

PUC DOCKET NO. 40728
SOAH DOCKET NO. 473-13-0846

2013 MAY -9 AM 11:52
Public Utility Commission

APPLICATION OF ELECTRIC	§	PUBLIC UTILITY COMMISSION
TRANSMISSION TEXAS, LLC TO	§	
AMEND ITS CERTIFICATE OF	§	OF TEXAS
CONVENIENCE AND NECESSITY FOR	§	
THE PROPOSED LOBO TO RIO	§	
BRAVO TO NORTH EDINBURG	§	
345-KV DOUBLE-CIRCUIT	§	
TRANSMISSION LINE IN WEBB,	§	
ZAPATA, JIM HOGG, BROOKS,	§	
STARR, AND HIDALGO COUNTIES,	§	
TEXAS	§	

ORDER

This Order addresses the application of Electric Transmission Texas, LLC (ETT or Applicant) for approval to amend its certificates of convenience and necessity (CCNs) for the Lobo to Rio Bravo to North Edinburg 345-kV double-circuit transmission line in Webb, Zapata, Jim Hogg, Brooks, Starr, and Hidalgo Counties, Texas (the Project). The Project consists of two segments: the Lobo to Rio Bravo (LRB) Segment and the Rio Bravo to North Edinburg (RBNE) Segment. The parties filed a Stipulation Concerning the LRB Segment (LRB Stipulation) and a Stipulation Concerning the RBNE Segment (RBNE Stipulation) to resolve all of the issues in this proceeding. Consistent with the LRB and RBNE Stipulations, the application is approved.

The Public Utility Commission of Texas (Commission) adopts the following findings of fact and conclusions of law:

I. Findings of Fact

Procedural History

1. ETT is an investor-owned electric utility providing service under CCN Nos. 30193 and 30194.
2. On October 25, 2012, ETT filed an application to amend its CCNs to allow it to build, own, and operate a new double-circuit capable 345-kV transmission line in Webb, Zapata, Jim Hogg, Brooks, Starr and Hidalgo Counties, Texas, comprised of two segments (Application). The first segment, to be located in Webb County, will be

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constructed from the existing ETT Lobo Substation, located east-northeast of Laredo, Texas and will extend to the south to the proximity of the existing American Electric Power Texas Central Company (AEP TCC) Rio Bravo Substation. The second segment will extend from the Rio Bravo Substation area to the southeast through portions of Webb, Zapata, Starr, and Hidalgo Counties and will connect to the existing AEP TCC North Edinburg Substation. In addition to the transmission line facilities, two new substations are required to accommodate series capacitors that will be installed on the proposed line. The same day, ETT filed the direct testimonies of Kenneth R. Haley, Paul Hassink, Rob R. Reid, and Daniel R. Robinson.

3. On October 26, 2012, Jacalon Ranch Company, Ltd., South Texas Ranches GP, Inc. and AI Allred filed a motion to intervene.
4. On October 29, 2012, the Application was referred to the State Office of Administrative Hearings (SOAH), Javier Ledesma and the East Wildlife Foundation (EWf) filed motions to intervene, and notice of the Application was submitted to the *Texas Register* for publication on November 9, 2012.
5. On October 30, 2012, The Alliance of South Texas Ranchers (The Alliance)¹ filed a motion to intervene on behalf of its member landowners.
6. On October 31, 2012, Guillermo Cavazos filed a motion to intervene.
7. On November 1, 2012, Eric Gonzales (EPR Holdings, Ltd.), Horacio and Norma Gonzalez, and Comanche Maverick Ranch filed motions to intervene.
8. On November 1, 2012, SOAH issued Order No. 1 regarding the jurisdiction of the Commission and SOAH, the deadline for a decision in this proceeding, notice requirements, the requirement that ETT file a proposed procedural schedule, the deadline for identification of deficiencies in ETT's Application, issues related to filing procedures, service, deadlines, responsive pleadings, and discovery, and the requirement that all parties file testimony and/or a statement of position.

¹ The Alliance of South Texas Ranches, LLC members that intervened on October 30 include Jones Borregos, Ltd., Thomas Family Partnership, Ltd., Jones Carr Ltd., Las Islas Ranch, L.P., Kelsey Ranch Partners, Ltd., McCook Properties, Ltd., Diamond O Ranch, Ltd. (Mr. W.B. Osborn, Jr.), San Pablito Ranch (Mr. James R. and Ann Gibbs), Comanche Maverick Ranch Investments, LP, Weil Children Trust, James E. Myers, Stone Brothers (Josephine B. Stone, Stuart Regan Stone, and Carroll D. Stone), Cantrell Family, Ltd., Hutchinson (Texas) Ranch, Ltd., Sterling Morris, Vanie Cook Trusts, and Rancho S.R. Ltd.

9. On November 5, 2012, Elizabeth Lopez, McAllen Communications Company, Inc., James McAllen, Sr., San Juanito Land Partnership, Ltd., Rancho Los Novillos, LLC, McAllen Trusts Partnership, and Veronica Gutierrez Ivey filed motions to intervene.
10. On November 6, 2012, Sterling Morris filed a motion to intervene.²
11. On November 12, 2012, El Rucio Land & Cattle Company, Inc., Edelmiro Jose and Gladys Martinez, and James Pettus filed motions to intervene.
12. On November 15, 2012, Commission Staff filed a response to SOAH Order No. 1, finding that ETT's Application was materially sufficient but contained two non-material deficiencies that ETT should be required to remedy. The same day, EIA Properties, Ltd. filed a motion to intervene.
13. On November 16, 2012, OXY USA, Inc. and Joe, Mary, and Daniel Sekula filed motions to intervene.
14. On November 19, 2012, Joe, Mary, and Daniel Sekula filed a second motion to intervene with a corrected service list and A. Humberto and Alanis Gonzalez, Cristalinas Partners, Ltd., and Berta Villarreal-Ramirez filed motions to intervene.
15. On November 20, 2012, L Bar L Cattle Co. Ltd. filed a motion to intervene.
16. On November 27, 2012, Ada Gonzalez and Arabella Gonzalez Adame filed motions to intervene.
17. On November 28, 2012, Angela Gonzalez Gomez filed a motion to intervene.
18. On December 5, 2012, Leonardo Anzaldua filed a motion to intervene.
19. On December 6, 2012, Edwin H. Frank filed a request to intervene.
20. On December 6, 2012, SOAH issued Order No. 2, providing notice of the December 19, 2012, prehearing conference and addressing various issues related to filings, service, deadlines, responsive pleadings, discovery, testimony, and position statements. SOAH Order No. 2 also granted the interventions of Jacalon Ranch Company, Ltd., South Texas Ranches GP, Inc., Al Allred, Ledesma, Barrera & Smith,

² Mr. Morris previously intervened as a member of the Alliance but filed a separate request to intervene on November 6, 2012.

LLC, Javier Ledesma, The East Wildlife Foundation, The Alliance, Guillermo Cavazos, Eric Gonzales, EPR Holdings, Ltd., Horacia and Norma Gonzales, Elizabeth Lopez, McAllen Communications Co., Inc., San Juanito Land Partnership, Ltd., Rancho Los Novillos, LLC, McAllen Trusts Partnership, El Rucio Land & Cattle Co., Inc., James McAllen, Sr., Veronica Gutierrez Ivey, Edelmiro Jose and Gladys Martinez, Cristalinas Partners, Ltd., James Pettus, EIA Properties, Ltd., EIA Management, LLC, Joe Sekula, Mary Sekula, and Daniel Sekula, OXY USA Inc., A. Humberto Alaniz Gonzales, Berta Villarreal-Ramirez, L Bar L Cattle Co., Ltd., Ada Gonzalez, Arabella Gonzalez Adame, Angela Gonzalez Gomez, and Leonardo and Juanita F. Anzaldua.

21. On December 7, 2012, ETT filed proof of notice in the form of an affidavit indicating that notice of the Application was (a) published in newspapers having general circulation in Webb, Zapata, Jim Hogg, Brooks, Starr, and Hidalgo Counties, Texas (b) sent by first class mail to the owners of land directly affected by the proposed alternative routing options; (c) sent to utilities providing similar service within five miles of the alternative routing options; (d) sent to the county officials in Webb, Zapata, Jim Hogg, Brooks, Starr, and Hidalgo Counties and to the Mayors of the cities within five miles of the project; (e) sent to the Office of Public Utility Counsel (OPUC) by first class mail, and also indicating that a copy of the Application was sent to the Texas Parks & Wildlife Department (TPWD) by priority mail. ETT's proof of notice also contained copies of the notices provided, as described above. Also on December 7, 2012, El Negro Ranch Ltd., Gerardo Hinojosa, Dana Sue Bellamy, Tres Mujeres Ltd., and Max H. Johnson filed motions to intervene. Edwin H. Frank also filed a second motion to intervene to authorize his legal representative.
22. On December 10, 2012, Jose L. and Rene R. Laurel, the Walker Family Interests, Max H. Johnson, 13 Hein LLC, Tres Mujeres Ltd., Robert Hein, Sheerin Real Properties, Maricela S. Rodriguez, Siete Velas Cattle Co., Ltd. and Rancho Las Margaritas, Ltd. (Sylvia E. Vela), Blanca and Frank Barberio, Ltd., Robert Stoll, Summers Ranchito, Ltd., EMB Ranchito, Ltd., Falcon International Bank, Las Nietas Saenz, LP, San Pedro Ranch, Ltd., 5SM, LP, Las Blancas Investments, Ltd., Javier Ramirez, ANB Cattle Co., Ltd., Olga R. Mercado, Fernando A. Salinas – El Banito Ranch, Ltd., Armando Viemann, Maria D. Guzman, Federico Pena, Hilda P. Trad Trust, Ramirez-Urbe Land, LP, Elsa

Pena Cass, Victor M. Ramirez, RADF Properties, LP, Diana R. Pena, Berta Estela R. Rodriguez, Anna Alicia P. Becerra, Lilia Leticia Pena de Borrego, Ricardo Salinas, the Estate of Maria Elena Salinas, Rebecca A. Salinas, Los Capones Ranch, LP, Las Hermanas Ranch, LP, Trevino Ranch, LP, Trevino Ranch Holdings, Benjamin M. Alexander (GAD 2012 GST Trust), M.M.A. Cattle Co., Inc., Richard W. Ruppert and Santa Cruz Properties, LTD., Reavis Farms, Inc., TPWD, Killam Ranch Properties, Ltd., Adan and Aida Olivarez, Thompson Family Partnership, Ltd., Carroll D. Stone et al, Rancho S.R. Ltd., W.B. Osborn, Jr. (Diamond O Ranch), James E. Myers, McCook Properties, Ltd., Las Islas Ranch, LP, Kelsey Ranch Partners, Ltd., Jones Carr Ltd., Jones Borregos Ltd., Hutchison (Texas) Ranch Ltd., Hobo Ranch, LLC, James R. and Ann Gibbs (San Pablito Ranch), Comanche Ranch Investments, LP, Michael Vickers, and Ricardo Villarreal filed motions to intervene. The Alliance filed an amended motion to intervene explaining that a number of individuals and entities filing separate motions to intervene were members of The Alliance intervenor group. Joe, Mary, and Daniel Sekula filed a motion to attend the December 19, 2012, prehearing conference by telephone.

23. On December 11, 2012, La Granada/La Fontana, Ray Garcia, Jr., Anna Maria Gonzalez Mendiola, and Cantu C-6 Ranch, LLC filed motions to intervene.
24. On December 12, 2012, Virginia Winn and El Clareño Properties, Ltd. filed motions to intervene.
25. On December 14, 2012, Viuda de Yzaguirre Ranch, LLC filed a motion to intervene and La Granada / La Fontana filed a corrected motion to intervene.
26. On December 17, 2012, Jack M. Wilhelm filed a motion to intervene.
27. On December 18, 2012, Commission Staff filed comments regarding ETT's notice, as required by SOAH Order No. 1, finding that ETT's notice and proof of notice complied with P.U.C. PROC. R. 22.52(a). Also on December 18, 2012, Starr Feed Yards, Inc. filed a motion to intervene.
28. On December 19, 2012, a prehearing conference was held and the ALJ, *inter alia*, ruled on motions to intervene filed up to that date. The same day, Eric Andrew Sepulveda filed a motion to intervene.

29. On December 20, 2012, SOAH issued Order No. 3, establishing a procedural schedule and deadlines for this docket, reiterating the requirement that parties file testimony and/or a statement of position, suspending traditional service requirements based on the large number of intervenors in this docket, granting pending motions and/or requests to intervene, requiring ETT to provide and update a map with the name and location of all persons and entities that filed a request to intervene in the docket by December 13, 2012, requiring ETT to provide additional notice of the Application in Spanish by one-time publication in area newspapers, and requiring that ETT update the Application in response to the non-material deficiencies noted by Commission Staff.
30. On December 27, 2012, Eric Gonzales filed a motion to intervene on behalf of GONART Investments Ltd.
31. On January 2, 2013, Jose Dodier (Don Jose Land & Cattle) filed a motion to intervene.
32. On January 2, 2013, ETT filed a motion to strike the interventions of 13 Hein, LLC, Robert Hein, Ramirez-Urbe Land, LP, Victor Ramirez, and Viuda de Yzaguirre Ranch LLC.
33. On January 3, 2013, pursuant to SOAH Order No. 3, ETT filed a supplement to the Application to address the two non-material deficiencies identified by Commission Staff. The same day, Victor M. Ramirez and Ramirez-Urbe Land, LP filed motions to withdraw their interventions.
34. On January 7, 2013, ETT filed an objection to the intervention of Jose Dodier (Don Jose Land & Cattle).
35. On January 8, 2013, TPWD filed a letter (dated January 4, 2013) containing its comments and recommendations related to ETT's Application. In addition, ETT filed a letter explaining that ETT and the parties had been served with a pleading from Edelmiro J. Martinez and Gladys G. Martinez entitled "Objections to Applicants Direct Testimony," which was not filed in the docket, and which appeared to be the Martinez' statement of position, rather than an objection to ETT's direct testimony.

36. On January 10, 2013, ETT filed an updated map reflecting the properties of those parties filing motions to intervene as of January 3, 2013, and a motion for protective order. The same day, Duke Energy filed a motion to intervene.
37. On January 11, 2013, SOAH issued Order No. 4, adopting a protective order for this proceeding. The same day Eli-Gar, Ltd. filed a motion to intervene.
38. On January 14, 2013, La Soledad Ranch, L.P. and The G.R.C. Land Holdings, Ltd. late-filed motions to intervene. In addition, Don Jose Land & Cattle Company, Ltd., L.L.P. filed a response to ETT's objection to its intervention.
39. On January 15, 2013, ETT filed an erratum correcting certain data reflected in Table 4-2 of the Environmental Assessment attached to its Application.
40. On January 16, 2013, SOAH issued Order No. 5, granting the late-filed interventions of Eric Andrew Sepulveda, GONART Investments, Ltd., and Don Jose Land & Cattle Company, Ltd., L.L.P., striking the interventions of 13 Hein, LLC, Robert Hein, and Viuda de Yzaguirre Ranch, LLC, noting that the interventions by Victor M. Ramirez and Ramirez-Uribe Land, LP were withdrawn, and ruling that the pleading filed by Edelmiro J. Martinez and Gladys G. Martinez entitled "Objections to Applicants Direct Testimony" would be treated as the statement of position by Martinez, rather than an objection to ETT's direct testimony. ETT filed an objection to the late-field intervention of Eli-Gar, Ltd.
41. On January 22, 2013, Eli-Gar, Ltd. filed a response to ETT's objection to its intervention.
42. The following Intervenors filed direct testimony: Javier Ledesma ((Ledesma, Barrera & Smith, LLC), Berta Villarreal Ramirez, Arabella G. Adame, Anna Maria Gonzalez Mendiola, Sterling Morris, EIA Properties, Ltd., McGill Ranch Ltd., The Alliance members (Comanche Maverick Ranch Investments, LP, Rudolf K. Reinecke, Dr. Michael L. Vickers, Patrick Cox, Carroll D. Stone, Kevin B. Stone, James R. Gibbs for San Pablito Ranch, Alfred P. West, Jr., and James E. Meyers), La Soledad Ranch, L.P. (Galo Garcia), El Clareño Properties, Ltd. (Humberto Vela, Jr.), Cantu C-6 Ranch, LLC, Starr Feed Yards, Inc., Blanca & Frank Barberio, Ltd. (Theresa L. Roberts), Falcon International Bank (Adolfo E. Gutierrez), Don Jose Land & Cattle Company, Ltd., L.L.P. (Jose O. Dodier, Jr.), Ricardo Ramiro Salinas (individually and on behalf of the Estate of

Maria Elena Salinas and Rebecca A. Salinas), Sylvia E. Vela (individually and on behalf of Siete Velas Cattle Co., Ltd. and Rancho Las Margaritas, Ltd.), RADF Properties, LP (Pedro Diaz), Fernando A. Salinas – El Ebanito Ranch, Ltd. (Javier Santos), Armando Vielmann (individually and on behalf of Olga R. Mercado, Diana R. Pena and Maria D. Guzman), ANB Cattle Co., Ltd. (Arturo Benavides, Jr.), Las Nietas Saenz, LP, San Pedro Ranch, Ltd., SSM, LP, and Las Blancas Investments, Ltd. (Pete Saenz, Jr.), Eric Gonzales (individually and on behalf of EPR Holdings, Ltd. and GONART Investments, Ltd.), Los Capones Ranch, LP, Las Hermanas Ranch, LP, Trevino Ranch, LP, and Trevino Ranch Holdings, LLC (Joe C. Martin IV), The G.R.C. Land Holdings (Cordelia Vela Oldham), GAD 2012 GST Trust and M.M.A. Cattle Co., Inc. (Benjamin M. Alexander), Gerardo Hinojosa, TPWD (Russell Hooten), Richard W. Ruppert and Santa Cruz Properties, LTD., Cristalinas Partners, Ltd., La Granada/La Fontana (Jerry Ahrens), Sheerin Real Properties, Ltd., L Bar L Cattle Co., LP, The Alliance (James McAllen, Sr. (individually and on behalf of McAllen Trusts Partnership, San Juanito Land Partnership, Ltd., El Rucio Land & Cattle Co., Inc., Rancho Los Novillos, LLC, and McAllen Communications Co., Inc.), James R. Dauphinais, Hobo Ranch LLC, William B. Osborn, III. (Diamond O Ranch), Las Islas Ranch, LP (including Kelsey Ranch Partners, Ltd., and McCook Partners, Ltd.), Jones Borrego, Ltd. (including Jones Carr, Ltd. and Thompson Family Partnership, Ltd.), EWF (Henry L. Whitman, Armando Alonzo, Timothy E. Fulbright, Patrick Condry, Larry Gurley, and Neal Wilkins), Killam Ranch Properties, Ltd. (Mark Mecke and Steve Marshall), OXY USA, Inc., Ricardo Villarreal, Edwin W. Frank, III (Tom Vaughn), Tres Mujeres, Ltd., Summers Ranchito, Ltd., EMB Ranchito, Ltd., Jacalon Ranch Company, Ltd. et al. (Harold L. Hughes, Jr., James P. Walker, and Al Allred), and Edelmiro J. Martinez.

43. The following Intervenor filed a statement of position: Dana Sue Bellamy, Berta Villarreal Ramirez, Ray Garcia, Jr., Mary Sekula, Guillermo Cavazos, El Negro Ranch, Ltd., Virginia J. Winn, Duke Energy Corp., and OXY USA, Inc.
44. On January 30, 2013, pursuant to SOAH Order No. 3, ETT filed an updated map reflecting the proposed routing links and approximate location of the property of all parties that intervened in this docket as of January 28, 2013. In addition, ETT provided a

cross-reference spreadsheet reflecting the intervenors, tract numbers, proposed routing links, and line segment associated with each intervenor.

45. On January 31, 2013, SOAH issued Order No. 6, granting the interventions of Duke Energy Corp., La Soledad Ranch, LP, and The G.R.C. Land Holdings, Ltd., dismissing intervenors that failed to file testimony or a statement of position by January 24, 2013, (Horacio and Norma Gonzalez, Elizabeth Lopez, Veronica Guitierrez Ivey, A. Humberto Alanis Gonzalez, Leonardo and Juanita F. Anzaldúa, Rene R. and Jose L. Laurel, Robert Stoll, Reavis Farms, Inc., Maricela S. Rodriguez, Adan and Aida Olivarez, Erik Andrew Sepulveda, and Eli-Gar, Ltd.), and permitting the withdrawal of counsel for intervenor El Negro Ranch, Ltd. The same day, EWF filed a motion to strike the intervention of La Granada/La Fontana and the direct testimony of La Granada/La Fontana, Richard Ruppert and Santa Cruz Properties, LTD., and OXY USA, Inc. In addition, ETT filed a motion to strike portions of the direct testimony and/or exhibits of EWF (Patrick Condy), Cristalinas Partners, Ltd. (James M. Pettus, III.), James McAllen, Sr., and James R. Gibbs.
46. On February 4, 2013, Commission Staff filed the direct testimony of Mr. Michael J. Lee. The same day, EWF filed a response to ETT's objections to the direct testimony of Patrick Condy.
47. On February 5, 2013, Cristalinas Partners, Ltd. filed a response to ETT's objections to the direct testimony of James M. Pettus, La Granada/La Fontana filed a response to EWF's objections to the direct testimony of Jerry Ahrens, Santa Cruz Properties filed a response to EWF's objections to the direct testimony of Richard Ruppert, and OXY USA, Inc. filed a response to EWF's objections to the direct testimony of Thomas J. Payton.
48. On February 8, 2013, SOAH issued Order No. 7, dismissing additional intervenors that failed to file either testimony or a statement of position by January 24, 2013, (Javier Ramirez, Frederico Pena, Hilda P. Trad Trust, Elsa Pena Cass, Anna Alicia P. Becerra, and Lilia Leticia Pena de Borrego) and requesting that ETT create new maps including intervenor property boundaries, clearly marked links of at least 10-point font, airstrips, airports, heliports, roads, highways, parallel rights of way, pipelines, other transmission lines, rivers, streams, lakes, a mileage scale, and the route recommended by ETT.

49. On February 12, 2013, Ricardo Villarreal, OXY USA, Inc., and EWF (Mark Turnbough) filed cross-rebuttal testimony. The same day, ETT filed a statement of position and the rebuttal testimony of Rob R. Reid, Daniel R. Robinson, and Kenneth R. Haley.
50. On February 14, 2013, EWF filed an erratum to the direct testimony of Larry Gurley.
51. On February 15, 2013, SOAH issued Order No. 8, denying ETT's objections to the direct testimony of EWF and Cristalinas Partners, Ltd., sustaining ETT's objections as to Exhibits R, S, T, and U to the direct testimony of James McAllen, Sr., partially sustaining ETT's objections to Mr. James R. Gibbs, overruling EWF's objections to OXY USA, Inc.'s direct testimony, partially overruling EWF's objections to the direct testimony of Richard Ruppert and Santa Cruz Properties, LTD., partially overruling EWF's objections to the direct testimony of La Granada / La Fontana (Jerry Ahrens), and denying EWF's motion to strike the intervention of La Granada / La Fontana. The same day, The Alliance filed a "Joint Statement of Position of Agreed Parties" reflecting the agreement or non-opposition of numerous parties to and requesting Commission consideration of "Route 18A," a variation on ETT's alternative route RBNE-18. The Alliance also filed objections to the rebuttal testimony of Rob R. Reid.
52. On February 19, 2013, the hearing on the merits was convened. The parties waived all cross-examination and evidence was admitted into the record. The ALJs overruled The Alliance's objections to the rebuttal testimony of Rob R. Reid. Following the admission of evidence, the Administrative Law Judges adjourned the hearing to provide the parties time to conduct settlement negotiations. The same day, ETT filed an additional proof of notice indicating that, pursuant to SOAH Order No. 3, notice of the Application was published in Spanish in newspapers having general circulation in Webb, Zapata, Jim Hogg, Brooks, Starr, and Hidalgo Counties, Texas, as confirmed by attached publishers' affidavits. In addition, The Alliance filed a supplement to its Joint Statement of Position of Agreed Parties indicating the addition of five new signatories to that position statement. Finally, M.M.A. Cattle Co., Inc. and Guillermo Cavazos filed a "Joint Statement of Position Concerning the Lobo to Rio Bravo Segment" indicating the support or non-opposition of certain parties to an alternative route referred to as the "LRB Settlement Route."

53. On April 8, 2013, ETT filed the LRB Stipulation, the RBNE Stipulation, and a proposed order with findings of fact and conclusions of law, and requested remand of the proceeding from SOAH to the Commission.
54. No party opposed the LRB Stipulation or the RBNE Stipulation.
55. On April 12, 2013, SOAH issued Order No. 9, admitting additional evidence into the record, returning the case to the Commission and dismissing the matter from the SOAH docket.
56. Good cause exists for the Commission to extend the 180-day deadline for deciding this transmission line application that has been designated critical to reliability pursuant to P.U.C. SUBST. R. 25.101(b)(3)(D).

Application/Project Description

57. The Project is a double-circuit capable 345-kV transmission line constructed on single-pole structures, comprised of two segments and two new substation facilities to accommodate series capacitors that will be installed on the proposed line. The LRB segment will be constructed from the existing ETT Lobo Substation outside of Laredo, Texas and will extend to a new series capacitor substation near the existing AEP TCC Rio Bravo Substation in Webb County. The RBNE segment will extend from the new substation near the Rio Bravo Substation and terminate at the AEP TCC North Edinburg Substation. The second series capacitor substation will be located closer to the North Edinburg Substation at a location to be determined during the final engineering phase of the Project. The RBNE segment will cross through portions of Webb, Zapata, Starr, and Hidalgo Counties.
58. In the Application, ETT proposed 13 alternative routes for the LRB segment and 19 alternative routes for RBNE segment.
59. Consistent with ETT's December 7, 2012 proof of notice, Commission Staff's comments filed on December 18, 2012, finding that notice was adequate, and ETT's February 19, 2013 proof of notice related to the required supplemental notice publication in Spanish specified in SOAH Order No. 3, the Commission finds that notice was adequate.

60. Based on the evidence filed, Commission Staff's November 15, 2012 comments finding that ETT's Application is sufficient, and ETT's supplementation of its Application pursuant to SOAH Order No. 3 to address certain non-material deficiencies, the Commission finds that ETT's Application is sufficient.

Routes

Routing of the Proposed Transmission Line Project

61. ETT retained POWER Engineers, Inc. (POWER) to prepare an Environmental Assessment for both segments of the Project.
62. ETT considered and submitted a sufficient number of geographically diverse routes for both segments of the Project.
63. The LRB routes that were filed in the Application ranged from 22.1 miles to 43.9 miles in length. The length of the "LRB Stipulation Route" discussed below is approximately 28.5 miles.
64. The RBNE routes that were filed in the Application ranged from 115.7 miles to 144.5 miles in length. The length of the "RBNE Stipulation Route" discussed below is approximately 127.5 miles.
65. The LRB Stipulation Route and the RBNE Stipulation Route are depicted on Attachment I to this Order. The LRB Signatories agree that the Commission should approve the LRB Stipulation Route on the following links described in the Application, as modified in the LRB Stipulation: A2-A5-A9-A12-A11-A10-A16-A22-A28-A30-A31-A43-C6-C7. The RBNE Signatories agree that the Commission should approve the RBNE Stipulation Route on the following links described in the Application, as modified in the RBNE Stipulation: B1, B12, B14, B19, B23, B69, B72, B115, B186, B198, B123, B125, B150, B142, B146, B157, B162, B164, B168, B172, B173, B182, and B185.
66. The LRB and RBNE Stipulation Routes are comprised of noticed links, with some minor modifications, that were filed in the Application.
67. Intervenor have all agreed to or do not oppose the Stipulation Routes with the modifications described in the Stipulations.

68. There is one landowner, Mary Kathryn Harris, who was not a party to the proceeding who is directly affected by Stipulation Route RBNE. Her affidavit agreeing to the routing modification and acknowledging receipt of notice is attached to the Stipulation as Attachment E.
69. The LRB and RBNE Stipulation Routes are viable, feasible, and reasonable routes from environmental, engineering, and cost perspectives.
70. Consistent with the LRB and the RBNE Stipulations, the Project will be constructed on the LRB Stipulation Route for the LRB segment and the RBNE Stipulation Route for the RBNE segment.
71. The LRB Stipulation Route and the RBNE Stipulation Route comply with all aspects of § 37.056 of the Public Utility Regulatory Act, TEX. UTIL. CODE, ANN. §§ 11.001-16.006 (Vernon 2007 & Supp. 2012) (PURA) and P.U.C. SUBST. R. 25.101.
72. To the extent that alternative routes or facility configurations have been incorporated into the RBNE and LRB Stipulations due to individual landowner preference, the affected landowners have made adequate contributions to offset any additional cost associated with the accommodations by agreeing to a route across their property. Such accommodations to landowners have not diminished the electric efficiency or reliability of the Project.
73. No party to this docket contests the LRB Stipulation Route or RBNE Stipulation Route.

Community Values

74. ETT, with the assistance of POWER, held five open-house meetings to solicit public input about the Project. Notices of the public open-house meetings were published in the local newspapers in Laredo, Zapata, Hebbronville, Roma, and McAllen one or two weeks before the open-house meetings. Direct notice in both English and Spanish was mailed to owners of approximately 4,200 properties within 500 feet of the centerline of the routes being presented at the open-house meetings. Names and addresses of the property owners were obtained from the tax rolls in the counties traversed by the preliminary alternative routes.

75. Information received from the public open-house meetings and from local, state and federal agencies was considered and incorporated into both POWER's routing analysis and the eventual selection by ETT of alternative routes, including those identified by ETT as best meeting the requirements of PURA and the Commission's Rules.
76. There are no commercial AM radio transmitters located within 10,000 feet of the centerline of the LRB Stipulation Route. There are no commercial AM radio transmitters located within 10,000 feet of the centerline of the RBNE Stipulation Route.
77. There is one FAA-registered airport with a runway more than 3,200 feet in length within 20,000 feet of the LRB Stipulation Route. There are no private, unnamed airstrips within 10,000 feet of the LRB Stipulation Route. There are no heliports within 5,000 feet of the LRB Stipulation Route. There are four FAA-registered airports with at least one runway each of more than 3,200 feet in length within 20,000 feet of the RBNE Stipulation Route. There are no private, unnamed airstrips within 10,000 feet of the RBNE Stipulation Route. There are no heliports within 5,000 feet of the RBNE Stipulation Route.
78. There are no significant impacts to any airports, airstrips, or heliports anticipated from construction of the Project.
79. The LRB Stipulation Route traverses no pasture or cropland irrigated by traveling irrigation systems. The RBNE Stipulation Route traverses no pasture or cropland irrigated by traveling irrigation systems.
80. Commission Staff recommends that ETT cooperate with directly affected landowners to implement minor deviations in the approved route to minimize the impact of the Project.

Recreational and Park Areas

81. No parks or recreational areas are located within 1,000 feet of the centerline of the LRB Stipulation Route. One park or recreational area is located within 1,000 feet of the centerline of the RBNE Stipulation Route.

Historical Values

82. The Project is not expected to have a significant impact on historical or archaeological resources.

83. The LRB Stipulation Route crosses or comes within 1,000 feet of one known cultural resource site. Approximately 17.1 miles of the LRB Stipulation Route crosses areas of high archeological site potential. The RBNE Stipulation Route crosses or comes within 1,000 feet of 16 known cultural resource sites. Approximately 73.8 miles of the RBNE Stipulation Route cross areas of high archeological site potential.
84. Commission Staff recommends that, in the event ETT or its contractors encounter any artifacts or other cultural resources during project construction, work shall cease immediately in the vicinity of the resource and the discovery shall be reported to the Texas Historical Commission (THC). The utility will take action as directed by the THC.

Aesthetic Values

85. The LRB Stipulation Route is not within the foreground visual zone of any parks or recreation areas. The RBNE Stipulation Route is not within the foreground visual zone of any parks or recreation areas.
86. Approximately 1.1 miles of the LRB Stipulation Route are located within the foreground visual zone of U.S. and state highways. Approximately 8.1 miles of the RBNE Stipulation Route are located within the foreground visual zone of U.S. and state highways.

Environmental Integrity

87. ETT retained POWER to prepare an Environmental Assessment for the Project.
88. POWER contacted the United States Fish and Wildlife Service (USFWS) and the TPWD to obtain information regarding the possibility of encountering any endangered or threatened species in the area affected by the Project.
89. POWER studied and analyzed potential impacts to water resources, ecology (including endangered/threatened vegetation and fish and wildlife), and land use within the study areas for both segments of the Project.
90. ETT and POWER appropriately performed an evaluation of the impacts of the Project on endangered and threatened species.

91. No significant impacts to wetland resources, ecological resources, endangered and threatened species, or land use are anticipated as a result of the construction of the Project.
92. Construction of the Project will have no significant impact on geological features or resources of the area.
93. To protect raptors and migratory birds, Commission Staff recommends that ETT follow the procedures outlined in the following publications for protecting raptors: *Suggested Practices for Avian Protection on Power Lines: The State of the Art in 2006*, Avian Power Line Interaction Committee (APLIC), 2006 and the *Avian Protection Plan Guidelines* published by APLIC in April, 2005.
94. Commission Staff recommends that ETT minimize the amount of flora and fauna disturbed during construction of the Project, except to the extent necessary to establish appropriate right-of-way clearance for the Project. In addition, ETT shall revegetate using native species and shall consider landowner preferences in doing so. Furthermore, to the maximum extent practicable, ETT shall avoid adverse environmental impacts to sensitive plant and animal species and their habitats as identified by TPWD and USFWS.
95. Commission Staff recommends that ETT implement erosion control measures as appropriate and return each affected landowner's property to its original contours unless otherwise agreed to by the landowners. ETT shall not be required to restore original contours and grades where different contour or grade is necessary to ensure the safety or stability of the project's structures or the safe operation and maintenance of the line.
96. Commission Staff recommends that ETT exercise extreme care to avoid affecting non-targeted vegetation or animal life when using chemical herbicides to control vegetation within the right-of-way.
97. Commission Staff recommends that ETT use best management practices to minimize the potential impact to migratory birds and threatened or endangered species.

Compatible Corridors

98. The approved route segments use or parallel existing compatible corridors (including apparent property boundaries and existing transmission lines) to a reasonable extent.

Prudent Avoidance

99. The proposed transmission line has been routed in accordance with the Commission's policy of prudent avoidance.
100. Prudent avoidance is achieved by minimizing, to the extent reasonable, the number of habitable structures located in close proximity to the routes.
101. ETT and its consultant POWER Engineers used a constraints mapping process to identify and reduce the impact of the proposed line on various constraints, including habitable structures. Open house input further reduced the impact of the proposed line on habitable structures.
102. ETT considered and avoided, to the extent reasonable, population centers and other locations where people gather and live when routing all of its proposed routes for the project.
103. There are no habitable structures located within 500 feet of the centerline of the LRB Stipulation Route. There were originally 23 habitable structures identified to be within 500 feet of the centerline of the RBNE Stipulation Route; however, minor modifications in the route will result in only 21 habitable structures within 500 feet of the centerline of the RBNE Stipulation Route.

Estimated Costs

104. The estimated cost for the 13 LRB routes that were filed in the Application ranged from \$42,896,000 to \$79,042,000, with an average cost of approximately \$54,783,000. The estimated cost for the transmission line along the LRB Stipulation Route is \$52,400,000.
105. The estimated cost for the LRB Stipulation Route is within the range of cost estimates for the various LRB Routes proposed by ETT.
106. The estimated cost for the 19 RBNE routes that were filed in the Application ranged from \$221,716,000 to \$285,845,000 with an average cost of approximately \$260,002,000. The estimated cost for the transmission line along the RBNE Stipulation Route is \$265,130,000 including certain triple-circuit construction as described below and other modifications set out in the RBNE Stipulation.

107. The estimated cost for the RBNE Stipulation Route is within the range of cost estimates for the various RBNE Routes proposed by ETT.
108. As part of the RBNE Stipulation, ETT has agreed, and has obtained the agreement of AEP Texas Central Company (AEP TCC), to utilize triple-circuit structures to co-locate portions of an existing 138-kV AEP TCC transmission line on ETT's new 345-kV line on the properties of certain Signatories and related landowners on the RBNE Stipulation Route. The estimated incremental cost of the co-location of the AEP TCC 138-kV line on ETT's new 345-kV line is approximately \$13,997,000, of which approximately \$10,357,000 will be incurred by ETT and approximately \$3,640,000 will be incurred by AEP TCC. These costs are included in the estimated cost of the RBNE Stipulation Route identified above.
109. The RBNE and LRB Stipulations also contain certain other minor route modifications based on agreements between ETT and certain Intervenors and affected landowners.
110. As part of the RBNE Stipulation, ETT has also obtained the agreement of AEP TCC to bury a AEP TCC distribution line for approximately 4,500 feet along the southern boundary of La Fontana Farms to accommodate concerns expressed by La Fontana Farms regarding the potential impact of the ETT transmission line on the ability to perform aerial application of pesticides on the Farm.
111. The cost of new and upgraded substations is estimated to be \$80,127,000. ETT will incur approximately \$68,795,000 to upgrade the existing Lobo Substation and to construct two new substations to accommodate the series compensation equipment. AEP TCC will incur approximately \$11,332,000 to upgrade the existing North Edinburg Substation and up to six other existing distribution substations.
112. The total estimated cost for the Project, including new and upgraded substations, is \$397,657,000. The estimated cost for this Project is reasonable when compared to similar projects.

Need for the Proposed Transmission Line

113. As described in the October 11, 2011 Electric Reliability Council of Texas (ERCOT) Board Endorsement Letter filed as ETT Exhibit PH-3 to the direct testimony of Paul

Hassink, the Project has been deemed critical to the reliability of the ERCOT System pursuant to P.U.C. SUBST. R. 25.101(b)(3)(D).

TPWD's Comments and Recommendations

114. TPWD filed a comment letter in this docket on January 4, 2013 and the Direct Testimony of Russell Hooten on January 23, 2013.
115. No modifications to the Project are required as the result of the recommendations and comments made by TPWD.
116. The letter and testimony primarily addressed mitigation of potential impacts to wildlife and natural resources. This Order addresses only those TPWD recommendations and comments for which there is record evidence.
117. ETT has agreed to comply with TPWD's recommendations to the extent possible, consistent with the need to complete the project in a timely and cost-effective manner.
118. TPWD's January 4, 2013, letter recommends that the Commission review and consider recommendations in previous TPWD correspondence dated January 19, 2012. ETT follows many of the recommendations in TPWD's January 19, 2012, letter relating to the use of existing right-of-way, revegetation of disturbed areas, avoiding impacts to water resources, erosion controls, and avoiding potential impacts to endangered species.
119. TPWD's January 4, 2013, letter recommends that the Commission avoid considering the absence of data in the Texas Natural Diversity Database (TXNDD) as an indication of absence of rare/endangered species on the landscape, but utilities do not gain access to private property until after a route is approved by the Commission. As a result, ETT's application identifies known/occupied areas of endangered or threatened species habitat, based on information in the TXNDD database and other available information.
120. Once a route is approved by the Commission and ETT obtains access to the property along that route, it can undertake on-the-ground measures to identify whether there is potential endangered or threatened species habitat and respond appropriately if such habitat is identified.
121. TPWD recommends that the proposed transmission line follow existing disturbed corridors or run parallel to such corridors whenever possible to minimize fragmentation

of wildlife habitat. TPWD also recommends that the Commission select routes that would minimize adverse impacts to natural resources such as Route LRB-12 and Route RBNE-10 or RBNE-12.

122. The LRB Stipulation Route and the RBNE Stipulation Route reasonably balance the variety of factors the Commission must consider in selecting transmission line routes, some of which favor the use of previously-disturbed areas (such as paralleling existing right-of-way and property lines) and some of which do not (such as avoiding habitable structures).
123. ETT will implement TPWD recommendations that state-listed threatened species observed during construction be allowed to leave the site or be relocated to a suitable nearby area; that, with landowner approval, rare species occurrence information discovered by ETT be submitted to the TXNDD; that disturbed habitat of such species be revegetated with suitable vegetation; and that cleared trees be used to construct brush piles and sparse clumps of low-growing shrubs be allowed to encroach the right of way to provide cover for wildlife, consistent with the need to complete the project in a timely and cost-effective manner.
124. TPWD's recommendation that ETT prepare a mitigation plan with a 1:1 replacement ratio for impacted habitats could significantly increase the cost of the Project. The Commission has not typically imposed such a requirement in previous transmission line CCN cases. ETT will revegetate impacted areas with native species, in accordance with Ordering Paragraph 6 of this Order.
125. Implementation of the measures set forth in the ordering paragraphs in this Order to minimize the impact of line construction on wildlife, including following certain procedures for protecting raptors, using extreme care in the application of chemical herbicides, minimizing disruption of flora and fauna, and revegetating with native species following completion of construction, combined with ETT's mitigation practices set out in the application and its testimony and with ETT's agreement to adopt TPWD's recommendations set forth in finding of fact 127, will sufficiently address the concerns expressed by TPWD in its recommendations and comments.

126. The following TPWD recommendations or comments are not adopted for the issuance of a final order in this docket because they are not necessary or are not operationally practicable: (a) that impacts associated with habitat loss and fragmentation be examined further before a route is selected; (b) that ETT have a biological monitor on hand during clearing and construction activities to protect state-listed reptile species; and (c) that any route selected be surveyed by a qualified botanist familiar with rare plants of South Texas prior to construction.

II. Conclusions of Law

1. ETT is an electric utility as defined in §§ 11.004 and 31.002(6) of the Public Utility Regulatory Act, TEX. UTIL. CODE ANN. §§ 11.001-66.016 (Vernon 2007 & Supp. 2012) (PURA).
2. The Commission has jurisdiction over this matter pursuant to PURA §§ 14.001, 32.001, 37.051, 37.053, 37.054, and 37.056.
3. SOAH had jurisdiction over this proceeding pursuant to PURA § 14.053 and TEX. GOV'T CODE ANN. § 2003.049 (Vernon 2008 & Supp. 2012).
4. ETT provided proper notice of the Application in compliance with PURA § 37.054 and P.U.C. PROC. R. 22.52(a).
5. ETT's Application is sufficient and ETT's notice was adequate.
6. This docket was processed in accordance with the requirements of PURA, the Administrative Procedure Act, TEX. GOV'T CODE ANN. Chapter 2001 (Vernon 2012), and Commission rules.
7. ETT is entitled to approval of the Application, as described in the findings of fact, utilizing Stipulation Route LRB and Stipulation Route RBNE, taking into consideration the factors set out in § 37.056(c)(4)(A)-(D) and (F) of PURA.
8. Stipulation Route LRB and Stipulation Route RBNE comply with the routing factors in PURA § 37.056 and P.U.C. SUBST. R. 25.101, including the Commission's policy of prudent avoidance.

9. The project is necessary for the service, accommodation, convenience or safety of the public within the meaning of PURA §37.056(a), taking into consideration the applicable factors set out in PURA § 37.056(c).
10. Consistent with ERCOT's determination that the Project is critical to the reliability of the ERCOT System pursuant to P.U.C. SUBST. R. 25.101(b)(3)(D), the Project is necessary for the service, accommodation, convenience, or safety of the public, consistent with PURA § 37.056(a).
11. No issue is presented by the application that is subject to P.U.C. SUBST. R. 25.102 (Coastal Management Program).
12. The approved route adheres to the Commission's "prudent avoidance" policy contained in P.U.C. SUBST. R. 25.101(a)(4) and (b)(3)(iv).
13. The application does not constitute a major rate proceeding as define by P.U.C. PROC. R. 22.2.
14. The requirements for informal disposition under P.U.C. PROC. R. 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 order:

1. Consistent with the Stipulations, ETT's Application is approved.
2. Consistent with the Stipulations, ETT's CCN Nos. 30193 and 30194 are amended to include the construction and operation of the transmission facilities requested in the Application. ETT will use the LRB Stipulation Route comprised of segments A2, A5, A9, A12, A11, A10, A16, A22, A28, A30, A31, A43, C6, and C7, approximately 28.5 miles in length, and the RBNE Stipulation Route comprised of segments B1, B12, B14, B19, B23, B69, B72, B115, B186, B198, B123, B125, B150, B142, B146, B157, B162, B164, B168, B172, B173, B182, and B185, approximately 127.5 miles in length, both as described in the Stipulations and depicted in Attachment 2 to this Order.

3. In the event ETT or its contractors encounter any archaeological artifacts or other cultural resources during construction of the transmission line, ETT shall cease work immediately in the vicinity of the resource and report the discovery to the THC and take action as directed by the THC.
4. ETT shall follow the procedures outlined in the following publications for protecting raptors: *Suggested Practices for Avian Protection on Power Lines: The State of the Art in 2006*, Avian Power Line Interaction Committee (APLIC), 2006 and the *Avian Protection Plan Guidelines* published by APLIC in April, 2005. ETT shall take precautions to avoid disturbing occupied nests and will take steps to minimize the impact of construction on migratory birds during the nesting season of the migratory bird species identified in the area of construction.
5. ETT shall exercise extreme care to avoid affecting non-targeted vegetation or animal life when using chemical herbicides to control vegetation within the right-of-way, and shall ensure that such herbicide use complies with the rules and guidelines established in the Federal Insecticide, Fungicide and Rodenticide Act and with the Texas Department of Agriculture regulations.
6. ETT shall minimize the amount of flora and fauna disturbed during construction of the transmission line, except to the extent necessary to establish appropriate right-of-way clearance for the transmission line. In addition, ETT shall re-vegetate using native species considering landowner preferences and wildlife needs in doing so. Furthermore, to the maximum extent practicable, ETT shall avoid adverse environmental impacts to sensitive plant and animal species and their habitats as identified by TPWD and the USFWS.
7. ETT shall implement erosion control measures as appropriate. Said erosion control measures may include inspection of the right-of-way before and during construction to identify erosion areas and implement special precautions as determined reasonable to minimize the impact of vehicular traffic over the areas. ETT will also exercise care when clearing near waterways and will take reasonable steps to minimize adverse impacts on vegetation. ETT shall return each affected landowner's property to its original contours and grades unless otherwise agreed to by the landowner or landowner's representative.

ETT shall not be required to restore original contours and grades where different contour or grade is necessary to ensure the safety or stability of the project's structures or the safe operation and maintenance of the line.

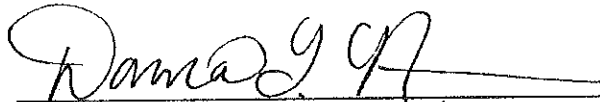
8. ETT shall use best management practices to minimize the potential impact to migratory birds and threatened or endangered species.
9. ETT shall cooperate with directly affected landowners to implement minor deviations in the approved route to minimize the impact of the transmission line. Any minor deviations in the approved route shall only directly affect landowners who received notice of the transmission line in accordance with P.U.C. PROC. R. 22.52(a)(3) or who have waived notice and agreed to accept the transmission line across their property, and shall directly affect only those landowners that have agreed to the minor deviation, excluding public right of ways.
10. ETT shall be permitted to deviate from the approved route in any instance in which the deviation would be more than a minor deviation, but only if the following two conditions are met. First, ETT shall receive consent from all landowners who would be affected by the deviation regardless of whether the affected landowner received notice of or participated in this proceeding. Second, the deviation shall result in a reasonably direct path towards the terminus of the line and not cause an unreasonable increase in cost or delay the project. Unless these two conditions are met, this paragraph does not authorize ETT to deviate from the approved route except as allowed by the other ordering paragraphs in this Order.
11. ETT shall update the reporting of this Project on their monthly construction progress report prior to the start of construction to reflect final estimated cost and schedule in accordance with P.U.C. SUBST. R. 25.83(b). In addition, ETT shall provide final construction costs, with any necessary explanation for cost variance, after completion of construction and when all charges have been identified.
12. Resolution of this docket was the product of negotiation and compromise between the parties. Entry of this Order consistent with the LRB and RBNE Stipulations does not indicate the Commission's endorsement or approval of any principle or methodology that may underlie those Stipulations. Entry of this Order consistent with the LRB and RBNE

Stipulations shall not be regarded as binding holding or precedent as to the appropriateness of any principle that may underlie those Stipulations.

13. All other motions, requests for entry of specific findings of fact or conclusions of law, and any other requests for general or specific relief, if not expressly granted herein, are denied.

SIGNED AT AUSTIN, TEXAS on the 9th day of May 2013.

PUBLIC UTILITY COMMISSION OF TEXAS



DONNA L. NELSON, CHAIRMAN



KENNETH W. ANDERSON, JR., COMMISSIONER

SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

APPLICATION OF ELECTRIC
TRANSMISSION TEXAS, LLC TO
AMEND ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY
FOR THE PROPOSED LOBO TO RIO
BRAVO TO NORTH EDINBURG
DOUBLE-CIRCUIT 345-KV
TRANSMISSION LINE IN WEBB,
ZAPATA, JIM HOGG, BROOKS,
STARR, AND HIDALGO COUNTIES

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BEFORE THE
STATE OFFICE OF
ADMINISTRATIVE HEARINGS

**STIPULATION CONCERNING THE
LOBO TO RIO BRAVO SEGMENT**

This Stipulation (Stipulation) is intended to represent the agreement among all the parties in this proceeding impacted by the routing of the proposed transmission line from the Lobo Station to the Rio Bravo Station (the LRB Segment) to support the Commission's selection of the Electric Transmission Texas, LLC (ETT) proposed LRB Stipulation Route set out below for the LRB Segment of the project. This Stipulation is made and entered into by all of the parties that have signed this Stipulation below. Collectively, the parties signing this Stipulation are referred to as the "Signatories."

I. Background

1. On October 25, 2012, ETT (Applicant) filed an application (Application) to amend its CCNs to allow it to build, own, and operate a new double-circuit 345-kV transmission line in Webb, Zapata, Jim Hogg, Brooks, Starr and Hidalgo Counties, Texas.

2. The transmission line will consist of two segments, the LRB Segment and the Rio Bravo to North Edinburg Segment.

3. Discussions between the Signatories have resulted in this Stipulation concerning the route for the LRB Segment.

4. The Signatories desire to capture the benefits of the Stipulation, for which all Signatories express their support, and to resolve all issues regarding the routing of the LRB Segment and, therefore, agree as follows:

II. Agreement

5. The Signatories agree that the Commission should approve the LRB Stipulation Route on the following links as described in the Application: A2-A5-A9-A12-A11-A10 (modified as shown on Attachment B)-A16-A22-A28-A30-A31-A43-C6-C7. A map depicting the LRB Stipulation Route is attached as Attachment A. A map depicting the course of Link A10 of the LRB Stipulation Route across the property of Intervenor Guillermo Cavazos is attached as Attachment B.

6. The Signatories request that the Commission approve and implement this Stipulation and, when the order is issued granting Applicant's requested amendment to its certificates of convenience and necessity (CCN) for the transmission line, that such order approves the LRB Stipulation Route for the LRB Segment.

III. Other Provisions

7. This Stipulation is binding on each Signatory only for the purpose of settling the issues herein and for no other purpose. Nothing in this Stipulation serves to grant any property interest, including without limitation, an easement to ETT for the right-of-way for the LRB Stipulation Route. Nothing herein shall be construed as an admission by any party regarding the desirability of the transmission line or the LRB Stipulation Route or the impact of the transmission line or the LRB Stipulation Route on their property generally or its market value specifically. Except to the extent that the Stipulation expressly governs a Signatory's rights and obligations for future periods, the Stipulation shall not be binding or precedential on a Signatory in any other proceeding except a proceeding to enforce the terms of the Stipulation. The

Signatories acknowledge and agree that a Signatory's support of the matters contained in this Stipulation may differ from its position or testimony in dockets and cases not referenced in this Stipulation. To the extent that there is a difference, a Signatory does not waive its position in such other dockets and cases.

8. The Signatories have entered into this Stipulation in the interest and spirit of settlement and therefore agree that the provisions of the Stipulation shall be subject to final approval by the Commission. The Signatories, moreover, agree to entry of a final order of the Commission consistent with this Stipulation.

9. This Stipulation represents a compromise, settlement and accommodation among the Signatories, and all Signatories agree that the terms and conditions herein are interdependent and no Signatory shall be bound by a portion of this Stipulation outside the context of the Stipulation as a whole. If the Commission materially changes the terms of this Stipulation or issues a final order inconsistent with a material term of this Stipulation, the Signatories agree that any Signatory adversely affected by that material alteration has the right to withdraw its consent to this Stipulation, thereby becoming released from its commitments and obligations arising hereunder and to proceed as otherwise permitted by law to exercise all rights available under law. Such a right to withdraw must be exercised by providing the other Signatories written notice within 20 calendar days of the date the Commission files its order acting on this Stipulation. Failure to provide such notice within the specified time period shall be deemed a waiver of the right to withdraw and, therefore, approval of any material changes to this Stipulation made by the Commission. The Signatories separately reserve the right to appeal in the event the Commission enters a final order that materially deviates from this Stipulation.

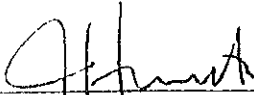
10. Pursuant to Texas Rule of Evidence 408, if any Signatory withdraws its consent from this Stipulation in accordance with the preceding paragraph and this matter proceeds to an evidentiary hearing, oral and written statements made during settlement negotiations, including the terms of this Stipulation as it pertains to the withdrawing Signatory, shall not be admissible in evidence in such a hearing.

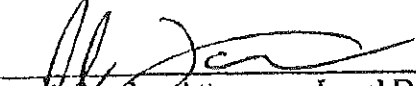
11. The Signatories have agreed that the transmission line should be constructed along the route described in this Stipulation. The route may be modified by agreement of ETT and affected landowners, in accordance with the ordering paragraphs in the Commission's order related to route modification.

12. Each person executing this Stipulation warrants that he or she is authorized to sign this Stipulation on behalf of the Signatory represented. Facsimile copies of signatures are valid for purposes of evidencing such execution. The Signatories may sign individual signature pages to facilitate the circulation and filing of the original of this Stipulation.

13. This Stipulation is effective and dated as of the date shown below.

Dated this 8th day of April, 2013.



Jerry N. Miertha, Attorney
Electric Transmission Texas, LLC

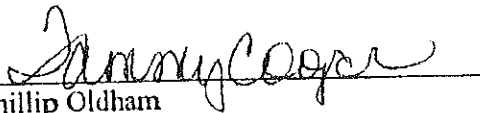
Jacob Lawler, Attorney – Legal Division
Public Utility Commission of Texas

SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
LOBO TO RIO BRAVO SEGMENT

By signature of counsel below, OXY USA Inc. supports the Stipulation Concerning the Lobo to Rio Bravo Segment.

By: 
Phillip Oldham
Tammy Cooper
Katherine Coleman
ANDREWS KURTH LLP

Date: 4/3/13

Attorneys for OXY USA Inc.

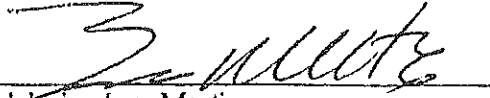
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PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
LOBO TO RIO BRAVO SEGMENT

By signature below, Edelmiro Jose and Gladys Martinez support the Stipulation Concerning the
Lobo to Rio Bravo Segment.

By:


Edelmiro Jose Martinez

Date:

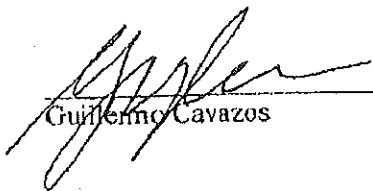
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SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
LOBO TO RIO BRAVO SEGMENT

By signature below, Guillermo Cavazos supports the Stipulation Concerning the Lobo to Rio Bravo Segment.


Guillermo Cavazos

Date: Feb 25, 2013

306-750-7642

SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
LOBO TO RIO BRAVO SEGMENT

By signature of counsel below, Killam Ranch Properties, Ltd. supports the Stipulation Concerning the Lobo to Rio Bravo Segment.

By: _____

Dan Miller

Clark Jobe

MCELROY, SULLIVAN, MILLER, WEBER, & OLMSTEAD, L.L.P.

Date: _____

2-14-13


Attorneys for Killam Ranch Properties, Ltd.

SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
LOBO TO RIO BRAVO SEGMENT

By signature of counsel below, James Patrick Walker, individually, Huisache Lands & Minerals, Ltd., and Vaquillas Ranch Co. Ltd. support the Stipulation Concerning the Lobo to Rio Bravo Segment.

By: 
Elizabeth Drews
BROWN MCCARROLL, L.L.P.

Date: Feb 26, 2013

Attorneys for James Patrick Walker,
individually, Huisache Lands &
Minerals, Ltd., and Vaquillas Ranch Co.
Ltd.

SOAH DOCKET NO. 473-13-0846

PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
LOBO TO RIO BRAVO SEGMENT

By signature of counsel below, Falcon International Bank; ANB Cattle Co., Ltd.; SSM, LP; Las Blancas, Investments, Ltd.; Las Nietas Saenz, LP; San Pedro Ranch, Ltd.; Los Capones Ranch, L.P.; Las Hermanas Ranch, L.P.; Trevino Ranch, L.P.; Trevino Ranch Holdings, LLC; and M.M.A. Cattle Co. Inc. support the Stipulation Concerning the Lobo to Rio Bravo Segment.

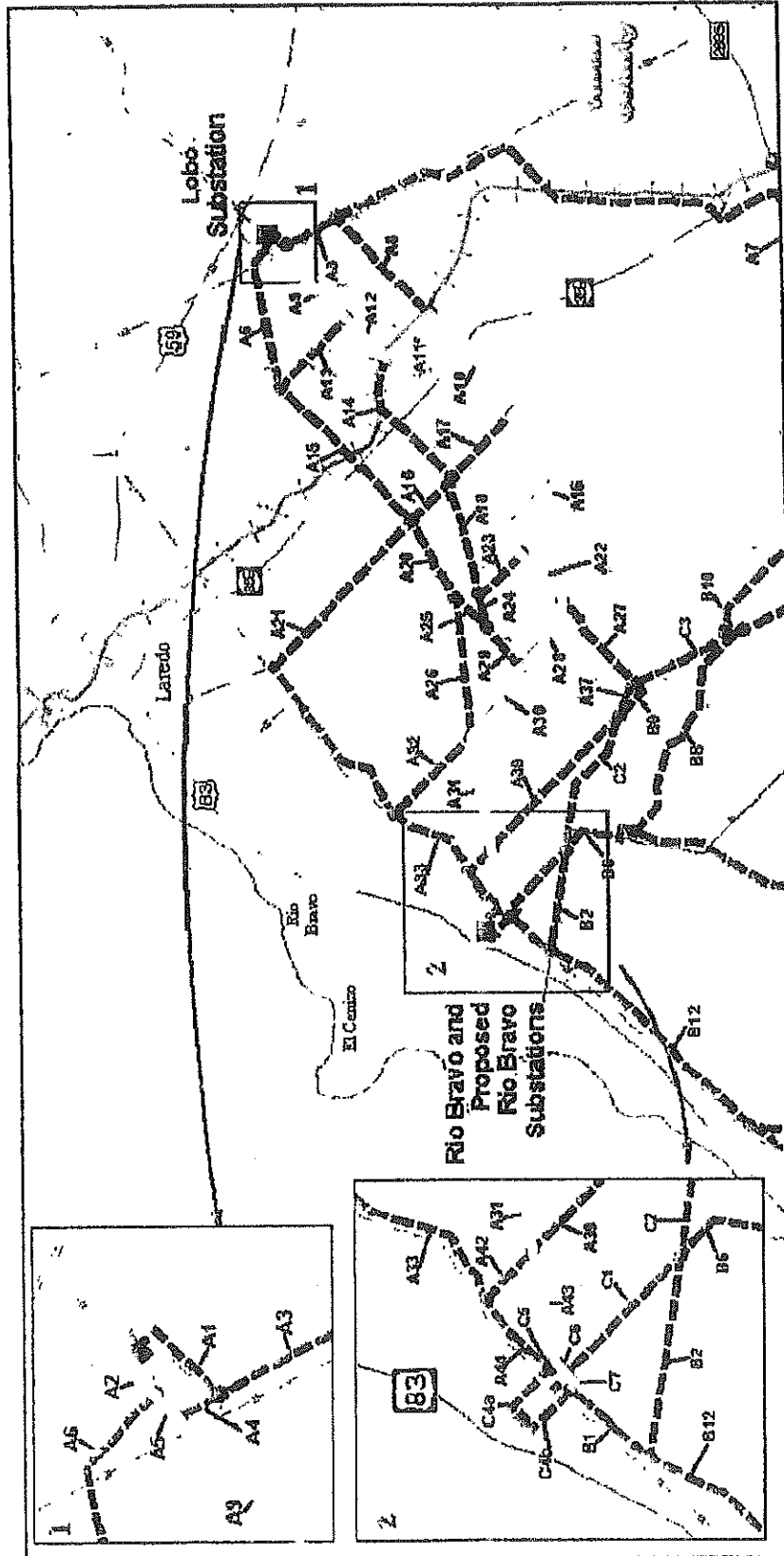
By: 

Todd W. Boykin

Date: 3/1/13

BURDETT, MORGAN WILLIAMSON & BOYKIN, LLP

Attorneys for Falcon International Bank;
ANB Cattle Co., Ltd.; SSM, LP; Las
Blancas, Investments, Ltd.; Las Nietas
Saenz, LP; San Pedro Ranch, Ltd.; Los
Capones Ranch, L.P.; Las Hermanas
Ranch, L.P.; Trevino Ranch, L.P.;
Trevino Ranch Holdings, LLC; and
M.M.A. Cattle Co. Inc.



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ATTACHMENT B



SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

APPLICATION OF ELECTRIC §
TRANSMISSION TEXAS, LLC TO §
AMEND ITS CERTIFICATE OF §
CONVENIENCE AND NECESSITY §
FOR THE PROPOSED LOBO TO RIO §
BRAVO TO NORTH EDINBURG §
DOUBLE-CIRCUIT 345-KV §
TRANSMISSION LINE IN WEBB, §
ZAPATA, JIM HOGG, BROOKS, §
STARR, AND HIDALGO COUNTIES §

BEFORE THE
STATE OFFICE OF
ADMINISTRATIVE HEARINGS

**STIPULATION CONCERNING THE
RIO BRAVO TO NORTH EDINBURG SEGMENT**

This Stipulation (Stipulation) is intended to represent the agreement among all the parties in this proceeding impacted by the routing of the proposed transmission line from the Rio Bravo Station to the North Edinburg Station (the RBNE Segment) to support the Commission's selection of the Alliance's proposed Route 18A (RBNE Stipulation Route) set out below for the RBNE Segment of the project. This Stipulation is made and entered into by all of the parties that have signed this Stipulation below. Collectively, the parties signing this Stipulation are referred to as the "Signatories."

I. Background

1. On October 25, 2012, ETT (Applicant) filed an application (Application) to amend its Certificates of Convenience and Necessity (CCN) to allow it to build, own, and operate a new double-circuit 345-kV transmission line in Webb, Zapata, Jim Hogg, Brooks, Starr and Hidalgo Counties, Texas.

2. The transmission line will consist of two segments, the Lobo to Rio Bravo Segment and the RBNE Segment.

3. Discussions between the Signatories have resulted in this Stipulation concerning the route for the RBNE Segment.

4. The Signatories desire to capture the benefits of the Stipulation, for which all Signatories express their support, and to resolve all issues regarding the routing of the RBNE Segment and, therefore, agree as follows:

II. Agreement

5. The Signatories agree that the Commission should approve the RBNE Stipulation Route on the following links as described in the Application: B1, B12, B14, B19, B23, B69, B72, B115, B186, B198, B123, B125, B150, B142, B146, B157, B162, B164, B168, B172, B173, B182, and B185. A map depicting the RBNE Stipulation Route is included as Attachment A.

6. As part of this Stipulation, ETT has agreed, and has obtained the agreement of AEP Texas Central Company (TCC), to utilize single-pole, triple-circuit structures to co-locate portions of an existing 138-kV TCC transmission line on ETT's new 345-kV line on the properties of certain Signatories and related landowners on the RBNE Stipulation Route, as identified on Attachment A. A table listing these Signatories and related landowners' properties, the approximate length, and estimated costs of the triple-circuit construction is shown on Attachment B. Additional information concerning the costs and other considerations relating to this triple-circuit construction is contained in rebuttal testimony of ETT's witness Daniel R. Robinson in this proceeding.

7. ETT and OXY USA Inc. have agreed to certain minor route modifications on Link B125 as reflected on Attachment C.

8. ETT has further agreed with intervenor Mary Sekula, and adjacent landowner Mary Kathryn Harris, to a minor route modification to move the transmission line away from

Ms. Sekula's residence, as reflected on Attachment D. Mary Kathryn Harris, as an accommodation to Ms. Sekula, has agreed to the route modification on her property, as reflected in Ms. Harris' affidavit attached as Attachment E.

9. ETT has obtained the agreement of TCC to bury the TCC distribution line on La Fontana Farms that extends from Wallace Road approximately 4,500 feet along the southern boundary of the La Fontana Farms, as reflected on Attachment F. This agreement accommodates the concerns expressed by La Fontana Farms regarding the potential impact of the ETT transmission line on the ability to perform aerial application of pesticides on the Farms, and represents the settlement of all issues involving La Granada / La Fontana Farms related to this project.

10. In addition to the triple-circuit construction and to effect the intent of Paragraph 6 above, ETT has agreed, and has obtained the agreement of TCC, to rebuild a portion of TCC's existing 138-kV transmission line (approximately 2,000 feet) along the boundary of certain property owned by La Soledad Ranch, L.P., as reflected on Attachment G, then to remove the existing 138-kV line and release the existing right-of-way.

11. If the Commission approves the RBNE Stipulation Route, intervenor Ricardo Villarreal is prepared to accept the transmission line provided certain conditions are ordered by the Commission or agreed to by ETT. Mr. Villarreal accepts routing of the transmission line on Villarreal's property on the condition that the triple-circuit construction will be utilized as discussed by ETT in its Statement of Position and rebuttal testimony of Daniel R. Robinson filed on February 12, 2012, which includes cost estimates for triple-circuit construction on the property of Mr. Villarreal and an adjoining family member, as reflected on Attachment H. Accepting the burden of the transmission line is not Mr. Villarreal's first choice. As the

foundation for his acceptance of the burden of the transmission line, Mr. Villarreal is relying upon communications with ETT and its Statement of Position and rebuttal testimony.

12. The Signatories request that the Commission approve and implement this Stipulation and, when the order is issued granting Applicant's requested amendment to its CCN for the transmission line, that such order approves the RBNE Stipulation Route for the RBNE Segment.

III. Other Provisions

13. This Stipulation is binding on each Signatory only for the purpose of settling the issues herein and for no other purpose. Nothing in this Stipulation serves to grant any property interest, including without limitation, an easement to ETT for the right-of-way for the RBNE Stipulation Route. Nothing herein shall be construed as an admission by any party regarding the desirability of the transmission line or the RBNE Stipulation Route or the impact of the transmission line or the RBNE Stipulation Route on their property generally or its market value specifically. Except to the extent that the Stipulation expressly governs a Signatory's rights and obligations for future periods, the Stipulation shall not be binding or precedential on a Signatory in any other proceeding except a proceeding to enforce the terms of the Stipulation. The Signatories acknowledge and agree that a Signatory's support of the matters contained in this Stipulation may differ from its position or testimony in dockets and cases not referenced in this Stipulation. To the extent that there is a difference, a Signatory does not waive its position in such other dockets and cases.

14. The Signatories have entered into this Stipulation in the interest and spirit of settlement and therefore agree that the provisions of the Stipulation shall be subject to final

approval by the Commission. The Signatories, moreover, agree to entry of a final order of the Commission consistent with this Stipulation.

15. This Stipulation represents a compromise, settlement and accommodation among the Signatories, and all Signatories agree that the terms and conditions herein are interdependent and no Signatory shall be bound by a portion of this Stipulation outside the context of the Stipulation as a whole. If the Commission materially changes the terms of this Stipulation or issues a final order inconsistent with a material term of this Stipulation, the Signatories agree that any Signatory adversely affected by that material alteration has the right to withdraw its consent to this Stipulation, thereby becoming released from its commitments and obligations arising hereunder and to proceed as otherwise permitted by law to exercise all rights available under law. Such a right to withdraw must be exercised by providing the other Signatories written notice within 20 calendar days of the date the Commission files its order acting on this Stipulation. Failure to provide such notice within the specified time period shall be deemed a waiver of the right to withdraw and, therefore, approval of any material changes to this Stipulation made by the Commission. The Signatories separately reserve the right to appeal in the event the Commission enters a final order that materially deviates from this Stipulation.

16. Pursuant to Texas Rule of Evidence 408, if any Signatory withdraws its consent from this Stipulation in accordance with the preceding paragraph and this matter proceeds to an evidentiary hearing, oral and written statements made during settlement negotiations, including the terms of this Stipulation as it pertains to the withdrawing Signatory, shall not be admissible in evidence in such a hearing.

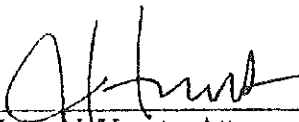
17. The Signatories have agreed that the transmission line should be constructed along the route described in this Stipulation. The route may be modified by agreement of ETT

and affected landowners, in accordance with the ordering paragraphs in the Commission's order related to route modification.

18. Each person executing this Stipulation warrants that he or she is authorized to sign this Stipulation on behalf of the Signatory represented. Facsimile copies of signatures are valid for purposes of evidencing such execution. The Signatories may sign individual signature pages to facilitate the circulation and filing of the original of this Stipulation.

19. This Stipulation is effective and dated as of the date shown below.

Dated this 8th day of April, 2013.



Jerry N. Huerta, Attorney
Electric Transmission Texas, LLC



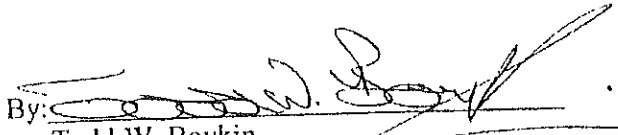
Jacob Lawler, Attorney – Legal Division
Public Utility Commission of Texas

SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
RIO BRAVO TO NORTH EDINBURG SEGMENT

By signature of counsel below, Intervenors Blanca & Frank Barberio, Ltd.; Siete Velas Cattle Co., Ltd., Rancho Las Margaritas, Ltd., and Sylvia E. Vela; EPR Holdings, Ltd., GONART Investments, Ltd., and Eric Gonzales; Don Jose Land & Cattle Company, Ltd., L.L.P.; El Clareño Properties, Ltd.; Fernando A. Salinas - El Ebanito Ranch, Ltd.; The G.R.C. Land Holdings, Ltd.; La Soledad Ranch, L.P.; Benjamin M. Alexander, GAD 2012 GST Trust, and M.M.A. Cattle Co., Inc.; RADF Properties, LP; Ricardo Ramiro Salinas, individually and on behalf of Rebecca A. Salinas and the Estate of Maria Elena Salinas; Los Capones Ranch, LP, Las Hermanas Ranch, LP, Trevino Ranch, LP, and Trevino Ranch Holdings, LLC; Armando Viemann, Diana R. Pena, Maria D. Guzman, and Olga R. Mercado support the Stipulation Concerning the Rio Bravo to North Edinburg Segment.

By: 
Todd W. Boykin
Burdett Morgan Williamson & Boykin, LLP

Date: 3/1/13

SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
RIO BRAVO TO NORTH EDINBURG SEGMENT

By signature below, Intervenor Berta Villarreal Ramirez supports the Stipulation Concerning Rio Bravo to North Edinburg Segment.

By: Berta V. Ramirez
Berta Villarreal Ramirez

Date: April 4, 2013

SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
RIO BRAVO TO NORTH EDINBURG SEGMENT

By signature below, Intervenor Ledesma, Barrera & Smith, LLC supports the Stipulation
Concerning the Rio Bravo to North Edinburg Segment.

By:


Javier Ledesma

L.B.S., L.L.C.

Date: 04-04-2013

Fax # 512-894-3405


SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
RIO BRAVO TO NORTH EDINBURG SEGMENT

By signature below, Intervenor The Alliance of South Texas Ranchers, LLC ("The Alliance") supports the Stipulation Concerning the Rio Bravo to North Edinburg Segment.

By:


Patriek L. Reznik
Braun & Gresham, PLLC


Date: 2-22-2013

SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
RIO BRAVO TO NORTH EDINBURG SEGMENT

By signature below, Intervenor EMB Ranchito, Ltd. and Summers Ranchito, Ltd. support the Stipulation Concerning the Rio Bravo to North Edinburg Segment.

By: 
Richard E. Sames
Sames & Werstak, LLP

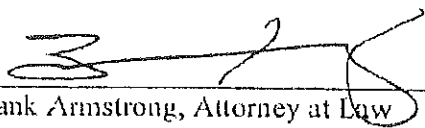
Date: 2/22/13

SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
RIO BRAVO TO NORTH EDINBURG SEGMENT

By signature below, Intervenor Sheerin Real Properties, Ltd. supports the Stipulation Concerning the Rio Bravo to North Edinburg Segment.

By: 
Frank Armstrong, Attorney at Law

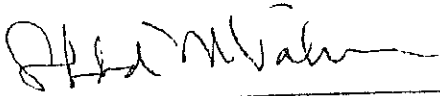
Date: February 27, 2013

SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
RIO BRAVO TO NORTH EDINBURG SEGMENT

By signature below, Intervenor Richard W. Ruppert and Santa Cruz Properties, Ltd. support the Stipulation Concerning the Rio Bravo to North Edinburg Segment.

By: 
Soledad M. Valenciano
Spivey Valenciano, PLLC

Date: 2/27/2013

SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
RIO BRAVO TO NORTH EDINBURG SEGMENT

By signature below, Intervenor Ada Gonzalez, Angela Gonzalez Gomez, Anna Maria Gonzalez Mendiola, and Arabella Gonzales Adame support the Stipulation Concerning the Rio Bravo to North Edinburg Segment.

By: Ada Gonzalez by Arabella Gonzalez Adame Date: 2/27/2013
Angela Gonzalez Gomez by Arabella Gonzalez Adame
Anna Maria Gonzalez Mendiola by Arabella Gonzalez Adame
Arabella Gonzalez Adame

PROXY LETTER

December 27, 2012

For the purpose of participating in all scheduled meetings, hearings, other legal procedures involving PUC Docket NO. 40728 to take place in Austin, Texas in 2013, I, the undersigned, Ada A. Gonzalez, am granting my sister, Arabella Gonzalez Adame, power to represent me and my interests regarding the ETT's proposed transmission lines to South Texas.

Ada A. Gonzalez
Ada A Gonzalez

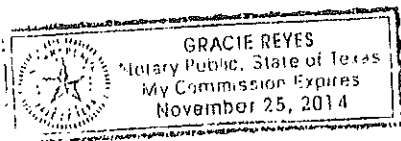
STATE OF TEXAS §

§

COUNTY OF WEBB §

This instrument was acknowledged to before me on this the 27th day of December, 2012 by Ada A. Gonzalez

Gracie Reyes
Notary Public in and for the State of Texas



Gonzalez 4

PROXY LETTER

December 27, 2012

For the purpose of participating in all scheduled meetings, hearings, other legal procedures involving PUC Docket NO. 40728 to take place in Austin, Texas in 2013, I, the undersigned, Angela Gonzalez Gomez am granting my sister, Arabella Gonzalez Adams power to represent me and my interests regarding the ETT's proposed transmission lines to South Texas.

Angela Gonzalez Gomez
Angela Gonzalez Gomez

STATE OF TEXAS §
 §
COUNTY OF WEBB §

This instrument was acknowledged to before me on this the 27th day of December, 2012 by Angela Gonzalez Gomez.

Uolanda Ramirez
Notary Public in and for the State of Texas

PROXY LETTER

December 27, 2012

For the purpose of participating in all scheduled meetings, hearings, other legal procedures involving PUC Docket NO. 40728 to take place in Austin, Texas in 2013, I, the undersigned, Anna Maria Gonzalez Mendola am granting my sister, Arabella Gonzalez Adame, power to represent me and my interests regarding the ETT's proposed transmission lines to South Texas.

Anna Maria Gonzalez Mendola
Anna Maria Gonzalez Mendola

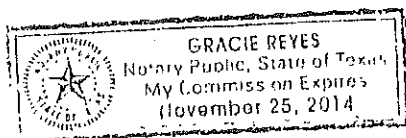
STATE OF TEXAS §

§

COUNTY OF WEBB §

This instrument was acknowledged to before me on this the 27th day of December, 2012 by ANNA MARIA GONZALEZ MENDOLA

Gracie Reyes
Notary Public in and for the State of Texas



SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
RIO BRAVO TO NORTH EDINBURG SEGMENT

By signature below, Intervenor Texas Parks and Wildlife Department supports the Stipulation Concerning the Rio Bravo to North Edinburg Segment.

By: _____

Ann Bright
Todd George

Date: _____

SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
RIO BRAVO TO NORTH EDINBURG SEGMENT

By signature below, Intervenor Killam Ranch Properties, Ltd. supports the Stipulation Concerning the Rio Bravo to North Edinburg Segment.

By:


Dan Miller

Clark Jobe

McElroy, Sullivan, Miller, Weber &
Olmstead, LLP


Date: 2.26.2013

SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
RIO BRAVO TO NORTH EDINBURG SEGMENT

By signature below, Intervenor Duke Energy Corporation supports the Stipulation Concerning the Rio Bravo to North Edinburg Segment.

By: 
Michael J. Tomsu
Vinson & Elkins, L.L.P.

Date: 2/25/2013

SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
RIO BRAVO TO NORTH EDINBURG SEGMENT

By signature below, Intervenor EIA Properties, Ltd. supports the Stipulation Concerning the Rio Bravo to North Edinburg Segment.

By Lauren D. Damen
Lauren D. Damen
Graves, Dougherty, Hearon & Moody

Date: 2.25.13

SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
RIO BRAVO TO NORTH EDINBURG SEGMENT

By signature below, Intervenor La Granada/La Fontana support the Stipulation Concerning the Rio Bravo to North Edinburg Segment.

By: Jerry Ahrens
Jerry Ahrens

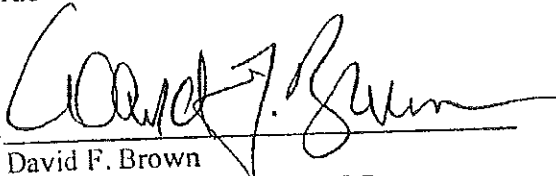
Date: 2/25/2013

SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
RIO BRAVO TO NORTH EDINBURG SEGMENT

By signature below, Intervenor The East Wildlife Foundation support the Stipulation Concerning the Rio Bravo to North Edinburg Segment.

By: 
David F. Brown
Ewell Bickham & Brown LLP


Date: 2/22/13

SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
RIO BRAVO TO NORTH EDINBURG SEGMENT

By signature below, Intervenor Cantu C-6 Ranch, LLC and Starr Feedyards, Inc. support the Stipulation Concerning the Rio Bravo to North Edinburg Segment.

By: 
Andres Medrano
Gardere Wynn Sewell, LLP

Date: 2-22-13

SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
RIO BRAVO TO NORTH EDINBURG SEGMENT

By signatures below, Intervenor Dana Sue Bellamy and Virginia Dede J. Winn support the Stipulation Concerning the Rio Bravo to North Edinburg Segment.

By: William N. Bellamy
William N. Bellamy
Attorney-in-Fact for
Dana Sue Bellamy

Date: FEB 22, 2013

By: Virginia Dede J. Winn
Virginia Dede J. Winn

Date: 2/21/13

SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
RIO BRAVO TO NORTH EDINBURG SEGMENT

By signature below, Intervenor Ricardo Villareal supports the Stipulation Concerning the Rio Bravo to North Edinburg Segment.

By: _____

Bradford W. Bayliff
Bayliff Law Firm PLLC

Date: _____


22 February 2013

SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
RIO BRAVO TO NORTH EDINBURG SEGMENT

By signature below, Intervenor L Bar L Cattle Co., Ltd. supports the Stipulation Concerning the Rio Bravo to North Edinburg Segment.

By: 
Shawn P. St. Clair
McGinnis, Lochridge & Kilgore, LLP

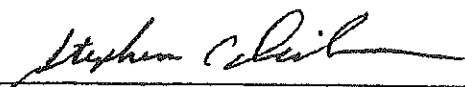
Date: 2-21-13

SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
RIO BRAVO TO NORTH EDINBURG SEGMENT

By signature below, Intervenor James Pettus and Cristalinas Partners, Ltd. support the Stipulation Concerning the Rio Bravo to North Edinburg Segment.

By: 
Stephen C. Dickman
Kelly Hart & Hallman, LLP

Date: Feb. 21, 2013

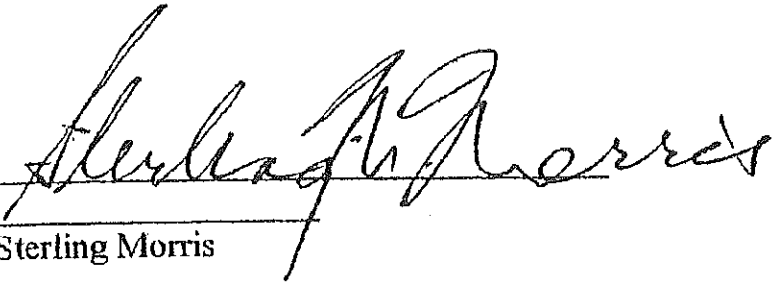
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PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
RIO BRAVO TO NORTH EDINBURG SEGMENT

By signature below, Intervenor Sterling Morris supports the Stipulation Concerning the Rio Bravo to North Edinburg Segment.

By:


Sterling Morris

Date:

Feb 21, 2013

SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
RIO BRAVO TO NORTH EDINBURG SEGMENT

By signature below, Intervenor El Negro Ranch, Ltd. supports the Stipulation Concerning the Rio Bravo to North Edinburg Segment.

By: 

Barry Roberts

Date: 2-21-13

SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
RIO BRAVO TO NORTH EDINBURG SEGMENT

By signature below, Intervenor Jacalon Ranch Company, Ltd., South Texas Ranches GP, Inc., Al Allred, James Patrick Walker, Individually, Huisache Land & Minerals, Ltd., and Vaquillas Ranch Co., Ltd. support the Stipulation Concerning the Rio Bravo to North Edinburg Segment.

By: Elizabeth Drews
Elizabeth Drews
Brown McCarroll, L.L.P.

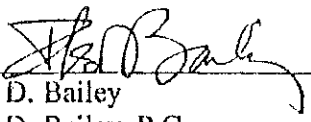
Date: February 21, 2013

SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
RIO BRAVO TO NORTH EDINBURG SEGMENT

By signature below, Intervenor Ray Garcia, Jr. supports the Stipulation Concerning the Rio Bravo to North Edinburg Segment.

By: 
Ilse D. Bailey
Ilse D. Bailey, P.C.

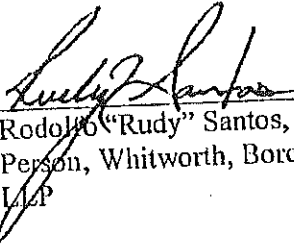
Date: 2/21/13

SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
RIO BRAVO TO NORTH EDINBURG SEGMENT

By signature below, Intervenor Edwin H. Frank, III, Max H. Johnson, and Tres Mujeres, Ltd.
support the Stipulation Concerning the Rio Bravo to North Edinburg Segment.

By: 
Rodolfo "Rudy" Santos, Jr.
Person, Whitworth, Borchers & Morales,
LLP

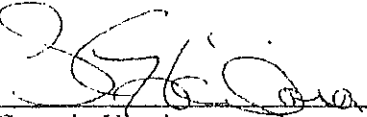
Date: 2/21/2013

SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
RIO BRAVO TO NORTH EDINBURG SEGMENT

By signature below, Intervenor Gerardo Hinojosa supports the Stipulation Concerning the Rio Bravo to North Edinburg Segment.

By: 
Gerardo Hinojosa

Date: 3/19/13

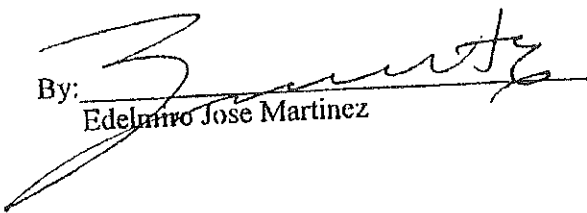
SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
RIO BRAVO TO NORTH EDINBURG SEGMENT

By signature below, Intervenor Edelmiro Jose Martinez and Gladys Martinez support the Stipulation Concerning the Rio Bravo to North Edinburg Segment.

By:


Edelmiro Jose Martinez

Date:



SOAH DOCKET NO. 473-13-0846

PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
RIO BRAVO TO NORTH EDINBURG SEGMENT

By signature below, Intervenors Joe, Mary and Daniel Sekula support the Stipulation Concerning the Rio Bravo to North Edinburg Segment.

By: _____

Luis Cardenas

Escobedo, Tippit & Cardenas, LLP

Date: _____

2/27/13

SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

ELECTRIC TRANSMISSION TEXAS, LLC

STIPULATION CONCERNING THE
RIO BRAVO TO NORTH EDINBURG SEGMENT

By signature below, Intervenor OXY USA, Inc. supports the Stipulation Concerning the Rio Bravo to North Edinburg Segment.

By: Tammy Cooper
Tammy Cooper
Andrews Kurth, LLP

Date: 4/3/13

JACK M. WILHELM
ATTORNEY AT LAW
1703 West Avenue • Austin, Texas 78701

March 18, 2013

Kerry McGrath, Esq.
Duggins Wren Mann & Romero, LLP
600 Congress Avenue, Suite 1900
Austin, Texas 78701

Re: ELECTRIC TRANSMISSION TEXAS, LLC
STIPULATION CONCERNING THE
RIO BRAVO TO NORTH EDINBURG SEGMENT
SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

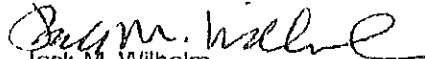
Dear Mr. McGrath:

As you are aware, I represent the McGill Ranch in this proceeding. Regarding the stipulation you have been circulating, as you are aware the proposed route that it addresses does not traverse the McGill Ranch. Accordingly, while the Ranch feels it cannot endorse a route across lands unknown to it, it certainly has no objection to any route that does not traverse the McGill Ranch.

You should feel free to submit this correspondence to the PUC. Should some additional clarification be required, do not hesitate to contact me.

Thank you for your courtesies.

Very truly yours,


Jack M. Wilhelm

JMW/cc

Phone: (512) 236-8400

jwilhelm@wilhelmlaw.net
www.wilhelmlaw.net

Fax: (512) 236-8404

La Hermanas Ranch – 6,500'

Alexander (El Hulsache Ranch) – 4,500'

Ricardo Villarreal & Family – 6,300'

Eric Gonzales & GONART Invest. – 1,700'

Don Jose Land & Cattle – 7,200'

Ranch Group – 8,200'

RBNE Stipulation Route
Triple-Circuit Agreements

Kelsey Ranch – 6,300'

La Brisa Ranch – 13,900'

Electric Transmission Texas LLC
Lobo – Rio Bravo - North Edinburg
345-kV Transmission Line Project

RBNE Stipulation
Attachment A

RBNE Stipulation
Attachment B

TRIPLE-CIRCUIT REQUESTS (Witness)	Distance (Feet)	Link	Estimated Incremental Cost	ETT Estimated Cost [1]	TCC Estimated Cost [2]
Las Hermanas Ranch (Joe Martin)	6,500	B1	\$ 1,582,000	\$ 1,243,000	\$ 339,000
El Huisache Ranch (Benjamin Alexander)	4,500	B19	\$ 1,117,000	\$ 829,000	\$ 288,000
Ricardo Villarreal (Vanessa Pamuk)	2,900	B19	\$ 801,000	\$ 552,000	\$ 249,000
[3] Villarreal Family Extension (Adjacent to Ricardo Villarreal)	3,400	B19	\$ 637,000	\$ 555,000	\$ 82,000
EPR Holdings & GONART Investment (Eric Gonzales)	1,700	B23	\$ 634,000	\$ 412,000	\$ 222,000
Don Jose Land & Cattle (Jose O. Dodler, Jr.)	7,200	B23	\$ 1,737,000	\$ 1,381,000	\$ 357,000
[4] Ranch Group (See List of Ranches & Witnesses Below)	8,200	B23	\$ 2,236,000	\$ 1,520,000	\$ 716,000
Kelsey Ranch Partners, Ltd. (Michael J. Brisnahan)	6,300	B72	\$ 1,438,000	\$ 1,107,000	\$ 330,000
La Brisa Ranch - 4 Sections (Mike Hudsonpiller)	13,900	B115 B186	\$ 3,815,000	\$ 2,758,000	\$ 1,057,000
TOTAL	54,600		13,997,000	10,357,000	3,640,000

Notes:

- [1] ETT Costs for Larger & Taller Structures
- [2] TCC Costs for 138-kV Davit Arms, Insulators, Conductor, 138-kV Deadends, Removal of Existing Line
- [3] Not an Intervenor
- [4] Ranch Group Includes these contiguous properties:
 - La Soledad Ranch
(Galo Garcia)
 - El Clareno Properties
(Humberto Vela, Jr.)
 - El Ebanito Ranch
(Javier Santos)
- [4] TCC Costs Includes 2000-Foot Extension of Existing 138-kV Line on La Soledad Ranch

Electric Transmission Texas LLC
Lobo - Rio Bravo - North Edinburg
345-kV Transmission Line Project



Electric Transmission Texas LLC
Lobo - Rio Bravo - North Edinburg
345-kV Transmission Line Project



FROM LEWIS HENDERSON INS

(MON) FEB 11 2013 21:45/ST. 21:44/No. 6815024730 P 2

SOAH DOCKET NO. 473-13-0846
PUC DOCKET NO. 40728

APPLICATION OF ELECTRIC	§	BEFORE THE STATE OFFICE
TRANSMISSION TEXAS, LLC TO AMEND	§	
ITS CERTIFICATE OF CONVENIENCE	§	
AND NECESSITY FOR THE PROPOSED	§	
LOBO TO RIO BRAVO TO NORTH	§	OF
EDINBURG DOUBLE-CIRCUIT 345-KV	§	
TRANSMISSION LINE IN WEBB, ZAPATA,	§	
JIM HOGG, BROOKS, STARR, AND	§	
HIDALGO COUNTIES, TEXAS	§	ADMINISTRATIVE HEARINGS

AFFIDAVIT OF AGREEMENT AND SUPPORT

STATE OF TEXAS §
COUNTY OF TARRANT §

BEFORE ME, the undersigned Notary Public, on this day personally appeared
Mary Kathryn Harris, who, having been placed under oath by me, stated as follows:

"My name is Mary Kathryn Harris, I hereby swear and affirm that I am competent,
of legal age, and a resident of the State of Texas."

"I, Mary Kathryn Harris, am the owner of approximately 160 acres of land in
Hidalgo County, Texas that has been previously noticed to be crossed by this project on
Link B125. This tract of land is shown as Parcel Number 404 on Attachment 1 to this
Affidavit. The Settlement Route using a Modified Link B125 would result in the existing
Link B125 departing south parallel to and along the western property line and then east
parallel to and along the southern property line of my property as shown on
Attachment 1 to this Affidavit. The Settlement Route with the use of modified Link B125

FROM LEWIS HENDERSON 1A3

(70N) FEB 11 2013 21:46/ST. 21:44/No. E815024730 P 3

would increase the distance of the new transmission line from the habitable structure located on Parcel Number 405 as shown on Attachment 1 to this Affidavit."

"I, Mary Kathryn Harris, am in agreement with and support the Settlement Route that would include the use of Modified Link B125 as it impacts this tract of land as shown on Attachment 1 to this Affidavit."

AFFIANT:

Mary Kathryn Harris
Mary Kathryn Harris

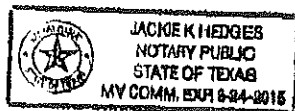
Date: 2-12-13

STATE OF TEXAS

COUNTY OF TARRANT

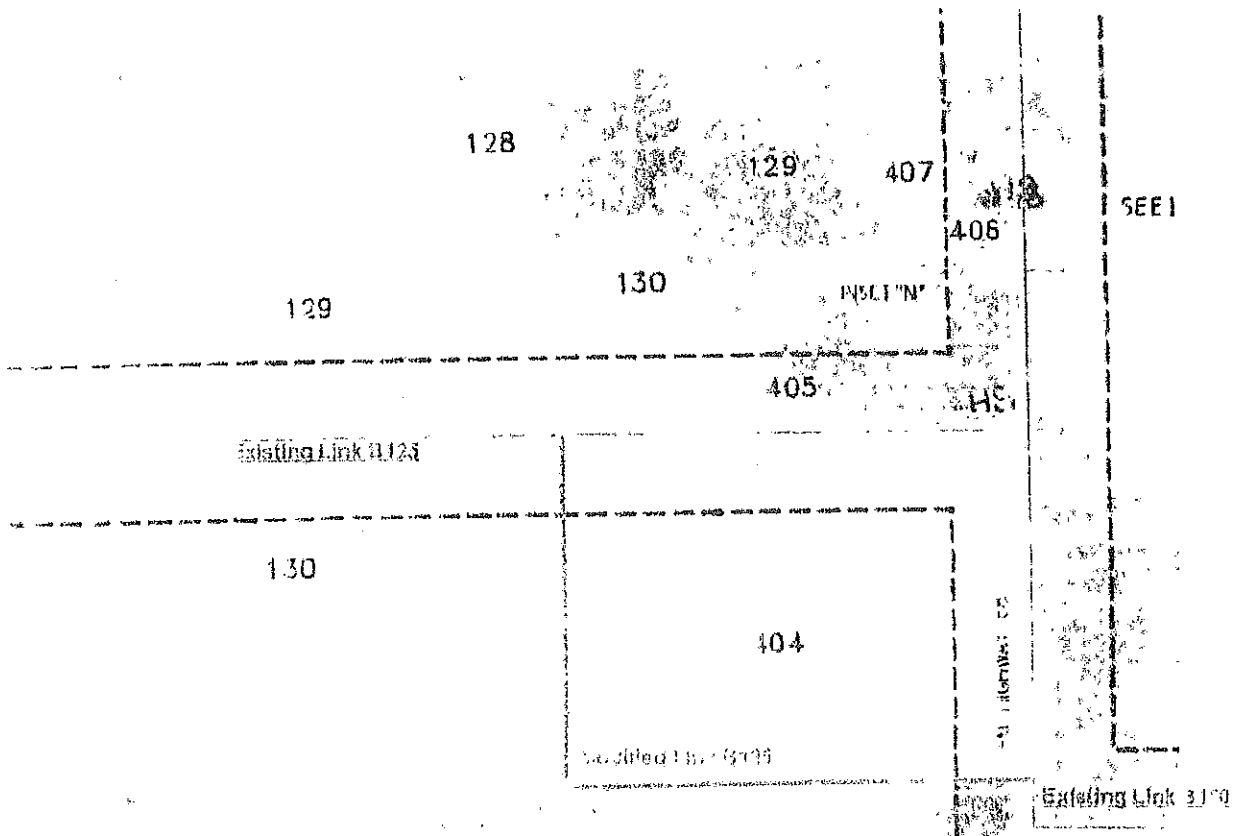
§
§
§

SUBSCRIBED AND SWORN TO before me by Mary Kathryn Harris on the 12
day of February, 2013.



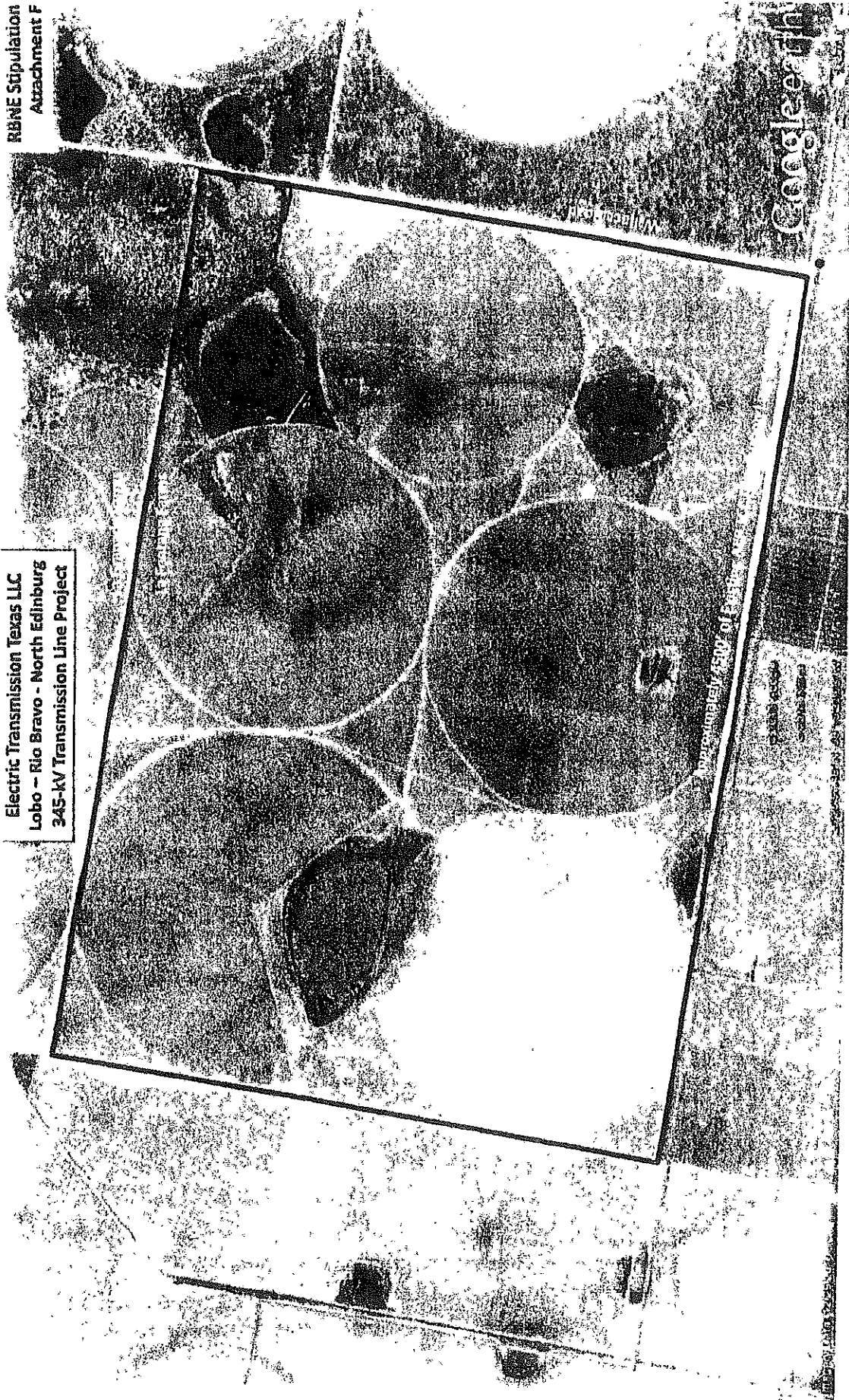
Jackie K. Hedges
Notary Public, State of Texas

My Commission Expires: 3-24-15



The solid red line is ETT's existing Link B125 and the solid teal line is the Modified Link B125 on Parcel Number 404 to avoid the HS (habitable structure) located on Parcel Number 405.

Electric Transmission Texas LLC
Lobo - Rio Bravo - North Edinburg
345-kV Transmission Line Project

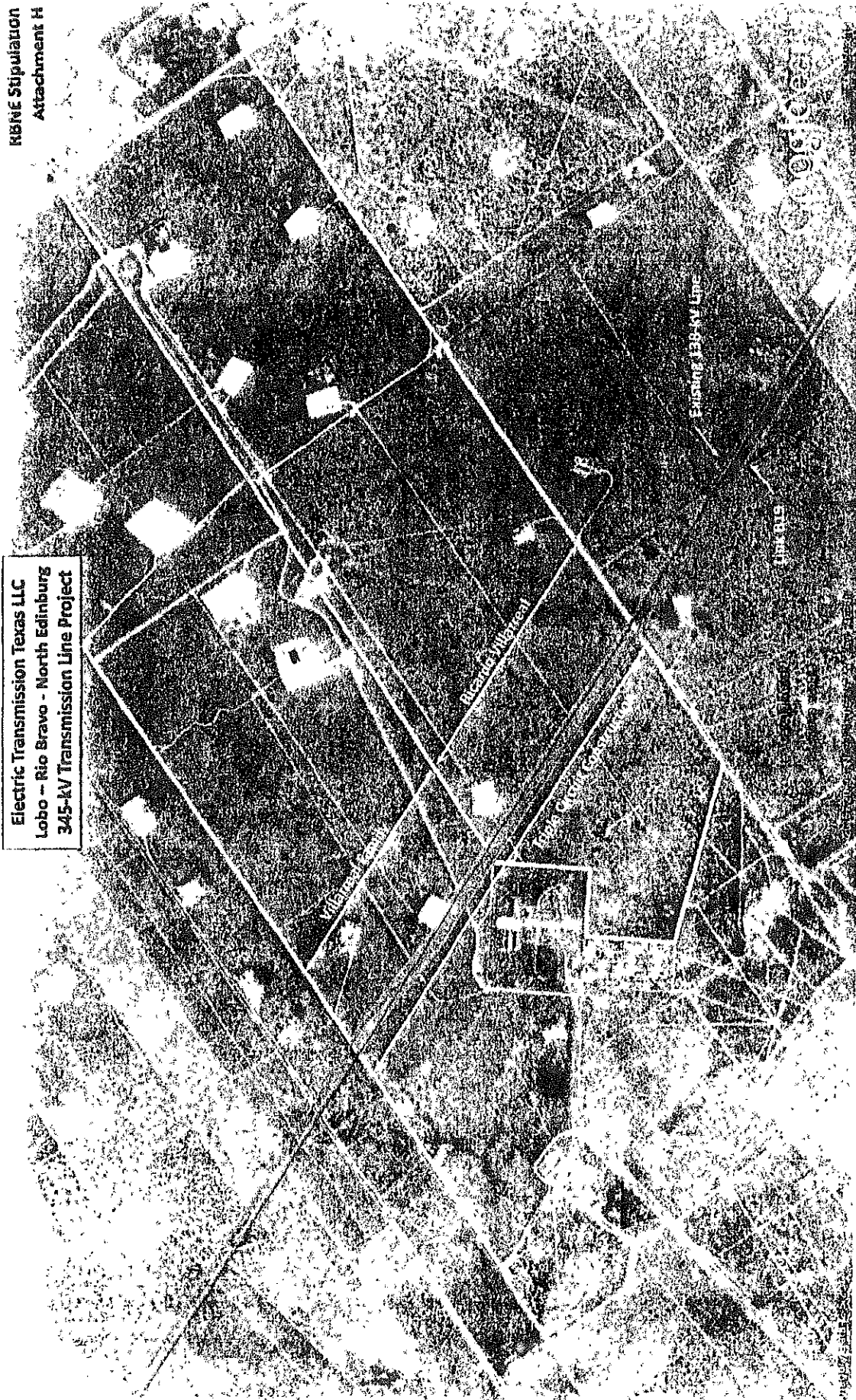


Electric Transmission Texas LLC
Lobo - Rio Bravo - North Edinburg
345-kV Transmission Line Project

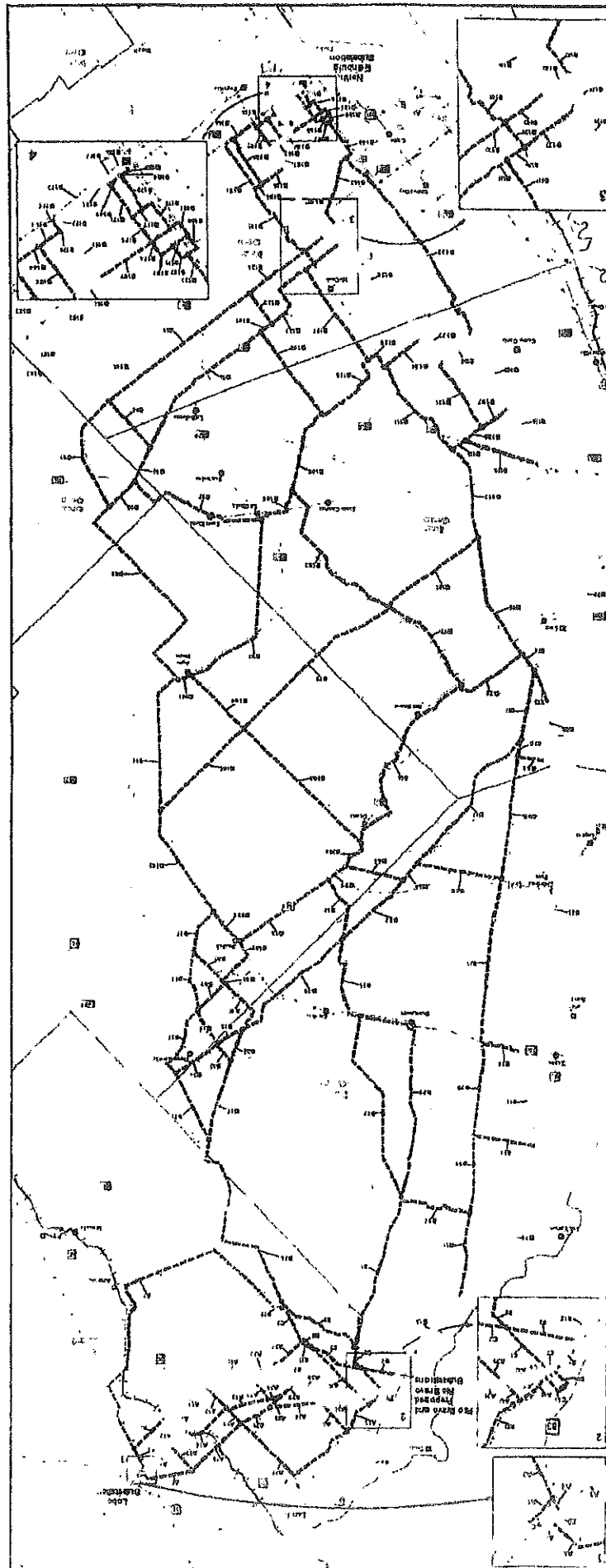
RBNE Stipulation
Attachment G



Electric Transmission Texas LLC
Lobo - Rio Bravo - North Edinburg
345-kV Transmission Line Project



ATTACHMENT 2



Electric Transmission Texas

**Lobo - Rio Bravo - North Edinburg
345-kV Transmission Line Project
SOAH Docket 473-13-0846
PUC Docket 40728**

RBNE

Stipulation Route

B1-B12-B14-B19-B23-B69-B72-B115-B186-B198-B123-B125-
B150-B142-B146-B157-B162-B164-B168-B172-B173-B182-B185

LRB

Stipulation Route

A2-A5-A9-A12-A11-A10-A16-
A22-A28-A30-A31-A43-C6-C7