



Filing Receipt

Filed Date - 2025-07-11 12:11:28 PM

Control Number - 57837

Item Number - 31

**PUC DOCKET NO. 57837
SOAH DOCKET NO. 473-25-15921**

APPLICATION OF ONCOR ELECTRIC DELIVERY COMPANY LLC TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE BORDER SWITCH – QUARRY FIELD SWITCH 345-KV TRANSMISSION LINE IN LOVING COUNTY, TEXAS	§ § § § § § § §	PUBLIC UTILITY COMMISSION OF TEXAS
--	--	---

NOTICE OF APPROVAL

This Notice of Approval addresses the application of Oncor Electric Delivery Company LLC to amend its certificate of convenience and necessity (CCN) number 30043 for the Border Switch to Quarry Field Switch 345-kilovolt (kV) transmission line in Loving County. The Commission approves route 13 and amends Oncor’s CCN number 30043 to the extent provided in this Notice of Approval.

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 March 27, 2025, Oncor filed an application to amend its CCN number 30043 for the construction of a new 345-kV transmission line between the Border Switch and the Quarry Field Switch in Loving County.

5. Oncor hired Halff Associates, Inc. to prepare an environmental assessment and alternative route analysis (the routing analysis) for the proposed transmission line, which was included as part of the application.
6. On April 25, 2025, Commission Staff recommended that the application be found sufficient.
7. In State Office of Administrative Hearings (SOAH) Order No. 4 filed on May 9, 2025, the SOAH administrative law judges (ALJs) found the application sufficient for further processing.

Description of the Transmission Facilities

8. The project consists of a new double-circuit, 345-kV transmission line to be built on double-circuit steel lattice tower structures between Oncor's existing Quarry Field Switch and Oncor's planned Border Switch, all within Loving County.
9. In this Notice of Approval, the term *transmission facilities* includes the new transmission line and construction and equipment at the existing Quarry Field Switch and the planned Border Switch.
10. Oncor will own, operate, and maintain all the transmission facilities in the project.
11. The transmission line proposed in the application will be 10.2 to 16.1 miles in length, depending on the route selected.
12. Oncor's existing Quarry Field Switch is located west of County Road 300, and Oncor's planned Border Switch will be located approximately 9 miles north of the Quarry Field Switch, on Oncor's fee-owned property approximately 7 miles southeast of the intersection of Ranch to Market Road 652 and County Road 300.
13. The proposed transmission line will be primarily constructed on double-circuit steel lattice tower structures, generally within a 160-foot-right-of-way, except where alternate structures or a different right-of-way width is required due to design, construction, and terrain-related constraint considerations.
14. The transmission facilities will be constructed with a design voltage rating and operating voltage of 345-kV.

15. The transmission line will generally be between 90 and 140 feet in height, although the height may vary depending on terrain and other engineering constraints.
16. The application included 12 alternative routes.
17. In the application, Oncor identified alternative route 13 as the route that best addressed the applicable routing criteria of the PURA¹ and the Commission's rules.

Schedule

18. Oncor estimates it will finish engineering and design by June 2026, acquire all required rights-of-way by September 2026, procure materials and equipment by December 2026, and complete construction of and energize the facilities by December 2027.

Public Input

19. No public meeting was required or held because fewer than 25 persons were entitled to receive direct mail notice of the proposed transmission facilities.
20. On November 4, 2024, Halff 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 general transmission facilities area.
21. All agency comments, concerns, and information received were taken into consideration by Halff and Oncor in development of the proposed alternative routes.

Notice of the Application

22. On March 27, 2025, Oncor sent written notice of the filing of the application via the following methods:
 - a. Oncor sent written notice of the filing of the application by first-class mail to each landowner of record, based on a review of current county property tax rolls, who could be directly affected if the requested CCN amendment was granted;
 - b. Oncor sent written notice of the filing of the application by priority mail to the county officials in Loving County;

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

- c. Oncor sent written notice of the filing of the application by FedEx overnight delivery to the Office of Public Utility Counsel (OPUC); and
 - d. Oncor sent written notice of the filing of the application by email and overnight mail delivery to the Department of Defense Military Aviation and Installation Assurance Siting Clearinghouse.
23. On March 27, 2025, Oncor sent written notice of the filing of the application by first-class mail to certain pipeline associations, owners, and operators.
24. On March 27, 2025, Oncor sent by FedEx overnight mail a full copy of the application and all attachments, including the routing analysis, to the Texas Parks and Wildlife Department.
25. There are no neighboring utilities providing the same utility service within five miles of the proposed facilities and, therefore, Oncor did not send written notice of the application to any such utilities.
26. There are no municipalities within five miles of the proposed facilities and, therefore, Oncor did not mail written notice of the filing of its application in this proceeding to any such municipalities.
27. Oncor published notice of the application the *Pecos Enterprise*, a newspaper of general circulation in Loving County on April 3, 2025.
28. On April 14, 2025, Oncor filed the affidavit of Jeremy McConnell, regulatory manager at Oncor, attesting to the provision of notice to Loving County officials; the Department of Defense Military Aviation and Installation Assurance Siting Clearinghouse; OPUC; Texas Parks and Wildlife Department; pipeline associations, owners, and operators; and affected landowners.
29. On April 14, 2025, Oncor filed a publisher's affidavit from the *Pecos Enterprise* attesting to the publication of notice of the application
30. On April 21, 2025, Oncor sent supplemental mailed notice to Loving County officials; the Department of Defense Military Aviation and Installation Assurance Siting Clearinghouse; OPUC; Texas Parks and Wildlife Department; pipeline associations, owners, and

- operators; and affected landowners. The supplemental notice included, among other information, a listing of all proposed routes and route descriptions.
31. On April 24, 2025, Oncor re-published newspaper notice in the *Pecos Enterprise*, a newspaper of general circulation in Loving County. The re-published newspaper notice included, among other information, a listing of all proposed routes and route descriptions.
 32. On April 24, 2025, Oncor filed a notice and request for approval regarding Oncor's attached first supplemental affidavit attesting to the provision of notice.
 33. On April 29, 2025, Oncor filed a notice and request for approval regarding Oncor's attached second supplemental affidavit attesting to the provision of notice.
 34. On May 2, 2025, Commission Staff recommended that the notice of the application be found sufficient.
 35. In SOAH Order No. 4 filed on May 9, 2025, the SOAH ALJs found Oncor's notice of the application sufficient.

Intervenors

36. In SOAH Order No. 4 filed on May 9, 2025, the SOAH ALJs granted the motions to intervene of Delaware Basin Midstream, LLC and Anadarko E&P Onshore, LLC.
37. In SOAH Order No. 5 filed on May 29, 2025, the SOAH ALJs granted the motion to intervene of Energy Transfer LP.
38. Delaware Basin Midstream, Anadarko, and Energy Transfer are the only parties that requested to intervene in this proceeding.

Referral to SOAH for Hearing and Remand to the Commission

39. On March 31, 2025, the Commission referred this docket to SOAH and filed a preliminary order specifying issues to be addressed and not to be addressed in this proceeding.
40. On April 28, 2025, Delaware Basin Midstream request for a hearing on the merits.
41. On May 29, 2025, Delaware Basin Midstream, joined by the other parties, withdrew its request for a hearing and asked for this case to be dismissed from the SOAH docket and remanded to the Commission.

42. In SOAH Order No. 5 filed on May 29, 2025, the SOAH ALJs dismissed the case from SOAH's docket and remanded it to the Commission.

Testimony and Statements of Position

43. On March 27, 2025, Oncor filed the direct testimony of its witnesses Russell J. Marusak, Kaleb Roberts, P.E., Joshua C. Tillery, and Maurice Walker, P.E.
44. On May 12, 2025, Delaware Basin Midstream filed the direct testimony of Jared Pannell.
45. On May 12, 2025, Anadarko filed the direct testimony of Suzanne Mottin.
46. On May 16, 2025, Commission Staff filed the direct testimony of Eduardo Acosta, P.E.
47. On May 23, 2025, Oncor filed the rebuttal testimony of its witnesses Joshua C. Tillery and Kaleb Roberts, P.E.
48. No other party filed testimony or a statement of position.

Evidentiary Record

49. In Order No. 5 filed on May 29, 2025, the SOAH ALJs admitted the following evidence into the record of this proceeding:
- a. Oncor's application for a CCN for the Border Switch to Quarry Field Switch 345-kV transmission line in Loving County, including attachments, filed on March 27, 2025;
 - b. the direct testimonies and exhibits of Oncor witnesses Russell J. Marusak; Kaleb Roberts, P.E.; Joshua C. Tillery, and Maurice Walker, P.E.; filed on March 27, 2025;
 - c. Oncor's affidavit attesting to the provision of notice to Loving County, The Department of Defense Military Aviation and Installation Assurance Siting Clearinghouse, OPUC, Texas Parks and Wildlife Department, pipeline associations, owners, and operators, and landowners, and newspaper notice, including attachments, filed on April 14, 2025;
 - d. Oncor's notice and request for approval regarding Oncor's first supplemental affidavit attesting to the provision of notice, including attachments, filed on April 24, 2025;

- e. Commission Staff's recommendation on administrative completeness and request for extension filed on April 25, 2025;
- f. Oncor's notice and request for approval regarding Oncor's second supplemental affidavit attesting to the provision of notice, including attachments, filed on April 29, 2025;
- g. Commission Staff's recommendation on notice, including the attached memorandum of Eduardo Acosta, P.E., filed on May 2, 2025;
- h. the direct testimony of Jared Pannell on behalf of Delaware Basin Midstream, including exhibit, filed on May 12, 2025;
- i. the direct testimony of Suzanne Mottin on behalf of Anadarko, filed on May 12, 2025;
- j. the direct testimony of Staff witness Eduardo Acosta, P.E., including attachments, filed on May 16, 2025;
- k. the rebuttal testimonies of Oncor witnesses Joshua C. Tillery and Kaleb Roberts, P.E. filed on May 23, 2025; and
- l. the agreed notice of approval attached as exhibit 1 to the parties' agreed motion to admit evidence, withdraw the hearing on the merits request, dismiss case from the SOAH docket, and remand to the commission for issuance of the agreed notice of approval filed on May 29, 2025.

Route Adequacy

- 50. The application presented 12 geographically diverse routes. Each of the 28 route links is included in at least one of the 12 alternative routes.
- 51. 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.
- 52. The application provided an adequate number of sufficiently delineated routes to conduct a proper evaluation.

Need for the Transmission Facilities and Project Alternatives

53. The transmission facilities, as part of the Permian Basin Reliability Plan approved by the Commission on October 5, 2024 in Project No. 55718,² are needed to: (1) address reliability issues driven by rapid load growth in the Permian Basin; and (2) improve power import capability into the Permian Basin.
54. The Permian Basin area currently lacks the necessary transmission facilities to reliably serve the projected load growth, which far exceeds other areas of the ERCOT system.
55. In developing the Permian Basin Reliability Plan, ERCOT's regional planning group engaged with stakeholders, including Oncor, to conduct substantial review and assessment of potential transmission upgrades to address the rapid load growth and improve import capability into the Permian Basin.
56. ERCOT filed the Permian Basin Reliability Plan on July 25, 2024, and modified it by addendum on September 11, 2024, in Project No. 55718.
57. The Permian Basin Reliability Plan identified the transmission facilities proposed in this docket as necessary by 2038 to address thermal overloads of the Quarry Field and Riverton 345/138-kV transformers.
58. The Permian Basin Reliability Plan includes two main categories of transmission upgrades: common local projects and import paths. The transmission facilities include two components of a common local project identified in the Permian Basin Reliability Plan; specifically, common local project 1.2, identified by ERCOT as Upgrade 1D L2A and Upgrade 1D L2C.
59. Distribution alternatives to the project proposed in this docket would not resolve the identified reliability issues on the transmission system or address the large loads and generators seeking interconnection at transmission-level voltage.
60. Adding transformers, upgrading voltage, or bundling conductors for existing facilities would also fail to address the identified reliability issues or provide the necessary level of service to meet electric demand in the region.

² *Reliability Plan for the Permian Basin Region Under PURA § 39.167*, Project No. 55718. Order Approving the Reliability Plan for the Permian Basin Region (Oct. 5, 2024).

Effect of Granting the Application on Utilities Serving the Proximate Area, Probable Improvement of Service, and Lowering the Cost

61. Oncor is the only electric utility involved in the construction of the transmission facilities.
62. The proposed transmission line will not directly connect to any other electric utility.
63. The proposed transmission line does not use existing facilities owned by any other electric utility.
64. The project will not adversely affect service by other utilities in the area.
65. It is likely that the construction of the transmission facilities will enhance the reliability of the transmission system and facilitate robust wholesale competition.

Routing of the Transmission Facilities

66. The Halff 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.
67. To identify preliminary alternative route links for the transmission facilities, Halff delineated a study area, sought public official and agency input, gathered data regarding the study area, and performed constraints mapping.
68. All parties support the Commission's approval of the project along route 13.
69. Route 13 consists of alternative route links A-DO-C1-D4-G2-H1-Z.
70. Route 13 is approximately 10.2 miles in length.
71. Route 13 presents an appropriate balance of routing factors, and there were no negative attributes to the route that could not be addressed with mitigation and the application of best-practice engineering design and construction methods.

Estimated Costs

72. The estimated construction costs for the 12 filed routes range from \$36,109,000 to \$51,588,000, exclusive of station costs.
73. The estimated construction cost for route 13 total \$36,109,000, exclusive of station costs.

74. The estimated cost of the proposed transmission line includes the cost of acquiring rights-of-way, engineering and design, procurement of materials and equipment, site preparation, construction labor and transportation, and administration.
75. The estimated cost of the station work is \$50,385,000 regardless of the route chosen.
76. The cost of route 13 is lowest of all the alternative routes and is reasonable considering the range of the cost estimates for the transmission facilities' proposed routes.
77. Oncor intends to finance its portion of the transmission facilities through a combination of debt and equity.

Prudent Avoidance

78. 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."
79. The number of habitable structures within 500 feet of the centerline of the 12 alternative routes ranges from 0 to 2.
80. Route 13 has 2 habitable structures within 500 feet of its centerline, although both appear to be temporary mobile units associated with oil and gas well construction that are readily moveable.
81. The construction of transmission facilities along route 13 complies with the Commission's policy of prudent avoidance.

Community Values

82. Information regarding community values was received from local, state, and federal agencies. This information was incorporated into Halff's routing analysis and Oncor's eventual selection of the routes included in the application.
83. Route 13 adequately addresses the expressed community values.

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

84. The transmission facilities' 12 alternative routes use or paralleling of existing compatible rights-of-way and apparent property boundaries ranges from approximately 3% to 44% of the length of the routes.

- 85. Oncor evaluated the use and paralleling of existing compatible rights-of-way and apparent property boundaries when developing route 13.
- 86. Route 13 parallels existing compatible corridors for approximately 44% of its length, the most of all of the alternative routes.
- 87. Route 13 uses or parallels existing compatible rights-of-way to a reasonable extent.

Engineering Constraints

- 88. Oncor evaluated engineering and construction constraints when developing route 13.
- 89. There are no significant engineering constraints along route 13 that cannot be resolved with additional consideration by Oncor during the design and construction phases of the project.

Other Comparisons of Land Uses and Land Types

- 90. The study area generally consists of rural, undeveloped land used primarily for oil and gas production.
- 91. The topography of the study area is generally flat with several unnamed stream features that generally drain to the northeast.
- 92. No residential developments were identified in the study area, although temporary lodging facilities for oil and gas workers may be found along County Road 300, which is the only public road in the study area.
- 93. The road network in the study area is sparse and consists primarily of private road access to individual well locations and well facilities.
- 94. The transmission facilities can be safely and reliably constructed and operated without significant adverse effects on uses of property.

a. Radio Towers and Other Electronic Installations

- 95. There are no known AM radio transmitters within 10,000 feet of route 13 and no known FM radio transmitters located within 2,000 feet of route 13.
- 96. There are no known microwave towers within 2,000 feet of route 13.
- 97. It is unlikely that the presence of the proposed transmission facilities along route 13 will adversely affect any communication facilities or operations in the proximity of the route.

b. Airstrips, Airports and Heliports

- 98. 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 13's centerline.
- 99. There are no airports registered with the Federal Aviation Administration with a runway less than or equal to 3,200 feet in length located within 10,000 feet of Route 13's centerline.
- 100. There are no private airstrips located within 10,000 feet of route 13's centerline.
- 101. There are no heliports located within 5,000 feet of route 13's centerline.
- 102. It is unlikely that the presence of transmission facilities along route 13 will adversely affect any airports, airstrips, or heliports.

c. Irrigation Systems

- 103. Route 13 does not cross agricultural land irrigated by known center-pivot or mobile irrigation systems.
- 104. It is unlikely that the presence of the proposed transmission facilities along route 13 will adversely affect any agricultural lands with known center-pivot or mobile irrigation systems.

d. Pipelines

- 105. Route 13 does not parallel any oil or natural gas pipelines.
- 106. It is unlikely that the presence of the proposed transmission facilities along route 13 will adversely affect any pipelines that transport hydrocarbons.

Recreational and Park Areas

- 107. Route 13 does not cross any public parks or recreational areas.
- 108. No park or recreational areas are located within 1,000 feet of route 13's centerline.
- 109. It is unlikely that the presence of transmission facilities along route 13 will adversely affect the use and enjoyment of any recreational or park areas.

Historical and Archaeological Areas

- 110. Route 13 crosses one recorded cultural site.

- 111. There are three recorded cultural sites within 1,000 feet of the centerline of route 13.
- 112. Route 13 crosses areas with a high potential for historical or archeological sites for 6,359 feet, which is the second lowest amount of any of the alternative routes.
- 113. Oncor has committed to conducting a cultural resources survey in accordance with the preapproved research design developed by Oncor and the Texas Historical Commission for new transmission line studies before construction begins on the project.
- 114. It is unlikely that the presence of the proposed transmission facilities along route 13 will adversely affect historical or archaeological resources.

Aesthetic Values

- 115. None of route 13's right-of-way is within the foreground visual zone of United States or state highways.
- 116. An estimated 8,030 feet of route 13's right-of-way is within the foreground visual zone of county roads.
- 117. None of route 13's right-of-way is within the foreground visual zone of park or recreational areas.
- 118. It is unlikely that the presence of the proposed transmission facilities along route 13 will adversely affect the aesthetic quality of the surrounding landscape.

Environmental Integrity

- 119. The routing analysis analyzed the possible effects of the transmission facilities on numerous environmental factors.
- 120. Halff evaluated the effects of the transmission facilities on the environment, including endangered and threatened species.
- 121. Halff evaluated potential consequences for soil and water resources, the ecosystem (including endangered and threatened vegetation, fish and wildlife species), and land use within the study area.
- 122. Current county listings for federal- and state-listed threatened and endangered species were obtained from the United States Fish and Wildlife Service and Texas Parks and Wildlife

Department. Habitat locations designated critical by the United States Fish and Wildlife Service were included in the review.

123. Construction and operation of the transmission facilities are anticipated to have no significant impact on the physiographic, geologic features, or mineral resources of the area.
124. Construction and operation of the transmission facilities are anticipated to have no significant impact on the surface water, groundwater, or aquatic resources of the area.
125. There are no federally-listed endangered plant species with potential to occur in the study area.
126. There are no federally-listed endangered fish or wildlife species with potential to occur in the study area.
127. There are three federally-listed threatened, proposed threatened, or proposed endangered fish and wildlife species with potential to occur in the study area: the piping plover, the rufa red knot, and the monarch butterfly.
128. There are five state-listed Species of Greatest Conservation Need plant species with potential to occur within the study area: Bigelow's desert grass, Cory's ephedra, dune unicorn-plant, neglected sunflower, and sticky tansy aster.
129. There are no state-listed endangered fish and wildlife species with potential to occur in the study area.
130. There is one state-listed threatened fish and wildlife species with potential to occur in the study area: the Texas horned lizard.
131. No federally-determined critical habitat has been designated in the study area for any endangered or threatened species.
132. Route 13 crosses rangeland pasture area for approximately 48,794 feet, the lowest of all the alternative routes.
133. Route 13 crosses riparian area for approximately 2,171 feet.
134. Route 13 does not cross upland woodland area.
135. Route 13 does not cross potential wetlands area.

136. Route 13 does not cross cropland or hay meadow area.
137. Oncor will cooperate with the United States Fish and Wildlife Service to the extent that field studies identify threatened or endangered species' habitats.
138. Oncor can construct the transmission facilities in an ecologically sensitive manner along route 13.
139. It is unlikely that significant adverse consequences for populations of any federally or state-listed endangered or threatened species will result from constructing the transmission facilities approved by this Notice of Approval.
140. It is appropriate for Oncor to mitigate any effect on federally-listed plant or animal species according to standard practices and measures taken in accordance with the Endangered Species Act.
141. It is appropriate for Oncor to minimize the amount of flora and fauna disturbed during construction of the transmission facilities.
142. 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.
143. 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.
144. 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. 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.
145. 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.
146. 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: 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 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.
147. It is appropriate for Oncor to use best management practices to minimize any potential harm that route 13 presents to migratory birds and threatened or endangered species.
148. It is unlikely that the presence of transmission facilities along route 13 will adversely affect the environmental integrity of the surrounding landscape.

Texas Parks and Wildlife Department's Comments and Recommendations

149. On December 16, 2025, the Texas Parks and Wildlife Department provided Halff information and recommendations regarding the preliminary study area for the transmission facilities.
150. Oncor provided the Texas Parks and Wildlife Department a full copy of the application and all attachments, including the routing analysis.
151. The Texas Parks and Wildlife Department did not intervene in this proceeding.
152. 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.

153. 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.
154. Oncor will use avoidance or mitigation procedures, as appropriate, to comply with laws protecting federally-listed species.
155. Oncor's standard vegetation removal, construction, and maintenance practices adequately address the Texas Parks and Wildlife Department's comments and recommendations.
156. Oncor will use appropriate avian protection procedures.
157. Oncor will comply with all environmental laws and regulations, including those governing threatened and endangered species.
158. 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.
159. Oncor will cooperate with the United States Fish and Wildlife Service and the Texas Parks and Wildlife Department if field surveys identify threatened or endangered species' habitats.
160. If construction affects federally-listed species or their habitat or affects water under the jurisdiction 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, the United States Army Corps of Engineers, and the TCEQ as appropriate to coordinate permitting and perform any required mitigation.
161. The standard mitigation requirements included in the ordering paragraphs of this Notice of Approval, coupled with Oncor's standard practices, are reasonable measures for a transmission service provider to undertake when constructing a transmission line and sufficiently address the Texas Parks and Wildlife Department's comments and recommendations.
162. The comments and recommendations made by the Texas Parks and Wildlife Department do not necessitate any modifications to the proposed transmission facilities.

Permits

163. Before beginning construction of the transmission facilities approved by this Notice of Approval, Oncor will obtain any necessary permits or clearances from federal, state, or local authorities.
164. Before beginning construction of the transmission facilities approved by this Notice of Approval, 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.
165. After designing and engineering the alignments, structure locations, and structure heights, Oncor will determine 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

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

Probable Improvement of Service or Lowering of Cost

168. The transmission facilities approved by this Notice of Approval are needed to address reliability issues and will result in an improvement in Oncor's ability to reliably serve its customers.
169. The transmission facilities approved by this Notice of Approval are not being proposed to, and are not expected to, result in a lowering of costs to customers.

Limitation of Authority

170. 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.
171. Seven years is a reasonable and appropriate limit to place on the authority granted in this Notice of Approval to construct the transmission facilities.

Informal Disposition

172. More than 15 days have passed since the completion of notice provided in this docket.
173. Delaware Basin Midstream filed a request for hearing on the merits, but this request was withdrawn, no other party requested a hearing on the merits, and no hearing is needed.
174. Oncor, Delaware Basin Midstream, Anadarko, Energy Transfer, and Commission Staff are the only parties to this proceeding.
175. Commission Staff recommends approval of the application.
176. 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, 37.051, 37.053, 37.054, and 37.056.
2. Oncor is a public utility as defined in PURA § 11.004 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. Oncor's Quarry Field Switch is an existing electric utility facility under PURA § 37.056(e).
5. SOAH exercised authority over this proceeding under PURA § 14.053 and Texas Government Code §§ 2003.021, and 2003.049.
6. The application is sufficient under 16 TAC § 22.75(d).
7. The application complies with the requirements of 16 TAC § 25.101.

8. Oncor provided notice of the application in compliance with PURA § 37.054 and 16 TAC § 22.52(a).
9. No public meeting on the application was required under 16 TAC § 22.52(a)(4).
10. The Commission processed this docket in accordance with the requirements of PURA, the Administrative Procedure Act,³ and Commission rules.
11. The transmission facilities using route 13 are necessary for the service, accommodation, convenience, or safety of the public within the meaning of PURA § 37.056(a).
12. Route 13 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.
13. The Texas Coastal Management Program does not apply to any of the proposed transmission facilities approved in this Notice of Approval, and the requirements of 16 TAC § 25.102 do not apply to the application.
14. Delaware Basin Midstream's request for a hearing rendered the application contested under 16 TAC § 25.101(b)(3)(C)(i).
15. 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 approves proposed route 13 and amends Oncor's CCN number 30043 to the extent provided in this Notice of Approval.
2. The Commission amends CCN number 30043 to include the construction, ownership, and operations of the transmission facilities including a new double-circuit 345-kV transmission line along route 13 (comprising route links A-DO-C1-D4-G2-HI-Z).

³ Tex. Gov't Code §§ 2001.001–903.

3. 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 transmission facilities approved by Notice of Approval.
4. Oncor must conduct surveys, if not already completed, to identify metallic pipelines that could be affected by the transmission line approved by this Notice of Approval and coordinate with pipeline owners in modeling and analyzing potential hazards because of alternating-current interference affecting metallic pipelines being paralleled.
5. Oncor must comply with all applicable local, state, and federal laws, regulations, and permits.
6. 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 Notice of Approval. If Oncor fails to obtain any such permit, license, plan, or permission, it must notify the Commission immediately.
7. 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 Notice of Approval.
8. If Oncor or its contractors encounter 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 appropriate 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 cleared and disturbed areas 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 the 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 line.

19. Oncor must cooperate with directly affected landowners to implement minor deviations from the approved route to minimize the disruptive effect of the transmission facilities approved by this Notice of Approval. 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. If possible, and subject to the other provisions of this Notice of Approval, 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 Notice of Approval 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.
21. 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 its CCN.
22. Oncor must include the transmission facilities approved by this Notice of Approval 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 all charges have been identified.
23. The Commission limits the authority granted by this Notice of Approval to a period of seven years from the date this Notice of Approval is signed unless the transmission facilities have been commercially energized before that time.

24. 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 11th day of July 2025.

PUBLIC UTILITY COMMISSION OF TEXAS



BRENNAN FOLEY
ADMINISTRATIVE LAW JUDGE