



Control Number: 7910



Item Number: 1

Addendum StartPage: 0

DOCKET NO. 7910

APPLICATION OF DEEP EAST TEXAS
ELECTRIC COOPERATIVE, INC. FOR
PROPOSED TRANSMISSION LINE AND
ASSOCIATED SUBSTATION WITHIN
NACOGDOCHES COUNTY

PUBLIC UTILITY COMMISSION
OF TEXAS

ORDER

In public meeting at its offices in Austin, Texas, the Public Utility Commission of Texas finds that the above styled application was processed in accordance with applicable statutes and rules by an administrative law judge, who prepared and filed a consolidated report in this docket and Docket Nos. 7639 and 7735 containing Findings of Fact and Conclusions of Law. That Examiner's Report, insofar as it pertains to this docket, is ADOPTED and made a part hereof. The Commission further issues the following Order:

Deep East Texas Electric Cooperative, Inc.'s Certificate of Convenience and Necessity No. 30045 is AMENDED to include the 138 kilovolt transmission line and associated substation in Nacogdoches County as requested in Docket No. 7910 and described in Finding of Fact No. 3 of the consolidated Examiner's Report.

SIGNED AT AUSTIN, TEXAS on this the 19th day of April 1988.

PUBLIC UTILITY COMMISSION OF TEXAS

SIGNED:

Dennis L. Thomas
DENNIS L. THOMAS

SIGNED:

Jo Campbell
JO CAMPBELL

SIGNED:

Marta Greytok
MARTA GREYTOK

ATTEST:

Phillip A. Holder
PHILLIP A. HOLDER
SECRETARY OF THE COMMISSION

DOCKET NOS. 7639, 7735, and 7910

APPLICATION OF TEXAS UTILITIES
ELECTRIC COMPANY FOR PROPOSED
TRANSMISSION LINE AND ASSOCIATED
SUBSTATION WITHIN DALLAS COUNTY

PUBLIC UTILITY COMMISSION
OF TEXAS

APPLICATION OF TEXAS UTILITIES
ELECTRIC COMPANY FOR PROPOSED
TRANSMISSION LINE WITHIN DALLAS
COUNTY

APPLICATION OF DEEP EAST TEXAS
ELECTRIC COOPERATIVE, INC. FOR
PROPOSED TRANSMISSION LINE AND
ASSOCIATED SUBSTATION WITHIN
NACOGDOCHES COUNTY

EXAMINER'S REPORT

I. Procedural History

These dockets involve applications filed by Texas Utilities Electric Company (Texas Utilities) and Deep East Texas Electric Cooperative, Inc. (DETEC). Docket Nos. 7639 and 7910 involve applications to amend the utilities' certificates of convenience and necessity (CCN) to construct transmission lines and associated substations. Docket No. 7735 involves an application by Texas Utilities to construct a transmission line. The undersigned administrative law judge (ALJ) has reviewed the applications individually and has consolidated them solely for the purposes of this Examiner's Report.

Each applicant properly provided notice to all interested persons and affected utilities. No protests, motions to intervene, or requests for hearing have been filed. The staff has recommended approval of each application. Consequently, the ALJ is of the opinion that the Commission can approve these applications without hearings as provided by Section 13(e) of the Administrative Procedure and Texas Register Act (APTRA), Tex. Rev. Civ. Stat. Ann. art. 6252-13a (Vernon Supp. 1987).

II. Findings of Fact and Conclusions of Law

In addition, the ALJ recommends that the Commission adopt the following Findings of Fact and Conclusions of Law.

A. Findings of Fact

1.a. In Docket No. 7639, Texas Utilities filed an application on August 21, 1987, to construct a transmission line and associated substation, which should be treated as an application to amend its existing CCN No. 30160 (originally issued to Texas Power and Light). The location of the proposed transmission line and substation is shown on the map filed with the application.

b. The proposed 138 kilovolt (kv) transmission line will be approximately 1.0 mile long and, together with the substation, will lie wholly within the City of Garland in an area dually certificated to the City of Garland and Texas Utilities.

c. The purpose of the project is to provide transmission service to the planned Texas Utilities Garland Bobtown Road Substation. The project is needed to relieve existing facilities in the area from projected load increases in excess of their loading criteria.

d. Texas Utilities provided notice of the application to Garland Power and Light, which granted a franchise to Texas Utilities in Docket No. 60.

e. The proposed transmission line consists of a rebuild of an existing 138 kv line and 475 feet of new 138 kv line. The line currently supports one circuit. It will be replaced with double-circuit steel poles with two circuits of 138 kv line, one owned by the city and the other by Texas Utilities.

f. The estimated cost is of the project, \$2,107,500, is reasonable and comparable to similar projects constructed by other utilities.

g. The area over which the project will be built consists of small parcels of pastureland and single-family residences.

h. Sixty-three residences are already located within 200 feet of the existing transmission line. Four of those residences are within 140 feet of the proposed substation.

i. One park is located approximately 2300 feet from the existing transmission line to be rebuilt. Another park is approximately 750 feet away.

j. No airstrips registered with the Federal Aviation Administration are located within 10,000 feet of the proposed relocation.

k. No historical or archeological sites exist within 2,500 feet of the project.

l. Considering the distances involved, the proposed line should not adversely affect any of the six transmitter towers located within 10,000 feet of the project.

m. The project will not significantly alter or affect the aesthetics of the surrounding area since an existing transmission line, for the most part, is being used.

n. The rebuilding of the existing transmission line will provide adequate transmission service to the proposed substation, which is needed to serve the rapidly growing load in the area. Because the proposed substation is nearer the center of the load area, it will decrease the average length of the individual feeders serving the area, thereby reducing the system's exposure to outage. Therefore, the effect of this project will be to allow Texas Utilities to provide more efficient delivery of electricity to the area and improve the reliability of the system.

o. Texas Utilities published notice of this application on August 24, 1987, in the Dallas Morning News, published in Dallas County and having general circulation in most areas of the state.

p. No protests, requests for a hearing, or motions to intervene have been filed.

2.a. In Docket No. 7735, Texas Utilities filed an application on October 1, 1987, to construct a 138 kv transmission line and rearrange existing

138 kv transmission lines in Dallas County. This application should be treated as an amendment to Texas Utilities' existing CCN No. 30043 (originally issued to Dallas Power and Light).

b. The applicant proposes to utilize a portion of the existing Hackberry-NW Carrollton 138 kv transmission line to create a second North Lake Steam Electric Station (SES)-NW Carrollton 138 kv transmission line. This will be accomplished by breaking the Hackberry-NW Carrollton line and constructing about 2500 feet of double current 138 kv line. One circuit will complete the connection of NW Carrollton-North Lake SES and the other will complete a Hackberry-Eules 138 kv transmission line. See Examiner's Exhibits A and B.

c. The purpose of the project is to allow for maximum utilization of the available generation at North Lake SES. With the present configuration, the transmission lines are often loaded beyond their emergency ratings. Also, since North Lake SES was built, the load in the area northeast of the plant has grown considerably, thereby creating a need for additional transmission line capacity.

d. A portion of the proposed project will traverse the City of Dallas. Dallas granted a franchise to Texas Utilities in Docket No. 60.

e. There are no habitable structures within 500 feet of the proposed rearrangement.

f. The construction should not adversely affect the transmitter tower located within 10,000 feet of the project.

g. No airstrips registered with the Federal Aviation Administration are located within 10,000 feet of the proposed rearrangement.

h. No parks, camps, recreation areas, historical or archeological sites were identified within 2,500 feet of the project.

i. No irrigated pasture or cropland is traversed by this project.

j. The estimated cost of the project, \$358,000, is reasonable and comparable to similar projects constructed by other utilities.

k. As demonstrated in Finding of Fact No. 2.c., the planned rearranging of the 138 kv transmission lines out of North Lake SES will maintain system integrity by providing an adequate outlet for the power generated at North Lake SES.

l. As demonstrated in Findings of Fact Nos. 2.e. through 2.i., the rearrangement of the transmission lines will not significantly affect any community, historical, or aesthetic values; recreational and park areas; or environmental integrity.

m. Texas Utilities published notice of this application on October 8 and October 15, 1987, in the Dallas Morning News, which has general circulation in Dallas County.

n. No protests, requests for a hearing, or motions to intervene have been filed.

3.a. In Docket No. 7910, DETEC filed an application on January 8, 1988, to construct a new 138 kv transmission line and associated substation. This application should be treated as an amendment to DETEC's existing CCN No. 30045.

b. The proposed transmission line will be approximately 4.2 miles long and located wholly in Nacogdoches County, Texas. The actual location is shown on the map filed with this application.

c. One portion of the new line will traverse an area that is dually certificated to DETEC and Texas Utilities. Texas Utilities has consented in writing to the building of the transmission line.

d. The proposed facility will not be located within an incorporated municipality.

e. The purpose of the project is to provide additional capacity to DETEC's service area and eliminate the excessive voltage reductions which are presently occurring during peak usage.

f. The estimated cost of the project, \$560,000, is reasonable and comparable to similar projects constructed by other utilities.

g. The line is routed through unirrigated pastureland with scattered trees.

h. Seven (7) residences are within 500 feet of the proposed line. The closest two are approximately 300 feet from the center line of the proposed route.

i. The route of the proposed line is the most direct and has the least potential impact on the environment.

j. No commercial television or radio transmitters, microwave stations or other similar electronic installations are within 10,000 feet of the project.

k. No airstrips that are registered with the Federal Aviation Agency are within 10,000 feet of the proposed line.

l. No archeological or historical sites, parks, camps, or recreation areas are located within 2,500 feet of the proposed line.

m. As demonstrated in Findings of Fact Nos. 3.g. through 3.l., the transmission line and associated substation will not significantly affect any community, historical, or aesthetic values; recreational and park areas; or environmental integrity.

n. As indicated in Finding of Fact No. 3.e., the proposed transmission line will overcome the inadequacy of the existing service and meet the need for additional service by providing reliable voltage levels.

o. DETEC published notice of this application on December 14, 1987, and December 21, 1987, in The Daily Sentinel, which has general circulation in Nacogdoches County.

p. No protests, motions to intervene, or requests for a hearing have been filed.

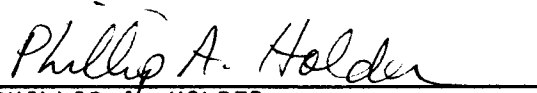
B. Conclusions of Law

1. Texas Utilities and DETEC are both public utilities as defined in Section 3(c)(1) of the Public Utility Regulatory Act (PURA), Tex. Rev. Civ. Stat. Ann. art. 1446c (Vernon Supp. 1987).
2. The Commission has jurisdiction over these matters pursuant to Sections 16(a), 17(e), 50, 52 and 54 of PURA.
3. The applicants in Docket Nos. 7639, 7735, and 7910 properly provided notice of their respective applications to all interested persons, affected municipalities, and other utilities pursuant to Section 54 of PURA and P.U.C. PROC. R. 21.24(c).
4. As no protests, motions to intervene, or requests for hearing have been filed, each application may be approved without a hearing, pursuant to Section 13(e) of APTRA.
5. Texas Utilities and DETEC are each entitled to approval of the applications described in Findings of Fact Nos. 1, 2, and 3, having demonstrated that the proposed transmission lines and substations are necessary for the service, accommodation, convenience, or safety of the public within the meaning of Section 54(d) of PURA, taking into consideration the factors set out in Section 54(c) of PURA and discussed in the Findings of Fact.

Respectfully submitted,

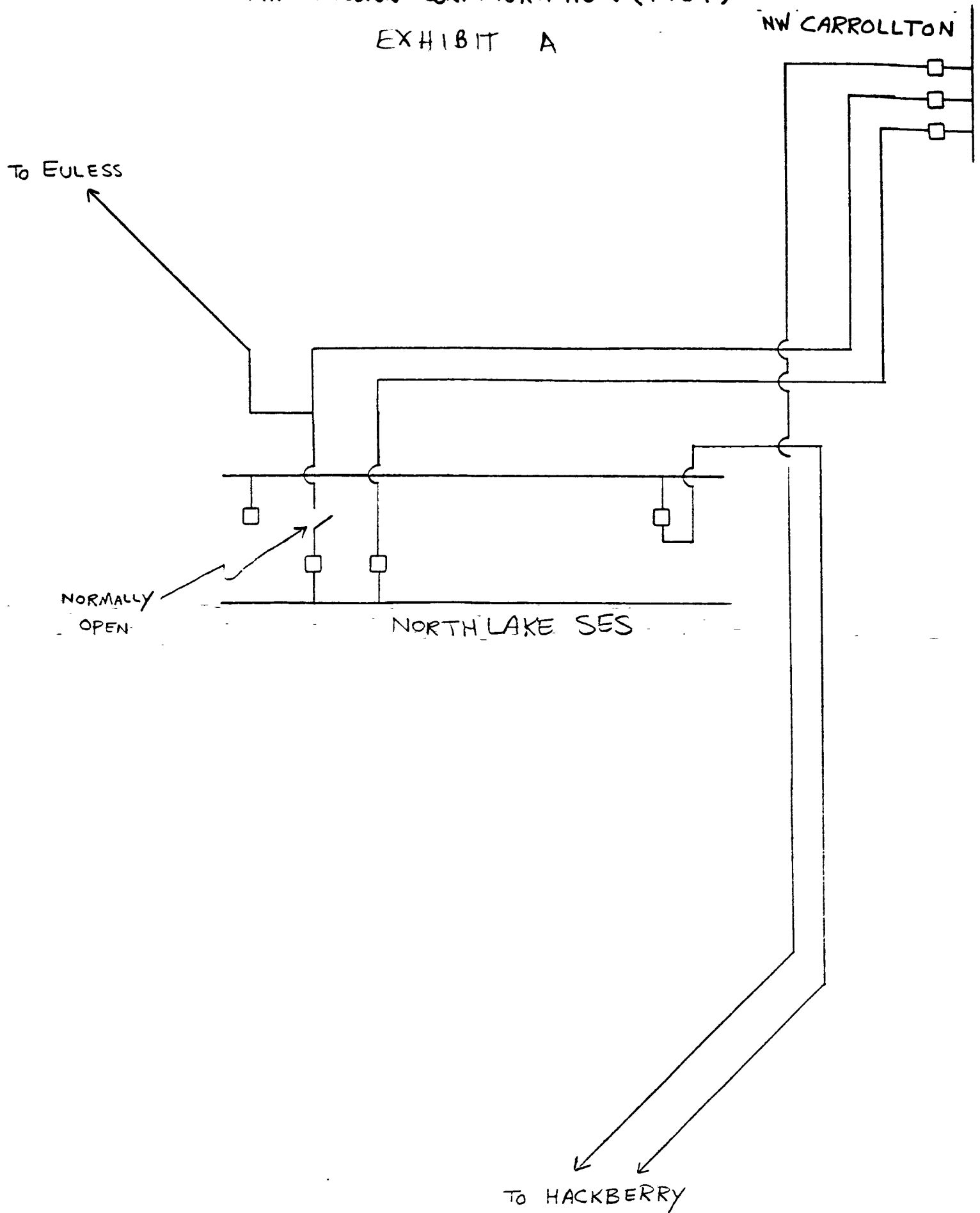

HENRY D. CARD
ADMINISTRATIVE LAW JUDGE

APPROVED on this the 11th day of April 1988.


PHILLIP A. HOLDER
DIRECTOR OF HEARINGS

PRESENT NORTH LAKE
TRANSMISSION CONFIGURATION (1987)

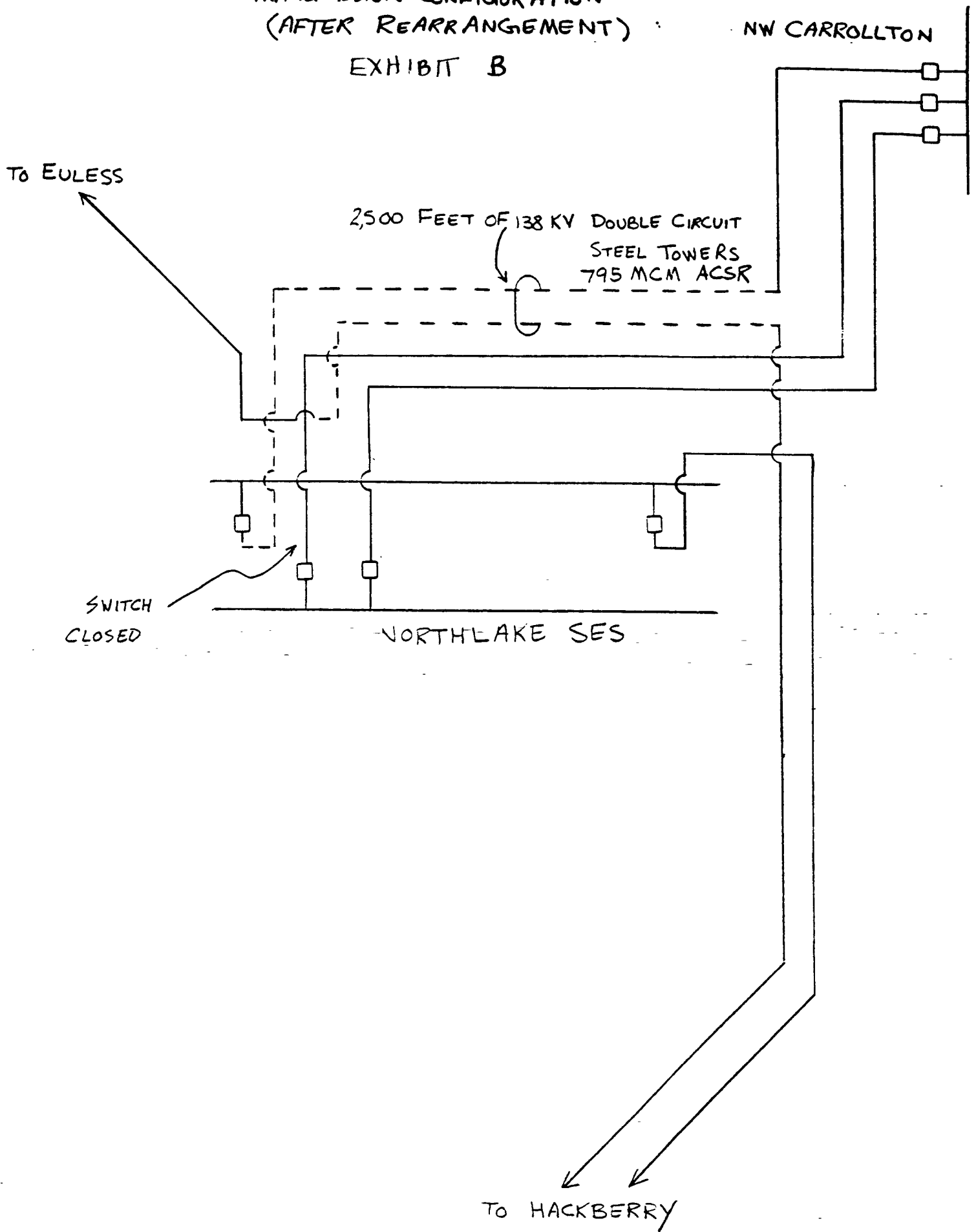
EXHIBIT A



12/14/87

PROPOSED NORTHLAKE
TRANSMISSION CONFIGURATION
(AFTER REARRANGEMENT)

EXHIBIT B



12/14/87

DOCKET NO. 7639

APPLICATION OF TEXAS UTILITIES
ELECTRIC COMPANY FOR PROPOSED
TRANSMISSION LINE AND ASSOCIATED
SUBSTATION WITHIN DALLAS COUNTY

||
||
||
||

PUBLIC UTILITY COMMISSION

OF TEXAS

ORDER

In public meeting at its offices in Austin, Texas, the Public Utility Commission of Texas finds that the above styled application was processed in accordance with applicable statutes and rules by an administrative law judge, who prepared and filed a consolidated report in this docket and Docket Nos. 7735 and 7910 containing Findings of Fact and Conclusions of Law. That Examiner's Report, insofar as it pertains to this docket, is ADOPTED and made a part hereof. The Commission further issues the following Order:

Texas Utilities Electric Company's Certificate of Convenience and Necessity No. 30160 is AMENDED to include the 138 kilovolt transmission line and associated substation in Dallas County as requested in Docket No. 7639 and described in Finding of Fact No. 1 of the consolidated Examiner's Report.

SIGNED AT AUSTIN, TEXAS on this the _____ day of _____ 1988.

PUBLIC UTILITY COMMISSION OF TEXAS

SIGNED:

DENNIS L. THOMAS

SIGNED:

JO CAMPBELL

SIGNED:

MARTA GREYTOK

ATTEST:

PHILLIP A. HOLDER
SECRETARY OF THE COMMISSION

lsw

DOCKET NO. 7735

APPLICATION OF TEXAS UTILITIES
ELECTRIC COMPANY FOR PROPOSED
TRANSMISSION LINE WITHIN DALLAS
COUNTY

PUBLIC UTILITY COMMISSION
OF TEXAS

ORDER

In public meeting at its offices in Austin, Texas, the Public Utility Commission of Texas finds that the above styled application was processed in accordance with applicable statutes and rules by an administrative law judge, who prepared and filed a consolidated report in this docket and Docket Nos. 7639 and 7910 containing Findings of Fact and Conclusions of Law. That Examiner's Report, insofar as it pertains to this docket, is ADOPTED and made a part hereof. The Commission further issues the following Order:

Texas Utilities Electric Company's Certificate of Convenience and Necessity No. 30043 is AMENDED to include the 138 kilovolt transmission line in Dallas County as requested in Docket No. 7735 and described in Finding of Fact No. 2 of the consolidated Examiner's Report.

SIGNED AT AUSTIN, TEXAS on this the _____ day of _____ 1988.

PUBLIC UTILITY COMMISSION OF TEXAS

SIGNED:

DENNIS L. THOMAS

SIGNED:

JO CAMPBELL

SIGNED:

MARTA GREYTOK

ATTEST:

PHILLIP A. HOLDER
SECRETARY OF THE COMMISSION

lsw

DOCKET NO. 7910

APPLICATION OF DEEP EAST TEXAS
ELECTRIC COOPERATIVE, INC. FOR
PROPOSED TRANSMISSION LINE AND
ASSOCIATED SUBSTATION WITHIN
NACOGDOCHES COUNTY

PUBLIC UTILITY COMMISSION
OF TEXAS

ORDER

In public meeting at its offices in Austin, Texas, the Public Utility Commission of Texas finds that the above styled application was processed in accordance with applicable statutes and rules by an administrative law judge, who prepared and filed a consolidated report in this docket and Docket Nos. 7639 and 7735 containing Findings of Fact and Conclusions of Law. That Examiner's Report, insofar as it pertains to this docket, is ADOPTED and made a part hereof. The Commission further issues the following Order:

Deep East Texas Electric Cooperative, Inc.'s Certificate of Convenience and Necessity No. 30045 is AMENDED to include the 138 kilovolt transmission line and associated substation in Nacogdoches County as requested in Docket No. 7910 and described in Finding of Fact No. 3 of the consolidated Examiner's Report.

SIGNED AT AUSTIN, TEXAS on this the _____ day of _____ 1988.

PUBLIC UTILITY COMMISSION OF TEXAS

SIGNED:

DENNIS L. THOMAS

SIGNED:

JO CAMPBELL

SIGNED:

MARTA GREYTOK

ATTEST:

PHILLIP A. HOLDER
SECRETARY OF THE COMMISSION

lsw

