



## **Filing Receipt**

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# **OPEN MEETING COVER SHEET COMMISSIONER MEMORANDUM**

**MEETING DATE:** October 2, 2025

**DATE DELIVERED:** October 1, 2025

**AGENDA ITEM NO.:** 19

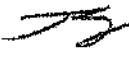
**CAPTION:** Docket No. 57648; SOAH Docket No. 473-25-12927 - Application of Entergy Texas, Inc. to Amend Its Certificate of Convenience and Necessity for the SETEX Area Reliability Project in Jasper, Montgomery, Newton, Polk, San Jacinto, Trinity, Tyler, and Walker Counties

**DESCRIPTION:** Chairman Thomas Gleeson

# *Public Utility Commission of Texas*

## **Commissioner Memorandum**

**TO:** Commissioner Kathleen Jackson  
Commissioner Courtney K. Hjaltman

**FROM:** Chairman Thomas J. Gleeson 

**DATE:** October 1, 2025

**RE:** October 2, 2025 Open Meeting – Item No. 19

Docket No. 57648; SOAH Docket No. 473-25-12927 – *Application of Entergy Texas, Inc. to Amend Its Certificate of Convenience and Necessity for the SETEX Area Reliability Project in Jasper, Montgomery, Newton, Polk, San Jacinto, Trinity, Tyler, and Walker Counties*

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Before the Commission is a proposal for decision that recommends approval of Entergy Texas, Inc.'s request to build and own a 500-kV single-circuit transmission line and associated facilities in Jasper, Montgomery, Newton, Polk, San Jacinto, Trinity, Tyler, and Walker counties. This transmission line has been identified by MISO as a baseline reliability project needed to address customer growth in the region. After much consideration, I would adopt the proposal for decision in part and reject in part. I recommend that the Commission choose Route 10 as the best route for this project.

I recommend that the Commission first reject the proposal for decision's analysis and consideration of future development as it relates to the Chambers Creek community.<sup>1</sup> I believe the administrative law judge failed to note the important distinction between certain route segments (e.g. segment 6 included in routes other than Route 10) that the record shows would impact the current Chambers Creek community, and those that might impact its future development plans. With respect to the latter, I believe the proposal for decision misapplies the Commission's precedent. While some route segments may be modified based on landowner input, it is not consistent with Commission precedent, in determining the best route, to give significant weight to the future development plans of some intervenors over existing constraints.<sup>2</sup> Whether a development, broadly defined by the developer, is an "ongoing development" is not outcome determinative. Instead, the question is whether future development that could be affected by a proposed route has been initiated in some readily observable or measurable way on that route.<sup>3</sup>

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<sup>1</sup> Proposal for Decision at 52–53 and Finding of Fact No. 141 (July 28, 2025).

<sup>2</sup> *Application of Oncor Electric Delivery Company LLC to Amend its Certificate of Convenience and Necessity for the Exchange Switch-Keller Magnolia Substation 138-kV Transmission Line in Tarrant County*, Docket No. 55574, Order at 1 (June 5, 2024); *Application of LCRA Transmission Services Corporation to Amend a Certificate of Convenience and Necessity for the Round Rock – Leander 138-kV Transmission Line in Williamson County*, Docket No. 45866, Order on Rehearing at Conclusion of Law 11A (July 28, 2017).

<sup>3</sup> *Application of LCRA Transmission Services Corporation to Amend its Certificate of Convenience and Necessity for the Proposed Blumenthal Substation and 138-kV Transmission Line Project in Blanco, Gillespie, and Kendall Counties*, Docket No. 43599, Order at Finding of Fact 118 (Dec. 4, 2015).

Here, the evidence does not show that Chamber's Creek's future development plans have been initiated along Route 10. Thus, I do not believe these future development plans should be given the same weight as existing constraints. I recommend modifying finding of fact 141 accordingly and adding a conclusion of law to reiterate the Commission's policy regarding future development in the context of siting an electric transmission line.

Based on the record evidence, I believe Route 10 best meets the transmission line routing factors the Commission must consider. Route 10 affects the fewest number of habitable structures, has the lowest estimated cost of the focus routes, and was identified by Entergy as best meeting the criteria the Commission must consider. It was also identified by Texas Parks and Wildlife as best for minimizing environmental impacts.

Regardless of the route the Commission selects, I recommend modifying the order for completeness and consistency with the Commission's other electric CCN orders. Specifically, I recommend adding findings of fact that define the term 'transmission facilities' and adding findings that provide a technical description of the station facilities associated with the proposed transmission line.

Finally, the Commission should delegate to the Office of Policy and Docket Management the authority to modify the order to conform to the Citation and Style Guide for the Public Utility Commission of Texas and to make other non-substantive changes to the order for such matters as capitalization, spelling, grammar, punctuation, style, correction of numbering, and readability.

I look forward to discussing this matter with you at the open meeting.