

**SOAH DOCKET NO. 473-16-4342  
PUC DOCKET NO. 45866**

<b>APPLICATION OF LCRA</b>	<b>§</b>	<b>BEFORE THE STATE OFFICE</b>
<b>TRANSMISSION SERVICES</b>	<b>§</b>	
<b>CORPORATION TO AMEND ITS</b>	<b>§</b>	
<b>CERTIFICATE OF CONVENIENCE AND</b>	<b>§</b>	<b>OF</b>
<b>NECESSITY FOR THE</b>	<b>§</b>	
<b>PROPOSED LEANDER TO ROUND</b>	<b>§</b>	
<b>ROCK 138-KV TRANSMISSION LINE IN</b>	<b>§</b>	<b>ADMINISTRATIVE HEARINGS</b>
<b>WILLIAMSON COUNTY, TEXAS</b>	<b>§</b>	

**DIRECT TESTIMONY AND EXHIBITS**

**OF**

**CHRISTIAN POWELL**

**ON BEHALF OF**

**APPLICANT  
LCRA TRANSMISSION SERVICES CORPORATION**

**July 15, 2016**

**SOAH DOCKET NO. 473-16-4342**  
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**EXHIBITS**

- Exhibit CTP-1: Overview of LCRA TSC Sponsorship of the Application
- Exhibit CTP-2: PUC Substantive Rule § 25.101(b)(3)(B)
- Exhibit CTP-3: PURA § 37.056
- Exhibit CTP-4: LCRA TSC Board of Directors Action
- Exhibit CTP-5: Pre-Open House Meetings Log
- Exhibit CTP-6: Post-Open House Meetings Log
- Exhibit CTP-7: Letter Describing BMPs Implemented to Avoid Impacts to Jollyville Plateau Salamander

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**I.        INTRODUCTION**

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**Q.        PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.**

A.        My name is Christian Powell. My business address is: Lower Colorado River Authority, 3505 Montopolis Drive, Building D, Austin, Texas 78744.

**Q.        BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?**

A.        I am employed by the Lower Colorado River Authority (LCRA) as a Senior Regulatory Case Manager (RCM), and am providing testimony in this docket on behalf of LCRA Transmission Services Corporation (LCRA TSC).

**Q.        PLEASE DESCRIBE YOUR EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS AND BUSINESS EXPERIENCE.**

A.        I earned a Bachelor of Business Administration Degree in Management from the University of Texas at Austin. For the past sixteen years, I have been employed by LCRA and have held several positions within the organization. My business experiences include regulatory compliance and management over multiple disciplines as a senior environmental coordinator. In this role I worked on several projects including the Hamilton Pool Road Waterline Project, the Brushy Creek Regional Wastewater Treatment Plant Expansion Project, the West Travis County Water Treatment Plant and Surface Water Intake Expansion Project, and the Williamson County Wastewater Reuse Project. On these projects I was responsible for permitting and authorizations at both the state and federal level. I also served as the regulatory lead in planning and strategy for future water and wastewater system needs at LCRA.

          Specifically related to Certificate of Convenience and Necessity (CCN) proceedings, in my current position I served as RCM for the EC Mornhinweg to Parkway project (Docket No. 40684), Cushman to Highway 123 project (Docket No. 39479), and the McCamey D to Kendall to Gillespie CREZ (Competitive Renewable Energy Zone) project (Docket No. 38354). I also assisted in the public involvement processes, notification, and directly affected landowner identification and mapping for the Twin

1 Buttes to McCamey D CREZ Project (Docket No. 37778) and Gillespie to Newton CREZ  
2 project (Docket No. 37448).

3 **Q. PLEASE DESCRIBE YOUR JOB RESPONSIBILITIES, PARTICULARLY AS**  
4 **THEY APPLY TO THIS PROJECT.**

5 A. As the RCM for the proposed Leander to Round Rock 138-kilovolt (kV) Transmission  
6 Line Project (Project), I am responsible for coordinating the preparation of LCRA TSC's  
7 application in this docket that was filed on April 28, 2016 (Application) and managing the  
8 presentation of the Application for submission to the Public Utility Commission of Texas  
9 (PUC or Commission). My involvement in the Project included:

- 10 • Managing the public involvement process, including the coordination of the public  
11 open house meetings and other meetings with landowner groups and local officials;
- 12 • Overseeing the preparation by POWER Engineers, Inc. (POWER) of the *Leander*  
13 *to Round Rock 138-kV Transmission Line Project Environmental Assessment and*  
14 *Alternative Route Analysis Williamson County, Texas* (EA);
- 15 • Managing the overall Application preparation process and coordinating the  
16 activities of internal and external team members, including the selection of a route  
17 by LCRA TSC that best addresses the requirements of the Public Utility Regulatory  
18 Act (PURA) and PUC Substantive Rules;
- 19 • Providing notice of the Application in accordance with all applicable PUC rules;  
20 and
- 21 • Providing testimony in support of the Application at the Commission.

22 **Q. HAVE YOU TESTIFIED BEFORE THE COMMISSION PREVIOUSLY?**

23 A. Yes, I testified in Docket Nos. 40684, 39479, and 38354.

24 **II. PURPOSE OF TESTIMONY**

25 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THIS DOCKET?**

26 A. My testimony addresses the following:

- 27 • Basic information about LCRA and LCRA TSC;
- 28 • The public participation process that LCRA TSC implemented for the Project;
- 29 • Notice;
- 30 • The transmission line routing and substation identification process LCRA TSC  
31 implemented for the Project;
- 32 • Protected species permitting and mitigation; and

- 1                   • The process by which LCRA TSC evaluated the alternative routes and identified  
2                   Route 31 as the route that LCRA TSC believes best addresses the requirements of  
3                   PURA and the PUC Substantive Rules.

4                   The statements and opinions expressed in this testimony are based on my  
5                   previously described experience, my review of the EA prepared by POWER (included in  
6                   the Application as Attachment No. 1), discussion and collaboration with LCRA specialists,  
7                   discussion and collaboration with POWER employees and other external experts who  
8                   participated in the development of the Application, field inspections of the Project area,  
9                   and significant interaction with the public and local officials regarding the Project.

10 **Q. PLEASE BRIEFLY DESCRIBE THE TESTIMONY OF THE OTHER**  
11 **WITNESSES WHO PROVIDE DIRECT TESTIFY ON BEHALF OF LCRA TSC**  
12 **IN THIS DOCKET.**

13 A. Mr. Sergio Garza, P.E., Vice President of Transmission Design and Protection, testifies  
14 regarding the purpose and need for the Project as well as the design and cost of the  
15 substation-related facilities. Ms. Jessica Melendez, P.E., Senior Engineer, Line and  
16 Structural Engineering, testifies regarding the schedule, cost, and design of the new  
17 proposed transmission line facilities. Ms. Lisa Meaux, Project Manager and Environmental  
18 Department Manager for POWER, sponsors and testifies regarding the preparation of the  
19 EA for the Project. Each LCRA TSC witness also sponsors portions of the Application that  
20 correspond to his or her respective discipline.

21 **Q. WHAT PORTIONS OF THE APPLICATION DO YOU SPONSOR?**

22 A. I sponsor the responses to Questions 1, 2, 3, 10, 12, and 25 of the Application. I co-sponsor  
23 the response to Question 4 of the Application with Ms. Melendez and Mr. Garza, the  
24 responses to Questions 8 and 9 with Mr. Garza, and the responses to Questions 17, 18, 19,  
25 and 29 of the Application with Ms. Meaux. I also sponsor Attachments 8-14 of the  
26 Application as modified by the errata filed previously in this proceeding on May 17, 2016.  
27 Please refer to Exhibit CTP-1 for an overview of LCRA TSC sponsorship of the  
28 Application in this case.

1           The Application, filed on April 28, 2016, will be offered into evidence by LCRA  
2 TSC as an exhibit in this proceeding as modified by the errata that were previously filed  
3 by LCRA TSC on May 17, 2016 and June 1, 2016.

4 **Q. WERE YOUR TESTIMONY AND THE PORTIONS OF THE APPLICATION**  
5 **YOU SPONSOR PREPARED BY YOU OR BY KNOWLEDGEABLE PERSONS**  
6 **UPON WHOSE EXPERTISE, JUDGMENT, AND OPINIONS YOU RELY IN**  
7 **PERFORMING YOUR DUTIES?**

8 A. Yes.

9 **Q. IS THE INFORMATION CONTAINED IN YOUR TESTIMONY AND IN THE**  
10 **PORTIONS OF THE APPLICATION YOU SPONSOR TRUE AND CORRECT TO**  
11 **THE BEST OF YOUR KNOWLEDGE AND BELIEF?**

12 A. Yes.

13 **III. INFORMATION CONCERNING LCRA TSC AND THE PROJECT**

14 **Q. PLEASE DESCRIBE LCRA TSC.**

15 A. LCRA TSC is a non-profit corporation created in 2000, following the passage of Senate  
16 Bill 7 to provide regulated transmission, transformation, and metering service to customers  
17 in the Electric Reliability Council of Texas (ERCOT) under tariffs approved by the PUC.  
18 LCRA TSC is a Transmission Service Provider (TSP) with no retail customers. LCRA TSC  
19 has no employees. Employees of LCRA provide necessary services to LCRA TSC through  
20 a service agreement.

21 **Q. PLEASE DESCRIBE LCRA TSC'S TRANSMISSION SYSTEM.**

22 A. Presently, LCRA TSC owns or operates approximately 5,200 circuit miles of high voltage  
23 transmission lines in over 70 counties across Central Texas and portions of West and South  
24 Texas. In addition, LCRA TSC operates facilities at over 390 substations through  
25 ownership or operating agreements with transmission level customers. LCRA TSC's  
26 transmission facilities are primarily located in the Central Texas area between ERCOT's  
27 largest load centers—Houston, Dallas-Fort Worth, and San Antonio. As a result, the LCRA  
28 TSC system contains numerous tie points to other TSPs in ERCOT.

1 **Q. PLEASE BRIEFLY DESCRIBE THE PROJECT.**

2 A. LCRA TSC proposes to design and construct a new 138-kV transmission line located in  
3 southwestern Williamson County. The Project consists of constructing two new substations  
4 (Substation 1 and Substation 2) and a new 138-kV transmission line connecting the new  
5 substations to the electric grid at the existing Pedernales Electric Cooperative, Inc. (PEC)  
6 Leander Substation and the Oncor Electric Delivery Company LLC (Oncor) Round Rock  
7 Substation. LCRA TSC proposes to install one 138-kV circuit from Leander to Round  
8 Rock initially, with a second 138-kV circuit to be installed at a later date.

9 Mr. Garza's testimony provides detailed information on why LCRA TSC is  
10 undertaking the Project and an associated discussion on the specific purpose of, and need  
11 for, the Project.

12 **Q. PLEASE DESCRIBE HOW THE PROJECT WILL BE FINANCED.**

13 A. LCRA TSC will finance the facilities included in the Application in a manner similar to  
14 that which has been used for projects previously constructed by LCRA TSC. That is, it will  
15 be financed initially with a combination of tax-exempt commercial paper, tax-exempt  
16 private revolving note, and subsequently with fixed-rate debt. Interest on the debt may be  
17 capitalized until the Project is in service, at which point it is intended that both the principal  
18 and interest will be serviced with Transmission Cost of Service revenues.

19 **IV. IDENTIFICATION OF DIRECTLY AFFECTED PROPERTIES**  
20 **AND NOTICE**

21 **Q. PLEASE DESCRIBE THE PROCESS FOR IDENTIFYING DIRECTLY**  
22 **AFFECTED LANDOWNERS AND PROVIDING NOTICE BY DIRECT MAIL IN**  
23 **THIS DOCKET.**

24 A. The Commission's rules require LCRA TSC to notify directly affected landowners (as  
25 identified on the current county tax rolls) who are located within 300 feet of the centerline  
26 of any proposed route for a proposed transmission line under 230-kV. For this Project,  
27 LCRA TSC identified all parcels within 300 feet of the centerline of all primary alternative  
28 routes based on county tax appraisal district data received from the Williamson Central  
29 Appraisal District and mailed notice to all identified landowners. Attachment 8 to the  
30 Application is a visual representation of the landowner notice provided.

1 **Q. WHEN DID LCRA TSC ACQUIRE LAND OWNERSHIP DATA FROM THE**  
2 **WILLIAMSON CENTRAL APPRAISAL DISTRICT FOR NOTICE ASSOCIATED**  
3 **WITH THE APPLICATION?**

4 A. LCRA TSC acquired land ownership data from the Williamson Central Appraisal District  
5 in February 2016 for the notice associated with the Application.

6 **Q. PLEASE DESCRIBE ALL THE NOTICE LCRA TSC PROVIDED IN**  
7 **ASSOCIATION WITH THE APPLICATION.**

8 A. In accordance with the Commission's Procedural Rules, LCRA TSC provided the  
9 following notice in association with the filing of the Application in this docket:

10 Public Notice: LCRA TSC published a public notice in the *Austin American-Statesman*,  
11 the *Hill Country News*, the *Round Rock Leader*, and the *Williamson County Sun* the week  
12 after the Application was filed with the PUC. Publishers' affidavits were filed with the  
13 Commission on May 20, 2016 showing proof of notice as required by Order No. 1. Each  
14 of the newspapers in which notice was published is considered a newspaper of general  
15 circulation in Williamson County. Concurrent with the filing of the Application, LCRA  
16 TSC mailed written direct notice by First-Class mail to each owner of land that would be  
17 directly affected by the Project. As I discussed previously, landowners of record were  
18 determined by review of the Williamson Central Appraisal District's databases.

19 Notice to Counties and Municipalities: Concurrent with the filing of the Application,  
20 written notice was hand delivered or mailed by First-Class mail to Williamson County  
21 officials and municipal authorities for the cities of Austin, Cedar Park, Georgetown,  
22 Leander, and Round Rock.



1 Notice of Neighboring Utilities: Concurrent with the filing of the Application, written  
2 notice was hand delivered or mailed by First-Class mail to the following neighboring  
3 utilities providing electric utility service within five miles of the requested facility:

4 **Electric Cooperatives**

5 PEC

6 **Investor-Owned Utilities**

7 Oncor

8 **Municipal Utilities**

9 Georgetown Utility Systems

10 Notice to Other Officials and Organizations: Concurrent with the filing of the Application,  
11 written notice was hand delivered or mailed by First-Class mail to state and federal  
12 representatives and senators in whose districts the Project is proposed, various independent  
13 school districts, and other interested parties or organizations, including the Office of Public  
14 Utility Counsel.

15 An affidavit attesting to the provision of notice to all directly affected landowners,  
16 counties, municipalities, neighboring utilities, and the Office of Public Utility Counsel was  
17 filed with the Commission on May 18, 2016.

18 **Q. PLEASE DESCRIBE THE NOTICE PROVIDED BY DIRECT MAIL TO**  
19 **AFFECTED LANDOWNERS.**

20 A. As required by PUC Procedural Rule 22.52, the notice sent to all directly affected  
21 landowners included a description of the Project, a detailed map of the alternative routes,  
22 narrative route descriptions, information about how to participate in the proceeding, and a  
23 contact name and phone number for interested persons to obtain additional information  
24 about the Project. The mailed notice also included the PUC Landowner Brochure. An  
25 example of the notice information provided to landowners is included as Attachment 10 to  
26 the Application.

27 On May 16, 2016, LCRA TSC mailed revised notices associated with 78 properties  
28 to correctly identify the Tract Identification (Tract ID) number listed on the notice for each  
29 of those properties. An Application errata was filed on May 17, 2016, correcting  
30 Attachments 8 and 9 to the Application with the correct Tract IDs.

1 **Q. DID LCRA TSC HOLD ANY PUBLIC OPEN HOUSES ABOUT THE PROJECT**  
2 **PRIOR TO FILING THE APPLICATION?**

3 A. Yes. Two public open house meetings were held in the Project area on October 13 and 14,  
4 2015.

5 **Q. DID LCRA TSC PROVIDE NOTICE OF THE OPEN HOUSES PURSUANT TO**  
6 **PUC PROCEDURAL RULE 22.52?**

7 A. Yes. The notice LCRA TSC provided in association with the open house meetings held for  
8 the Project in October 2015 is more fully described in response to Question 18 of the  
9 Application, Chapter 4 and Appendix B of the EA, and Section VIII of my direct testimony,  
10 below.

11 **V. ROUTING**

12 **Q. ARE YOU FAMILIAR WITH THE ROUTING ISSUES IDENTIFIED IN PUC**  
13 **SUBSTANTIVE RULE 25.101(b)(3)(B)?**

14 A. Yes. The “routing issues” referenced in this part of the PUC’s Substantive Rules are  
15 generally referred to as the PUC’s “routing criteria” and are attached to this testimony as  
16 Exhibit CTP-2.

17 **Q. BRIEFLY DESCRIBE THE ROUTING CRITERIA CONTAINED IN PUC**  
18 **SUBSTANTIVE RULE 25.101(b)(3)(B).**

19 A. PUC Substantive Rule 25.101(b)(3)(B) requires that, to the extent reasonable without  
20 compromising reliability and safety and considering the requirements of PURA § 37.056  
21 (which I have attached as Exhibit CTP-3), engineering constraints, and costs, proposed  
22 electric transmission lines should be routed in such a manner as to:

- 23 1. Parallel or utilize existing compatible right-of-way (ROW), including the use of  
24 vacant positions on existing multiple-circuit transmission lines;
- 25 2. Parallel or utilize other existing compatible ROW;
- 26 3. Parallel property lines or other natural or cultural features; and
- 27 4. Conform with the PUC’s policy of prudent avoidance.

1 **Q. ARE THE ROUTES INCLUDED WITHIN THE APPLICATION IDENTIFIED IN**  
2 **ACCORDANCE WITH THE COMMISSION’S ROUTING CRITERIA?**

3 A. Yes. Where feasible, the alternate routes and route segments included within the  
4 Application utilize compatible corridors/routing features and parallel existing compatible  
5 ROW, property lines, and other natural or cultural features. Considering PURA § 37.056,  
6 PUC Substantive Rule 25.101(b)(3)(B), engineering constraints, costs, grid reliability, and  
7 the PUC’s policy of prudent avoidance, LCRA TSC has reasonably routed the Project’s  
8 alternate routes to moderate the impact on the affected community and directly affected  
9 landowners. LCRA TSC has done so by using or paralleling existing transmission line  
10 ROW to the extent feasible without compromising reliability, by paralleling other existing  
11 compatible ROW, and by paralleling property lines where reasonable.

12 **Q. ARE LCRA TSC’S PRIMARY ALTERNATE ROUTES CONSISTENT WITH THE**  
13 **PUC’S POLICY OF “PRUDENT AVOIDANCE”?**

14 A. Yes. The proposed alternate routes for the Project are consistent with the PUC’s “prudent  
15 avoidance” policy. All of the proposed alternate routes and segments composing such  
16 routes reflect reasonable investments of money and effort in order to limit exposure to  
17 electric and magnetic fields.

18 **Q. DID LCRA TSC DO ANYTHING UNIQUE IN THIS APPLICATION WITH**  
19 **RESPECT TO CONSIDERATION OF PRUDENT AVOIDANCE?**

20 A. Yes. In reviewing the preliminary alternative route segments and after discussing the  
21 Project with the public and elected officials and hearing concerns about the location of  
22 transmission facilities adjacent to neighborhoods and homes, LCRA TSC evaluated the  
23 preliminary alternative route segments to identify whether route segments could be located  
24 interior to the property and away from property lines in a manner that would increase the  
25 distance of the route segments from neighborhoods and habitable structures. As a result of  
26 this evaluation, LCRA TSC included six segments (A3a, B4a, D3a, F4a, U1a, V1a, and  
27 W2a) that are “offset” from a companion segment that is located adjacent to the property  
28 line but closer to neighborhoods and habitable structures. Ms. Melendez discusses the cost  
29 impacts associated with these offset segments in her testimony and has included an exhibit

1 with her testimony that shows the relationship of the segments to the nearby neighborhoods  
2 and habitable structures.

3 **Q. DOES THE APPLICATION CONTAIN AN ADEQUATE NUMBER OF**  
4 **ALTERNATIVE ROUTES TO CONDUCT A PROPER EVALUATION?**

5 A. Yes. Ms. Meaux addresses in her testimony the combination of segments included in the  
6 Application as part of 31 routes for the Project. POWER evaluated these 31 geographically  
7 diverse alternative routes and all 160 alternative route segments and determined that they  
8 are all consistent with the provisions of PURA, the PUC's Substantive Rules, and the  
9 Commission's policy of prudent avoidance. In addition to the 31 proposed alternative  
10 routes LCRA TSC filed in the Application, there are many more routes that could be  
11 formed by connecting the various alternate route segments in different combinations to  
12 create new routes. While many more route segments and routes could theoretically be  
13 created, for a project of this size and length, LCRA TSC has provided the Commission  
14 with a significant number of diverse routing options from which the Commission can make  
15 an informed decision in this proceeding. All of the routes and route segments have been  
16 filed with the PUC as part of the Application. Therefore, all of the proposed alternative  
17 routes and other possible routes that could be formed by the proposed route segments are  
18 viable options for constructing and operating the needed electrical facilities.

19 **VI. IMPACTS ON LANDOWNERS**

20 **Q. PLEASE EXPLAIN THE STEPS TAKEN BY LCRA TSC TO REDUCE THE**  
21 **IMPACTS TO LANDOWNERS THAT MAY RESULT FROM CONSTRUCTION**  
22 **OF THE PROJECT.**

23 A. LCRA TSC has proposed alternative routes that parallel and/or utilize existing compatible  
24 ROW (roads, existing transmission line ROW, rebuilding an existing transmission line),  
25 follow compatible routing features, and parallel apparent property lines where reasonable.  
26 Additionally, LCRA TSC made routing adjustments (as described in the EA in Section 4)  
27 based on input from the public and local elected officials, where reasonable and practical.  
28 One way in which LCRA TSC made routing adjustments was through the development of  
29 the offset route segments that I described previously. These offset route segments were

1 developed and included in LCRA TSC's Application in large part based upon input  
2 received by LCRA TSC from potentially impacted landowners.

3 **Q. ARE THERE ANY DIFFERENCES BETWEEN PROPERTY LINES AND**  
4 **PARCEL LINES?**

5 A. Yes, there can be differences between property lines and parcel lines. As stated previously,  
6 individual parcels were identified using the tax information for each designated parcel as  
7 provided by the county appraisal district. However, a landowner may own more than one  
8 parcel or tract. Thus, while the tax information is ultimately attributed by parcel, these  
9 parcel boundaries might not represent the full extent of a particular landowner's contiguous  
10 parcels, which, when combined, constitute their property. Unless landowners combine  
11 these parcels under a common survey and the tax information is consolidated, then it is  
12 LCRA TSC's experience that each parcel will be identified as a separate and distinct  
13 property in the records of the county tax appraisal district.

14 After the preliminary segments were presented at the October 2015 open house  
15 meetings, LCRA staff identified parcels that seemed to be under common ownership and  
16 grouped them to better discern apparent property boundaries. The result of that grouping  
17 effort is reflected in the Location of Directly Affected Properties map, which is Attachment  
18 8 of the Application.

19 **VII. PROPOSED SUBSTATION LOCATIONS**

20 **Q. HAS LCRA TSC IDENTIFIED ANY POTENTIAL ALTERNATIVE SUBSTATION**  
21 **SITES TO BE CONSTRUCTED AS PART OF THIS PROJECT?**

22 A. Yes. LCRA TSC identified 16 possible alternative substation sites in the Application, eight  
23 for Substation 1 and eight for Substation 2.

1 **Q. WHAT METHODOLOGY DID LCRA TSC AND POWER USE FOR**  
2 **IDENTIFYING POSSIBLE ALTERNATIVE SUBSTATION SITES FOR THE**  
3 **TWO NEW SUBSTATIONS PROPOSED FOR THE PROJECT?**

4 A. LCRA TSC and POWER used the following needs and preferences in identifying possible  
5 alternative substation sites to include in the Application:

- 6 • Located in Substation Siting Areas 1 and 2 that were developed in association  
7 with the need for the Project;
- 8 • 5-7 acres in size;
- 9 • Preference for more level terrain;
- 10 • Ease of access and proximity to paved roads;
- 11 • Consideration of habitat, floodplain, and the Edwards Aquifer Contributing Zone  
12 and Recharge Zone;
- 13 • Existence of electric distribution located nearby for use at the site;
- 14 • Avoidance of buried utility infrastructure (e.g. pipelines) on the site; and
- 15 • Single parcel/tract rather than multiple parcels/tracts.

16 **Q. WERE OTHER FACTORS CONSIDERED IN IDENTIFYING POSSIBLE**  
17 **ALTERNATIVE SUBSTATION SITES FOR THE TWO NEW SUBSTATIONS**  
18 **PROPOSED FOR THE PROJECT?**

19 A. Yes, Mr. Garza discusses other factors associated with the need and function of the  
20 substation sites.

21 **Q. WHAT WAS THE RESULT OF THE ALTERNATIVE SUBSTATION SITE**  
22 **IDENTIFICATION CONDUCTED PRIOR TO THE PUBLIC OPEN HOUSES**  
23 **HELD IN OCTOBER 2015?**

24 A. Prior to the October open house meetings, LCRA TSC and POWER identified 11 possible  
25 alternative substation sites in conjunction with the preliminary alternative route  
26 segments—six for Substation 1 and five for Substation 2. These 11 alternative sites were  
27 presented along with the preliminary alternative route segments to the public at the October  
28 2015 open house meetings.

1 **Q. HOW DID LCRA TSC DETERMINE THE POSSIBLE ALTERNATIVE**  
2 **SUBSTATION SITES PROPOSED IN THE APPLICATION?**

3 A. Following the identification of the 11 possible alternative substation sites, LCRA TSC  
4 received input from elected officials and the public during and after the open house  
5 meetings, and also inquired with both in-house real estate professionals and real estate  
6 professionals operating in the project area to determine if any additional properties meeting  
7 LCRA TSC's needs for new substation sites were available. This process resulted in the  
8 identification of five additional possible alternative substation sites that were included in  
9 the Application.

10 **Q. DOES LCRA TSC OWN OR CONTROL ANY OF THE ALTERNATIVE**  
11 **SUBSTATION SITES PRESENTED IN THE APPLICATION?**

12 A. Yes. LCRA TSC has contracts for sale in place for two of the sites, substation sites 1-7 and  
13 2-6.

14 **Q. HOW DID LCRA TSC COME TO CONTROL SUBSTATION SITES 1-7 AND 2-6?**

15 A. On October 21, 2015, the LCRA TSC Board of Directors authorized LCRA TSC to actively  
16 pursue acquisition of one or more possible alternative substation sites. That authorization  
17 is attached to my testimony as Exhibit CTP-4. LCRA TSC inquired with the owners of all  
18 16 identified possible alternative substation sites regarding the interest of the landowners  
19 in selling the sites to LCRA TSC. At this time, only the owners of substations sites 1-7 and  
20 2-6 were willing to negotiate with LCRA TSC regarding the sale of the properties.

21 **Q. DOES LCRA TSC PLAN TO REMOVE ANY OF THE OTHER POSSIBLE**  
22 **ALTERNATIVE SUBSTATION SITES FROM THE APPLICATION SINCE IT**  
23 **CONTROLS SITES 1-7 AND 2-6?**

24 A. No. All 16 of the possible alternative substation sites included in the Application remain  
25 available for routing consideration at this time.

1 **Q. HAS LCRA TSC LIMITED ITS SEARCH FOR SUBSTATION LOCATIONS TO**  
2 **THE 16 ALTERNATIVE SITES PRESENTED IN THE APPLICATION?**

3 A. No. LCRA TSC will continue to evaluate property located along the alternate route  
4 segments meeting the required needs of the new substations in order to find additional  
5 suitable substation locations with willing property sellers.

6 **Q. ARE ALL OF THE POSSIBLE ALTERNATIVE SUBSTATION SITES**  
7 **INCLUDED IN THE APPLICATION ADEQUATE TO ACHIEVE THE PROJECT**  
8 **REQUIREMENTS?**

9 A. Yes. All eight of the possible alternative substation sites proposed in each of the two siting  
10 areas are viable, feasible sites. Any new substation sites considered will also be evaluated  
11 and presented for consideration if they are viable, feasible alternatives as well.

12 **VIII. PUBLIC INVOLVEMENT**

13 **Q. PLEASE DESCRIBE LCRA TSC'S ACTIVITIES FOR PUBLIC INVOLVEMENT**  
14 **IN THE PROJECT.**

15 A. LCRA TSC held two open house meetings for the Project. The open house meetings were  
16 held on October 13 and 14, 2015, from 6:00 p.m. to 8:00 p.m. at the Austin Sports Center  
17 of Cedar Park in Cedar Park, Texas, and Wiley Middle School in Leander, Texas. LCRA  
18 TSC mailed 2,558 written notices of the meeting to all owners of property within  
19 approximately 300 feet of the centerline of the preliminary alternative segments. Also,  
20 local public officials and various state and federal officials were mailed or delivered  
21 individual written notice of the meeting. In addition, a public notice for the open house was  
22 published on the listed dates in the four local newspapers having circulation within the  
23 project area county:

24 *Austin American-Statesman* – October 5 and 12, 2015

25 *Hill Country News* – October 1 and 8, 2015

26 *Round Rock Leader* – October 1 and 8, 2015

27 *Williamson County Sun* – September 30 and October 7, 2015



1 The public notices announced the location, time, and purpose of the meeting. A copy of  
2 the notice published in newspapers is provided in Appendix B of the EA.

3 The meetings had the following objectives:

- 4 • Promote a better understanding of the Project, including its purpose, need,  
5 potential benefits, and impacts, and of the PUC certification process;
- 6 • Inform the public with regard to the routing procedure, schedules, and route  
7 approval process; and
- 8 • Gather the values and concerns of the public and community leaders.

9 The meetings were configured in an informal, information-station format rather  
10 than a formal speaker/audience format, with each station assigned to a particular aspect of  
11 the Project or routing process and staffed by LCRA or POWER personnel. Open house  
12 exhibits included information about LCRA and LCRA TSC; Project Purpose and Need;  
13 the PUC Certification Process for New Transmission Lines; Agencies and Officials  
14 Contacted; Environmental Criteria for Alternative Route Evaluation; Preliminary Routing  
15 Maps; Structure Options and Photos of representative structures; Typical Right-of-Way  
16 Maintenance; Easement Acquisition Process; and Electric and Magnetic Fields (see  
17 Appendix B of the EA). Each station included maps, illustrations, photographs, and/or text  
18 explaining each particular topic. Geographic Information System (GIS) computer stations  
19 were available to show the extent of the Project, the proposed preliminary alternative route  
20 segments, property ownership parcel boundaries, and recent aerial photography of the  
21 Project area. Staff at the GIS stations were also available to answer detailed questions such  
22 as the approximate distance from a proposed preliminary route segment centerline to the  
23 nearest corner of a habitable structure.

24 Attendees were encouraged to visit each station in order, so that the entire process  
25 could be explained in the logical sequence of project development. The information station  
26 format is typically advantageous because it allows attendees to gather and process  
27 information in a more relaxed manner and also allows them to focus on their particular area  
28 of interest and ask specific questions of the subject-matter experts. Furthermore, one-to-  
29 one discussions with LCRA or POWER personnel typically encourage more interaction  
30 from those persons who might be hesitant to participate in a formal speaker-audience  
31 format.

1 A total of 615 people signed in as attending the public open house meetings. In  
2 some cases, only one family member may have signed in when more were present. All  
3 attendees were offered a questionnaire, preliminary route segment map, and frequently  
4 asked questions document (see Appendix B in the EA). Some attendees handed in  
5 completed questionnaires at the meeting (255), while others took questionnaires with them,  
6 acquired questionnaires from neighbors, or acquired a questionnaire from the LCRA  
7 project website. A total of 1,433 additional completed questionnaires were submitted to  
8 LCRA TSC following the open house meetings. Thus, a total of 1,688 questionnaires were  
9 received by LCRA TSC at or subsequent to the October 13 and 14, 2015 public open house  
10 meetings. Additional comments were also sent in the form of letters or emails. In total,  
11 LCRA TSC received over 3,500 email comments regarding the Project, many of which  
12 were also sent to the PUC and filed in Project No. 45364.

13 Additional information concerning the public involvement program and a summary  
14 of the questionnaire results is provided in Section 4.2.2 of the EA. A copy of the notice that  
15 was provided to property owners, a copy of the questionnaire provided to meeting  
16 attendees, and copies of the open house exhibits are included in Appendix B of the EA.

17 **Q. DID LCRA TSC COMMUNICATE WITH LOCAL PUBLIC OFFICIALS PRIOR**  
18 **TO THE OPEN HOUSE MEETINGS?**

19 A. Yes. In late 2013, LCRA TSC began communicating the need for the project, the ERCOT  
20 project review process, and explaining the CCN application and PUC approval process  
21 with local officials. LCRA TSC representatives attended and participated in several  
22 meetings and discussions with local officials between late 2013 and the holding of the  
23 public open house meetings in October 2015. Please see Exhibit CTP-5 for a log of  
24 meetings LCRA TSC representatives attended prior to the October 2015 open house  
25 meetings.

26 **Q. HAS LCRA TSC COMMUNICATED WITH PUBLIC OFFICIALS, OTHER**  
27 **STAKEHOLDERS, AND THE PUBLIC BEYOND THE OPEN HOUSE**  
28 **MEETINGS? PLEASE EXPLAIN.**

29 A. Yes. LCRA TSC has attended and participated in dozens of meetings with public officials,  
30 other stakeholders, and the public after the open house meetings were held. Please see

1 Exhibit CTP-6 for a log of meetings LCRA TSC representatives participated in after the  
2 open house meetings.

3 **Q. WHAT WAS THE RESULT OF THE THOSE MEETINGS?**

4 A. LCRA TSC gained valuable information and insight regarding existing values of the  
5 communities that will be impacted by the Project and the infrastructure and ongoing  
6 expansions and modifications to existing infrastructure within the Project area. In addition,  
7 LCRA TSC communicated Project-related information to aid the entities in their  
8 understanding of the Project and process.

9 **IX. THREATENED AND ENDANGERED SPECIES PERMITTING**  
10 **AND MITIGATION**

11 **Q. DOES THE STUDY AREA FOR THIS PROJECT CONTAIN ANY ENDANGERED**  
12 **SPECIES HABITAT?**

13 A. Yes. The study area for this Project includes locations known to be or potentially inhabited  
14 by several species that the USFWS has listed as endangered. These include two federally  
15 listed songbirds (golden-cheeked warbler and black-capped vireo) and two federally listed  
16 karst (i.e., cave) invertebrates (Bone Cave harvestman and Coffin Cave mold beetle). A  
17 complete listing of species potentially occurring within the study area can be found in the  
18 EA, Attachment 1 to the Application.

19 **Q. HOW DOES LCRA TSC PLAN TO ADDRESS ENDANGERED SPECIES IN THE**  
20 **PROJECT AREA?**

21 A. Williamson County has developed a regional habitat conservation plan (RHCP) that  
22 authorizes the incidental take of several species that may result from projects such as this  
23 proposed transmission line. LCRA TSC intends to participate in the RHCP as applicable.  
24 The costs associated with participation in the RHCP for each route are discussed in the  
25 testimony of Ms. Melendez. For most segments, participation in the RHCP will not require  
26 additional consultation with the USFWS to construct those segments.

1 **Q. ARE THERE ANY ALTERNATIVE SEGMENTS THAT COULD POTENTIALLY**  
2 **IMPACT ENDANGERED SPECIES THAT MAY REQUIRE ADDITIONAL**  
3 **CONSULTATION WITH THE USFWS?**

4 A. Yes, Segment E6 crosses land owned by Williamson County designated as protected  
5 habitat for the endangered species listed above. LCRA TSC believes construction of this  
6 segment could be accomplished while minimizing any impacts to habitat. However, this  
7 activity may require consultation with the USFWS due to the land having been designated  
8 as protected habitat under the RHCP.

9 **Q. ARE THERE ANY OTHER SPECIES TO CONSIDER IN THE PROJECT AREA**  
10 **FOR WHICH TAKE IS NOT AUTHORIZED UNDER THE WILLIAMSON**  
11 **COUNTY RHCP?**

12 A. Yes, the Jollyville Plateau salamander and Georgetown salamander were listed as  
13 threatened species by the USFWS after completion of the Williamson County RHCP and  
14 both species could potentially occur in the project study area.

15 **Q. HOW WOULD AUTHORIZATION FOR INCIDENTAL TAKE OF THE**  
16 **JOLLYVILLE PLATEAU SALAMANDER AND GEORGETOWN**  
17 **SALAMANDER OCCUR?**

18 A. If incidental take of the Jollyville Plateau salamander or Georgetown salamander was  
19 unavoidable as a result of the construction of the Project, LCRA TSC would be required to  
20 apply for an incidental take permit from the USFWS.

21 **Q. WILL LCRA TSC NEED TO APPLY FOR AN INCIDENTAL TAKE PERMIT**  
22 **FOR IMPACTS RELATED TO JOLLYVILLE PLATEAU SALAMANDER OR**  
23 **GEORGETOWN SALAMANDER?**

24 A. I do not believe so. Design considerations and construction best management practices  
25 (BMPs) can be implemented that would avoid potential Project-related impacts to the  
26 Jollyville Plateau salamander and Georgetown salamander.

1 **Q. WHAT BMPS DOES LCRA TSC PROPOSE TO IMPLEMENT WITH REGARD**  
2 **TO JOLLYVILLE PLATEAU SALAMANDER AND GEORGETOWN**  
3 **SALAMANDER?**

4 A. Please see pages 10-12 of Exhibit CTP-7 for a summary of the BMPs that LCRA TSC  
5 proposes to use in areas of potential Jollyville Plateau salamander or Georgetown  
6 salamander habitat. The costs associated with implementation of the BMPs are discussed  
7 in the testimony of Ms. Melendez.

8 **Q. WHY DO YOU BELIEVE THE BMPS WILL AVOID IMPACTS TO JOLLYVILLE**  
9 **PLATEAU SALAMANDER AND GEORGETOWN SALAMANDER?**

10 A. LCRA TSC successfully completed one of the only known instances of transmission line  
11 project construction traversing known habitat of the Jollyville Plateau salamander since the  
12 time the species was listed as threatened by the USFWS. This project involved a  
13 transmission line that crosses portions of the Balcones Canyonlands Preserve in Travis  
14 County, Texas. LCRA TSC, in coordination with the USFWS, developed and implemented  
15 the above-referenced BMPs to effectively construct the project with no impact to the  
16 Jollyville Plateau salamander. Based on this experience, I believe LCRA TSC will be able  
17 to use the same BMPs to avoid and/or mitigate any impacts to the Jollyville Plateau  
18 salamander or Georgetown salamander associated with the Project.

19 **Q. ARE THERE ANY PROJECT ALTERNATIVE SEGMENTS THAT REQUIRE**  
20 **ADDITIONAL CONSIDERATION REGARDING THE JOLLYVILLE PLATEAU**  
21 **SALAMANDER?**

22 A. Yes, Segment O3 crosses the only designated critical habitat for Jollyville Plateau  
23 salamander that occurs in the study area. LCRA TSC believes the same BMPs listed above  
24 could be deployed to avoid impacts to the Jollyville Plateau salamander along Segment O3,  
25 but due to the designation as critical habitat, approval of a route that utilizes Segment O3  
26 may result in further consultation with the USFWS than other route alternatives.

1           **X.           SELECTION OF ROUTE THAT BEST ADDRESSES THE**  
2                           **REQUIREMENTS OF PURA AND PUC SUBSTANTIVE RULES**

3   **Q.           IS LCRA TSC REQUIRED TO IDENTIFY AN ALTERNATIVE ROUTE IN THE**  
4           **APPLICATION THAT IT BELIEVES BEST ADDRESSES THE REQUIREMENTS**  
5           **OF PURA AND THE PUC SUBSTANTIVE RULES?**

6   A.       Yes. Question 17 of the Commission’s CCN application form requires an applicant to  
7           identify the “alternative route the applicant believes best addresses the requirements of  
8           PURA and P.U.C. Substantive Rules.”

9   **Q.           WHAT ROUTE DID LCRA TSC IDENTIFY AS THE ROUTE THAT BEST**  
10           **ADDRESSES THE REQUIREMENTS OF PURA AND THE PUC SUBSTANTIVE**  
11           **RULES?**

12   A.       LCRA TSC identified Route 31 as the route that best addresses the requirements of PURA  
13           and the PUC’s Substantive Rules.

14   **Q.           WHY DID LCRA TSC IDENTIFY ROUTE 31 AS THE ROUTE THAT BEST**  
15           **ADDRESSES THE REQUIREMENTS OF PURA AND THE PUC SUBSTANTIVE**  
16           **RULES?**

17   A.       In compliance with the Commission’s CCN application form, LCRA TSC evaluated the  
18           31 primary alternative routes included in the Application and selected Route 31 as the route  
19           that best complies with PURA and the PUC’s Substantive Rules. Route 31 provides the  
20           following advantages:

- 21           • Is generally consistent with the route preferences indicated by the cities of Leander,  
22           Cedar Park, and Round Rock in resolutions passed by the three municipalities  
23           primarily burdened by the Project (an expression of community values);
- 24           • Uses or is parallel and adjacent to existing transmission line ROW for  
25           approximately 20 percent of its length (2.7 miles);
- 26           • Is parallel and adjacent to other existing compatible ROW for approximately 60  
27           percent of its length (8.2 miles);
- 28           • Has the fourth lowest estimated cost (\$72,627,400) and is only approximately seven  
29           percent more expensive than the least expensive route;
- 30           • Has the seventh fewest number of newly affected habitable structures within 300  
31           feet of the route centerline (146);

- 1 • Has over 200 fewer newly affected habitable structures within 300 feet of the route  
2 centerline than the three least expensive routes;
- 3 • Does not cross U.S. Fish & Wildlife Service (USFWS) critical habitat for Jollyville  
4 Plateau Salamander;
- 5 • Does not impact the Brushy Creek environmentally sensitive areas; and
- 6 • Does not cross Bone Cave harvestman recovery preserve area.

7           However, while LCRA TSC identified Route 31 as the route that best addresses the  
8 requirements of PURA and the PUC’s Substantive Rules at the time of the filing of the  
9 Application, all 31 routes in the Application and any forward-progressing routes that can  
10 be delineated from the 160 individual route segments that serve to connect the Leander and  
11 Round Rock substations with a Substation 1 and Substation 2 alternative are viable options  
12 available for approval by the PUC.

13 **Q. IS ROUTE 31 LCRA TSC’S PREFERRED ROUTE?**

14 A. No, neither Route 31, nor any other route, is LCRA TSC’s “preferred” route. Route 31 is  
15 simply the route LCRA TSC identified at the time of the filing of the Application as the  
16 route it believes best addresses the requirements of PURA and the PUC’s Substantive rules.  
17 All of the primary alternative routes included in the Application address the need for the  
18 Project and comply with the applicable statutory and regulatory criteria. As such, LCRA  
19 TSC is willing to construct, own, and operate the Project on any of the routes presented in  
20 the Application or other reasonable routes that can be created by combination of route  
21 segments presented in the Application that meet the need for the Project.

22                                   **XI.           SUMMARY AND CONCLUSION**

23 **Q. PLEASE SUMMARIZE YOUR TESTIMONY.**

24 A. My testimony can be summarized as follows:

- 25 • LCRA TSC met the requirements specified in the PUC’s notice rules for identifying  
26 directly affected property owners. LCRA TSC provided notice of the public open  
27 house and the filing of the Application to all directly affected landowners it  
28 identified.
- 29 • LCRA TSC has submitted a robust number of geographically diverse alternative  
30 routes that the PUC can use in evaluating the Application.

- 1           • LCRA TSC actively sought and received public input before and continuing  
2 through the filing of the Application. LCRA TSC collected public input in various  
3 ways, including by conducting open houses; soliciting information through  
4 questionnaires, phone calls, and written correspondence; and attending meetings  
5 with public officials and other interested parties.
- 6           • LCRA TSC considered public input throughout the process and, where feasible,  
7 incorporated input from landowners, governmental officials, or other stakeholders  
8 and interested parties to modify route segments.
- 9           • In accordance with the mandate in the Commission’s CCN application form, LCRA  
10 TSC identified Route 31 as the route that best addresses the requirements of PURA  
11 and the PUC’s Substantive Rules for the Project.
- 12          • LCRA TSC has presented in the Application information regarding all the factors  
13 the Commission is required to consider under PURA and the PUC’s Substantive  
14 Rules.
- 15          • Each of the proposed alternative routes presented in the Application complies with  
16 the factors in PURA § 37.056 and PUC Substantive Rule 25.101(b)(3)(B),  
17 including the policy on prudent avoidance.
- 18          • LCRA TSC is willing to build any of the 31 routes contained in the Application or  
19 any other forward progressing route composed of the route segments contained in  
20 the Application that meet the need for the Project.

21 **Q. DOES THIS CONCLUDE YOUR DIRECT TESTIMONY?**

22 A. Yes.