any transmission facilities.
 19. Oncor must cooperate with directly affected landowners to implement minor deviations in the approved route to minimize the disruptive effect of the transmission facilities. Any minor deviations from the approved route must only directly affect landowners who were sent notice of the transmission line in accordance with 16 TAC § 22.52(a)(3) and have agreed to the minor deviation.
 20. Oncor is not authorized to deviate from the approved route in any instance in which the deviation would be more than a minor deviation without first further amending its CCN.
 21. If possible, and subject to the other provisions of this Order, Oncor must prudently implement appropriate final design for the transmission line so as to avoid being subject to

- the Federal Aviation Administration's notification requirements. If required by federal law, Oncor must notify and work with the Federal Aviation Administration to ensure compliance with applicable federal laws and regulations. Oncor is not authorized to deviate materially from this Order to meet the Federal Aviation Administration's recommendations or requirements. If a material change would be necessary to meet the Federal Aviation Administration's recommendations or requirements, then Oncor must file an application to amend its CCN as necessary.
22. Oncor must include the transmission facilities approved by this Order on its monthly construction progress reports before the start of construction to reflect the final estimated cost and schedule in accordance with 16 TAC § 25.83(b). In addition, Oncor must provide final construction costs, with any necessary explanation for cost variance, after completion of construction when Oncor identifies all charges.
 23. Entry of this Order does not indicate the Commission's endorsement or approval of any principle or methodology that may underlie the agreement and must not be regarded as precedential as to the appropriateness of any principle or methodology underlying the agreement.
 24. The Commission limits the authority granted by this Order to a period of seven years from the date this Order is signed unless the transmission line is commercially energized before that time.
 25. The Commission denies all other motions and any other requests for general or specific relief that have not been expressly granted.

Signed at Austin, Texas the 31st day of July 2025.

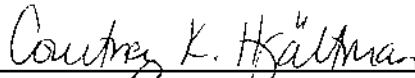
PUBLIC UTILITY COMMISSION OF TEXAS



THOMAS J. GLEESON, CHAIRMAN



KATHLEEN JACKSON, COMMISSIONER



COURTNEY K. HJALTMAN, COMMISSIONER