



Control Number: 57698



Item Number: 71

**PUC DOCKET NO. 57698
SOAH DOCKET NO. 473-25-13057**

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**APPLICATION OF ONCOR ELECTRIC §
DELIVERY COMPANY LLC TO §
AMEND ITS CERTIFICATE OF §
CONVENIENCE AND NECESSITY FOR §
THE WOFFORD POI - BERRYVILLE §
POD 138-KV TRANSMISSION LINE IN §
ANDERSON COUNTY §**

PUBLIC UTILITY COMMISSION
PUBLIC UTILITIES COMMISSION
FILED CLERK
OF TEXAS

ORDER

This Order addresses the application of Oncor Electric Delivery Company LLC to amend its certificate of convenience and necessity (CCN) to construct, own, and operate the Wofford point of interconnection (POI)-to-Berryville point of delivery (POD) 138-kilovolt (kV) transmission line in Anderson County.

The Commission adopts the proposal for decision, including findings of fact and conclusions of law, for the reasons discussed in this Order. The Commission amends Oncor's CCN number 30043 to include the construction and operation of the transmission facilities, including a 138-kV single-circuit transmission line along route 43 (comprising route links A-P-Q-JJ-I-J-K-L-M-N-O-G).

I. Findings of Fact

The Commission adopts 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 is an investor-owned electric utility that owns and operates for compensation in Texas facilities and equipment to transmit and distribute electricity in the ERCOT region.
3. Oncor provides service under CCN number 30043.

Application

4. On February 20, 2025, Oncor filed a CCN application with the Commission for a new single-circuit 138-kV transmission line between the Wofford POI and the Berryville POD in Anderson County.
5. Oncor hired AECOM Technical Services, Inc. to prepare an environmental assessment and route analysis (routing analysis) for the proposed transmission line, which was included as part of the application.
6. On March 21, 2025, Commission Staff recommended that the application be found sufficient.
7. In SOAH Order No. 3 filed on March 26, 2025, the SOAH administrative law judge (ALJ) found the application sufficient and materially complete.

Description of the Transmission Facilities

8. Oncor proposes to construct a new 138-kV single-circuit transmission line in Anderson County. The transmission line will connect Oncor's Wofford POI and Oncor's Berryville POD.
9. The proposed Wofford POI will be located approximately 0.8 miles east of Frankston, Texas.
10. The proposed Berryville POD will be located approximately 0.1 miles west of Lake Palestine and 1.1 miles south of Berryville, Texas.
11. Oncor has not acquired any of the right-of-way required for the proposed transmission line.
12. The transmission line will be constructed on double-circuit capable steel monopole structures, generally within a 100-foot right-of-way, except where alternate structures or a different right-of-way width are required due to design, construction, and engineering-related constraints.
13. The typical structure height for the transmission line will be approximately 100 feet and the estimated maximum height will be 180 feet.

Description of the Proposed Routes

14. Oncor's application included 43 different routes for the Commission's consideration that met the certification requirements of PURA¹ and the Commission's substantive rules.²
15. Oncor identified route 43 as the route that best addressed the applicable routing criteria of PURA and the Commission's rules.
16. Oncor, Commission Staff, and Patrick Moseley, the sole intervenor who filed direct testimony, support route 43, which is 2.12 miles in length and consists of route links A-P-Q-JJ-I-J-K-L-M-N-O-G.

Schedule

17. In the application, Oncor estimated that it would finalize engineering and design by May 2026, acquire all right-of-way by November 2026, procure material and equipment by February 2027, complete construction by November 2027, and energize the proposed transmission facilities by November 2027. Oncor's estimates were premised on the Commission's approval of the application within 180 days of the application's filing.

Public Input

18. To develop information on community values for the transmission facilities, Oncor held a public meeting. The public meeting was held from 4:00 p.m. to 7:00 p.m. on July 18, 2024, at the Frankston High School in Frankston.
19. Oncor mailed 89 individual written notices of the public meeting to all owners of property within 320 feet of the centerline of the preliminary route links for the proposed transmission line. The notice included a map of the study area depicting the preliminary route links, route link descriptions, a brochure on landowners and transmission line cases at the Commission, a request to intervene form, a comment form, and a landowner's bill of rights brochure.
20. Oncor emailed notice of the public meeting to the Department of Defense Military Aviation and Installation Assurance Siting Clearinghouse.

¹ Public Utility Regulatory Act, Tex. Util. Code §§ 11.001–66.016.

² 16 Texas Administrative Code (TAC) §§ 25.1–25.508.

21. Notice of the public meeting was published on July 9, 2024, in the *Palestine Herald Press*, a newspaper of general circulation in Anderson County.
22. A total of 12 people signed in as attendees at the public meeting.
23. Oncor received feedback from attendees of the public meeting in the form of nine questionnaires submitted at the meeting. No additional questionnaires were received by Oncor or AECOM at a later date.
24. After the public meeting, AECOM made modifications to four of the preliminary route links after considering engineering constraints posed by an existing distribution line.

Notice of the Application

25. On February 20, 2025, Oncor sent written notice of the application via the following methods:
 - a. by priority mail to each landowner of record, based on a review of current county property tax rolls, who would be directly affected if the requested CCN amendment were granted;
 - b. by priority mail to municipal governments in the Cities of Frankston, Berryville, Cuney, and Coffee City;
 - c. by priority mail to the county government in Anderson County;
 - d. by priority mail to neighboring utilities within five miles of the proposed routes that provide similar utility service;
 - e. by first-class mail as a courtesy to certain pipeline associations, owners, and operators;
 - f. by overnight mail delivery to the Office of Public Utility Counsel; and
 - g. by email and overnight delivery to the Department of Defense Military Aviation and Installation Assurance Siting Clearinghouse.
26. On February 20, 2025, Oncor sent a copy of the application and all attachments, including the environmental assessment and routing analysis, to the Texas Parks and Wildlife Department by overnight mail delivery.

27. On February 27, 2025, Oncor published notice of the application in the *Palestine Herald Press*, a newspaper of general circulation in Anderson County.
28. On March 12, 2025, Oncor filed the affidavit of Jonathan Richards, a project manager for Oncor, who attested on behalf of Oncor that notice of the application was provided and published in accordance with PURA and the Commission's rules. On March 28, and April 9, 2025, Oncor filed the supplemental affidavits of Mr. Richards, and on April 23, 2025, Oncor filed the supplemental affidavit of Justin Stryker, a project manager for Oncor. All three supplemental affidavits attested on behalf of Oncor to notices of the application that were sent to certain landowners after notices originally mailed were returned to Oncor.
29. On March 21, 2025, Commission Staff recommended that notice be found sufficient.
30. In SOAH Order No. 3 filed on March 26, 2025, the SOAH ALJs found the notice of the application sufficient.
31. In SOAH Order No. 5 filed on April 10, 2025, the SOAH ALJs found that Oncor's first and second supplemental affidavits complied with the Commission's rule at 16 TAC § 22.52(a)(3)(F).

Referral to SOAH for Hearing

32. On February 21, 2025, the Commission referred this docket to SOAH and filed a preliminary order that, among other things, established a decision deadline and specified issues to be addressed in this proceeding.
33. In SOAH Order No. 1 filed on February 25, 2025, the SOAH ALJs scheduled a prehearing conference via Zoom videoconference for March 10, 2025.
34. The SOAH ALJs convened a prehearing conference on March 10, 2025, via Zoom videoconference, to address a procedural schedule and other prehearing matters.
35. On March 11, 2025, Oncor and Commission Staff timely filed a joint proposed procedural schedule and discovery plan and statement regarding mediation.
36. In SOAH Order No. 2 filed on March 13, 2025, the SOAH ALJs adopted the procedural schedule proposed by the parties and set the date for the hearing on the merits.

Intervenors

37. At the prehearing conference on March 10, 2025, the ALJs granted the motions to intervene of (1) Lynn Martynowicz-Andrews, Todd R. Andrews, and the First Time Ranch & Beefmaster Cattle Co., LLC; and (2) Steven Joseph Unk, Mary Elizabeth Unk, and the SJ & ME Unk Living Trust.
38. In SOAH Order No. 3 filed on March 26, 2025, the SOAH ALJs granted the motions to intervene of: (1) Joe N. Reed and the Joe N. Reed Family Trust; (2) Mt. Olive Baptist Church; and (3) Patrick Moseley.
39. On April 9, 2025, Oncor filed a list of intervenors who did not file direct testimony or a statement of position.
40. In SOAH Order No. 5 filed on April 10, 2025, the SOAH ALJs dismissed the following intervenors for failing to file direct testimony or a statement of position: (1) Lynn Martynowicz-Andrews, Todd R. Andrews, and the First Time Ranch & Beefmaster Cattle Co., LLC; (2) Steven Joseph Unk, Mary Elizabeth Unk, and the SJ & ME Unk Living Trust; (3) Joe N. Reed and the Joe N. Reed Family Trust; and (4) Mt. Olive Baptist Church. The SOAH ALJs also dismissed: (1) Valentine Tina Baker and Ada Ruth Hutto, who had pending motions to intervene but did not timely file statements of position or testimony; and (2) Roxanne Schultz and Dustin and Katrina Bird, who filed motions to intervene or comments confidentially and failed to refile their items non-confidentially or deliver a copy of the filings directly to SOAH by March 28, 2025.
41. The only intervenor who filed testimony or a statement of position in this proceeding is Patrick Moseley.

Testimony and Statements of Position

42. On February 20, 2025, Oncor filed the direct testimony of its witnesses Tori Carter, Melinda L. Jensen, Harsh Naik, P.E., and Casey D. Petty, P.E..
43. On March 28, 2025, Patrick Moseley filed direct testimony.
44. On April 9, 2025, Commission Staff filed the direct testimony of Roshan Pokhrel, P.E..

45. On April 16, 2025, Oncor filed the rebuttal testimony of the following witnesses: Ms. Carter and Ms. Petty.
46. On April 21, 2025, Oncor filed notice that Jennifer P. Oakley adopted the testimony of Ms. Jensen.

Route Adequacy

47. Oncor's application presented 43 geographically diverse routes. Each of the 45 route links is utilized in at least one of the 43 routes.
48. No party filed testimony or a statement of position 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.
49. The application provided an adequate number of sufficiently delineated routes to conduct a proper evaluation.

Hearing on the Merits

50. On the morning of April 29, 2025, the hearing on the merits convened via Zoom videoconference and concluded that day.
51. The following parties made appearances, either personally or through legal counsel, and participated in the hearing on the merits: Oncor, Commission Staff, and Patrick Moseley.

Need for the Proposed Transmission Line

52. The proposed transmission line is needed to provide transmission-level service requested by a customer, Tarrant Regional Water District.
53. Tarrant Regional Water is a customer and governmental authority that is building a new water pump station and substation on its property near Lake Palestine. The proposed transmission line will serve Tarrant Regional Water's substation via the Berryville POD.
54. Tarrant Regional Water's water station will comprise facilities that are critical for the supply of water to the public.
55. Tarrant Regional Water's projected maximum peak demand at its water station is approximately 15 megawatts (MW) and will require high quality voltage support.

- 56. No party challenged the need for the proposed transmission line, and Commission Staff recommended approval of the proposed transmission line.
- 57. Oncor demonstrated a reasonable need for the transmission line.
- 58. The proposed transmission line will reliably meet Tarrant Regional Water's service requirements.

Proposed Transmission Line Alternatives

- 59. Due to the existing system configuration, nature of Tarrant Regional Water's load, and remote location of the surrounding electric infrastructure, alternatives to the proposed transmission line are limited.
- 60. Distribution alternatives are inconsistent with Tarrant Regional Water's transmission-level service request.
- 61. The proposed transmission line is superior to a distribution alternative because a distribution alternative would likely require longer overhead feeders that have an inherently higher probability of experiencing outages due to the amount of exposure to storms, wildlife, vegetation, automobile collisions, equipment failures, and similar issues arising from weather and physical impacts. Long distribution feeders are also more susceptible to low-voltage issues compared to transmission lines.
- 62. Distribution alternatives such as upgrading voltage, bundling of conductors of existing facilities, and adding transformers are inconsistent with Tarrant Regional Water's request for transmission-level service.

Effect of Amending the CCN on Other Utilities

- 63. Oncor is the only electric utility involved in the construction of the proposed transmission line.
- 64. Oncor will own the proposed transmission line, the Wofford POI, and Berryville POD.
- 65. The Wofford POI will be connected to an adjacent switching station to be built and owned by Rayburn County Electric Cooperative, Inc.
- 66. It is unlikely that the construction of the transmission line along any proposed route will adversely affect service by other utilities in the area.

Routing of the Transmission Facilities

67. The AECOM project team included professionals with expertise in different environmental and land use disciplines who were involved in data acquisition, routing analysis, and environmental assessment of the transmission facilities.
68. To identify preliminary route links for the transmission facilities, AECOM delineated a study area, sought public official and agency input, gathered data regarding the study area, and performed constraints mapping.
69. Of the 43 routes filed with the application, Oncor identified route 43 as the route that best addresses PURA and the Commission's rules.
70. Commission Staff identified route 43 as the route that best addresses PURA and the Commission's rules.
71. The sole intervenor who filed direct testimony supports route 43.
72. Route 43 is composed of links A, P, Q, JJ, I, J, K, L, M, N, O, and G.
73. Route 43 is 2.12 miles in length.
74. Route 43 presents an appropriate balance of routing factors, and there were no negative attributes that could not be addressed with mitigation and the application of best-practice engineering design and construction methods.

Estimated Costs

75. The estimated construction costs for the 43 filed routes range from \$7,717,000 to \$11,238,000, excluding the Berryville POD costs.
76. The estimated construction costs for route 43 are \$8,278,000, excluding the Berryville POD costs.
77. The estimated construction costs for the Berryville POD are \$1,251,892.
78. The cost of route 43 is reasonable considering the range of the cost estimates for the proposed transmission line's proposed routes.
79. Oncor intends to finance its portion of the transmission facilities through a combination of debt and equity.

Prudent Avoidance

80. Commission rules define prudent avoidance under 16 TAC § 25.101(a)(6) as the “limiting of exposures to electric and magnetic fields that can be avoided with reasonable investments of money and effort.”
81. The number of habitable structures within 320 feet of the centerline of the 43 routes range from 7 to 29.
82. Route 43 has 8 habitable structures within 320 feet of its centerline.
83. The construction of transmission facilities along route 43 complies with the Commission’s policy of prudent avoidance.

Community Values

84. Information regarding community values was received from the July 2024 public meeting and from local, state, and federal agencies. This information was incorporated into AECOM’s routing analysis and Oncor’s eventual selection of the routes included in the application.
85. The responses received from the public meeting indicated a preference for minimizing route length across residential areas, minimizing the visibility of the line, and minimizing route length across cultivated land.
86. Route 43 adequately addresses the expressed community values.

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

87. The proposed transmission line’s 43 routes’ use or paralleling of existing compatible rights-of-way and apparent property boundaries ranges from 44.7% to 93.6% of the length of the route.
88. Oncor evaluated the use and paralleling of existing compatible rights-of-way and apparent property boundaries when developing route 43.
89. Route 43 parallels existing compatible corridors for approximately 77.5% of its length.
90. Route 43 uses or parallels existing compatible rights-of-way to a reasonable extent.

Engineering Constraints

- 91. Oncor evaluated engineering and construction constraints when developing routes.
- 92. Oncor did not identify any engineering constraints that would prevent the construction of transmission facilities along route 43.

Other Comparisons of Land Uses and Land Types

a. Radio Towers and Other Electronic Installations

- 93. No commercial AM radio transmitters were identified within 10,000 feet of route 43's centerline.
- 94. Five FM radio transmitters, microwave towers, or other electronic installations were identified within 2,000 feet of route 43's centerline.
- 95. It is unlikely that the presence of transmission facilities along route 43 will adversely affect any communication operations in the proximity of the route.

b. Airstrips and Airports

- 96. There are two airports registered with the Federal Aviation Administration with a runway 3,200 feet or shorter in length and within 10,000 feet of route 43's centerline.
- 97. There is one airport registered with the Federal Aviation Administration with at least one runway longer than 3,200 feet in length and within 20,000 feet of route 43's centerline.
- 98. There are no heliports within 5,000 feet of route 43's centerline.
- 99. It is unlikely that the presence of transmission facilities along route 43 will adversely affect any airports, airstrips, or heliports.

c. Irrigation Systems

- 100. Route 43 does not cross agricultural lands with known mobile irrigation systems.
- 101. It is unlikely that the presence of transmission facilities along route 43 will adversely affect any agricultural lands with known mobile irrigation systems.

Recreational and Park Areas

- 102. Route 43 does not cross park or recreational areas.
- 103. One park or recreational area is located within 1,000 feet of route 43's centerline.

104. It is unlikely that the presence of transmission facilities along route 43 will adversely affect the use and enjoyment of any recreational and park areas.

Historical and Archaeological Values

105. Route 43 does not cross any recorded cultural sites.
106. There are three recorded cultural sites within 1,000 feet of the centerline of route 43.
107. Route 43 crosses areas with a high potential for historical or archeological sites for 978 feet.
108. It is unlikely that the presence of transmission facilities along route 43 will adversely affect historical or archaeological resources.

Aesthetic Values

109. An estimated 883 feet of route 43's right-of-way is within the foreground visual zone of United States or state highways.
110. An estimated 2,611 feet of route 43's right-of-way is within the foreground visual zone of park or recreational areas.
111. It is unlikely that the presence of transmission facilities along route 43 will adversely affect the aesthetic quality of the surrounding landscape.

Environmental Integrity

112. The environmental assessment and routing analysis analyzed the possible effects of the transmission facilities on numerous environmental factors.
113. Oncor and AECOM evaluated the effects of the transmission facilities on the environment.
114. Oncor and AECOM evaluated potential consequences for soil and water resources, the ecosystem (including endangered and threatened vegetation and fish and wildlife), and land use within the study area.
115. It is unlikely that constructing the transmission facilities approved by this Order will significantly affect soil resources, water resources, wetland resources, ecological resources, endangered and threatened species, or land use.
116. Route 43 crosses upland forest area for approximately 2,281 feet.

117. Route 43 does not cross riparian woodland, emergent wetlands, and forested or shrub wetlands areas.
118. Route 43 does not cross the known habitat of any federally listed endangered or threatened species of plant or animal.
119. Oncor will cooperate with the United States Fish and Wildlife Service to the extent that field studies identify threatened or endangered species' habitats.
120. It is unlikely that significant adverse consequences for populations of any federally listed endangered or threatened species will result from constructing the transmission facilities approved by this Order.
121. Oncor will mitigate any effect on federally listed plant or animal species according to standard practices and measures taken in accordance with the Endangered Species Act.
122. It is appropriate for Oncor to minimize the amount of flora and fauna disturbed during construction of the transmission facilities.
123. 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.
124. It is appropriate for Oncor to avoid, to the maximum extent reasonably possible, causing adverse environmental effects on sensitive plant and animal species and their habitats as identified by the United States Fish and Wildlife Service and Texas Parks and Wildlife Department.
125. 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 landowners agree otherwise. However, it is not appropriate for Oncor to restore original contours and grades where different contours and grades are necessary to ensure the safety or stability of any transmission line's structures or the safe operation and maintenance of any transmission line.
126. 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 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 the Texas Department of Agriculture regulations.

127. It is appropriate for Oncor to protect raptors and migratory birds by following the procedures outlined in the following publications: *Reducing Avian Collisions with Power Lines: 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 California Energy Commission, Washington, D.C. and Sacramento, CA 2006; and the *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 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.
128. It is appropriate for Oncor to use best management practices to minimize any potential harm that route 43 presents to migratory birds and threatened or endangered species.
129. It is unlikely that the presence of transmission facilities along route 43 will adversely affect the environmental integrity of the surrounding landscape.

Texas Parks and Wildlife Department

130. On April 4, 2025, Texas Parks and Wildlife Department filed a comment letter making various comments and recommendations regarding the transmission facilities, but it did not become a party to this proceeding.
131. Texas Parks and Wildlife Department's comment letter addressed issues relating to effects on natural resources but did not consider the other factors the Commission and utilities must consider in CCN applications.
132. Texas Parks and Wildlife Department recommended route 39 as the route that best minimizes adverse effects on natural resources.

133. Before beginning construction, it is appropriate for Oncor to undertake appropriate measures to identify whether a potential habitat for endangered or threatened species exists and to respond as required.
134. Oncor will comply with all applicable environmental laws and regulations, including those governing threatened and endangered species.
135. 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.
136. If construction affects federally listed species or their habitat or affects water under the authority of the United States Army Corps of Engineers or the Texas Commission on Environmental Quality, Oncor will cooperate with the United States Fish and Wildlife Service, the United States Army Corps of Engineers, and the Texas Commission on Environmental Quality as appropriate to coordinate permitting and perform any required mitigation.
137. AECOM relied on habitat descriptions from various sources, including the Texas Natural Diversity Database, other sources provided by Texas Parks and Wildlife Department, and observations from field reconnaissance to determine whether habitats for some species are present in the area surrounding the transmission facilities.
138. Oncor will cooperate with the United States Fish and Wildlife Service and Texas Parks and Wildlife Department if field surveys identify threatened or endangered species' habitats.
139. The standard mitigation requirements included in the ordering paragraphs of this Order, coupled with Oncor's current practices, are reasonable measures for a transmission service provider to undertake when constructing a transmission line and sufficiently address Texas Parks and Wildlife Department's comments and recommendations.
140. The Commission does not address 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.

141. This Order addresses only those recommendations by Texas Parks and Wildlife Department for which there is record evidence.
142. The recommendations and comments made by Texas Parks and Wildlife Department do not necessitate any modifications to the proposed transmission facilities.

Permits

143. Before beginning construction of the proposed transmission facilities, 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.
144. Before beginning construction of the proposed transmission facilities, Oncor will obtain a miscellaneous easement from the General Land Office if the transmission line crosses any state-owned riverbed or navigable stream.
145. Before beginning construction of the proposed transmission facilities, Oncor will obtain any necessary permits or clearances from federal, state, or local authorities.
146. It is appropriate for Oncor, before commencing construction, 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 Texas Commission on Environmental Quality. In addition, before commencing construction, it is appropriate for Oncor to prepare a stormwater pollution prevention plan if required, to submit a notice of intent to the Texas Commission on Environmental Quality if required, and to comply with all other applicable requirements of the general permit.
147. It is appropriate for Oncor to conduct a field assessment of route 43 before beginning construction of the transmission facilities approved by this Order to identify water resources, cultural resources, potential migratory bird issues, and threatened and endangered species' habitats disrupted by the transmission line. As a result of these assessments, Oncor will identify all necessary permits from counties and federal and state agencies. Oncor will comply with the relevant permit conditions during construction and operation of the transmission facilities along route 43.

148. After designing and engineering the alignments, structure locations, and structure heights, Oncor will determine the need to notify the Federal Aviation Administration 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 requirements of the Federal Aviation Administration.

Coastal Management Program

149. No part of the proposed transmission facilities is located within the coastal management program boundary as defined in 31 TAC § 27.1.

Limitation of Authority

150. 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.
151. Seven years is a reasonable and appropriate limit to place on the authority granted in this Order to construct the transmission facilities.

II. Conclusions of Law

The Commission adopts the following conclusions of law.

1. Oncor is a public utility as defined in PURA § 11.004 and an electric utility as defined in PURA § 31.002(6).
2. The Commission has authority over this matter under PURA §§ 14.001, 32.001, 37.051, 37.053, 37.054, and 37.056.
3. Oncor must obtain the approval of the Commission to construct the proposed transmission line and to provide service to the public using the facilities.
4. SOAH exercised authority over the proceeding under PURA § 14.053 and Texas Government Code §§ 2003.021 and 2003.049.
5. The application is sufficient under 16 TAC § 22.75(d).
6. The Commission processed this docket in accordance with the requirements of PURA, the Administrative Procedure Act,³ and the Commission's rules.

³ Tex. Gov't Code §§ 2001.001–.903.

7. Oncor provided notice of the application in compliance with PURA § 37.054 and 16 TAC § 22.52(a).
8. Additional notice of the approved route is not required under 16 TAC § 22.52(a)(2) or (a)(3) because it consists entirely of properly noticed links contained in the application.
9. Oncor held a public meeting and provided proper notice of the public meeting in compliance with 16 TAC § 22.52(a)(4).
10. The hearing on the merits was set, and notice of the hearing was provided, in compliance with PURA § 37.054 and Texas Government Code §§ 2001.051 and 2001.052.
11. The transmission facilities using route 43 are necessary for the service, accommodation, convenience, or safety of the public within the meaning of PURA § 37.056(a).
12. The Texas Coastal Management Program does not apply to any of the transmission facilities, and the requirements of 16 TAC § 25.102 do not apply to the application.

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 and operation of the transmission facilities, including a 138-kV single-circuit transmission line along route 43 (comprising route links A-P-Q-JJ-I-J-K-L-M-N-O-G).
2. Oncor must consult with pipeline owners or operators in the vicinity of the approved 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 proposed electric transmission facilities.
3. Oncor must conduct surveys, if not already completed, to identify metallic pipelines that could be affected by the transmission line approved by this Order and cooperate with metallic pipeline owners in modeling and analyzing potential hazards because of alternating-current interference affecting metallic pipelines being paralleled.

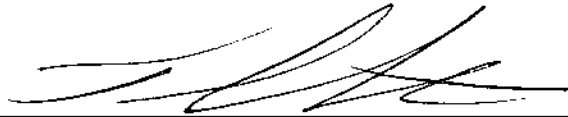
4. Oncor must obtain all permits, licenses, plans, and permission required by state and federal law that are necessary to construct the transmission facilities approved by this Order, and if Oncor fails to obtain any such permit, license, plan, or permission, must notify the Commission immediately.
5. Oncor must identify any additional permits that are necessary, consult any required agencies (such as the United States Army Corps of Engineers and 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.
6. 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.
7. Before beginning construction, Oncor must undertake appropriate measures to identify whether a potential habitat for endangered or threatened species exists and must respond as required.
8. Oncor must use best management practices to minimize the potential harm to migratory birds and threatened or endangered species that is presented by the approved route.
9. Oncor must follow the procedures to protect raptors and migratory birds as outlined in the following publications: *Reducing Avian Collisions with Power Lines: 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 the *Avian Protection Plan Guidelines*, Avian Power Line Interaction Committee and the United States Fish and Wildlife Service, April 2005. Oncor must take precautions to avoid disturbing occupied nests and take steps to minimize the burden of the construction of the transmission facilities on migratory birds during the nesting season of the migratory bird species identified in the area of construction.

10. 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 rules and guidelines established in the Federal Insecticide, Fungicide, and Rodenticide Act and with Texas Department of Agriculture regulations.
11. 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 line. In addition, Oncor must re-vegetate using native species and must consider landowner preferences and wildlife needs in doing so. Furthermore, to the maximum extent practicable, Oncor must avoid adverse environmental effects on sensitive plant and animal species and their habitats, as identified by the United States Fish and Wildlife Service and Texas Parks and Wildlife Department.
12. Oncor must implement 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 implement special precautions as determined reasonable to minimize the effect of vehicular traffic over the areas. Also, Oncor must 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, the Commission does not require Oncor to restore original contours and grades where a different contour or grade is necessary to ensure the safety or stability of the structures or the safe operation and maintenance of the line.
13. Oncor must cooperate with directly affected landowners to implement minor deviations in the approved route to minimize the disruptive effect of the proposed transmission line approved by this Order. 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.
14. The Commission does not permit Oncor to deviate from the approved route in any instance in which the deviation would be more than a minor deviation without first further amending the relevant CCN.

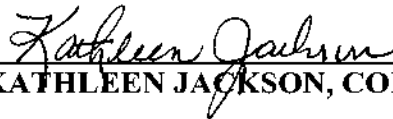
15. If possible, and subject to the other provisions of this Order, Oncor must prudently implement appropriate final design for the transmission line to avoid being subject to the Federal Aviation Administration's notification requirements. If required by federal law, Oncor must notify and work with the Federal Aviation Administration to ensure compliance with applicable federal laws and regulations. The Commission does not authorize Oncor 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.
16. 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.
17. The Commission limits the authority granted by this Order to a period of seven years from the date this Order is signed unless, before that time, the transmission line is commercially energized before that time.
18. The Commission denies all other motions and any other requests for general or specific relief that the Commission has not expressly granted.

Signed at Austin, Texas the 21st day of August 2025.

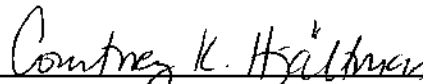
PUBLIC UTILITY COMMISSION OF TEXAS



THOMAS J. GLEESON, CHAIRMAN



KATHLEEN JACKSON, COMMISSIONER



COURTNEY K. WALTMAN, COMMISSIONER