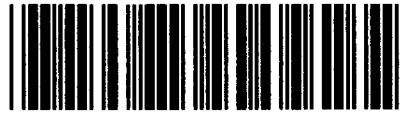




Control Number: 37051



Item Number: 20

Addendum StartPage: 0

37051

Barry T. Smitherman
Chairman

Rick Perry
Governor

Donna L. Nelson
Commissioner



COPY

Kenneth W. Anderson, Jr.
Commissioner

W. Lane Lanford
Executive Director

Public Utility Commission of Texas

RECEIVED
PUBLIC UTILITY COMMISSION
FILING CLERK
SEP 21 PM 2:39

September 18, 2009

Mr. William J. Heath
749 Tally Ho Road
Killeen, TX 76542

Re: Correspondence regarding Oncor's Newton-Killeen transmission line proposal

Dear Mr. Heath:

Senator Kay Bailey Hutchison referred your correspondence to our office and asked that I respond. I appreciate the opportunity to provide you with the following information and hope that you find it useful.

As directed by the Texas Legislature, the Public Utility Commission of Texas (PUC) selected the most productive wind zones in the state and devised a transmission plan to move power generated from these zones to populated areas in the state in the most beneficial and cost effective manner. The PUC then selected the transmission service providers (TSP) who will participate in the construction of the various routes.

PUC rules require TSPs to obtain a Certificate of Convenience and Necessity (CCN) prior to construction of a transmission line. During the CCN application process, the TSP will provide a preferred transmission line route along with several alternative routes. After considering environmental, convenience, and practicality issues, the PUC then decides whether to grant a CCN to the TSP.

At this point, Oncor has not formally submitted a CCN application to the commission to build the proposed Newton-Killeen transmission line. Nonetheless, I have submitted your correspondence to the docket dedicated for public comments regarding Oncor's proposed transmission projects. Future correspondence regarding this project should be mailed to the following address:

*Public Utility Commission of Texas
Central Records
Attn: Filing Clerk
1701 North Congress Avenue
Post Office Box 13326
Austin, TX 78711-3326*

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Heath Page 2

You may follow the progress of this issue on our website: www.puc.state.tx.us. Select the "Filings-Interchange" icon, and then select "Filing Retrieval." Login **37051** in the "Control Box" and press "Search Now."

The PUC regulates local telephone service and electric service provided by public utilities in Texas. The PUC's Customer Protection Division (CPD) helps customers resolve complaints with regulated utilities and is your source for help and information regarding electric and telecommunications services in our state.

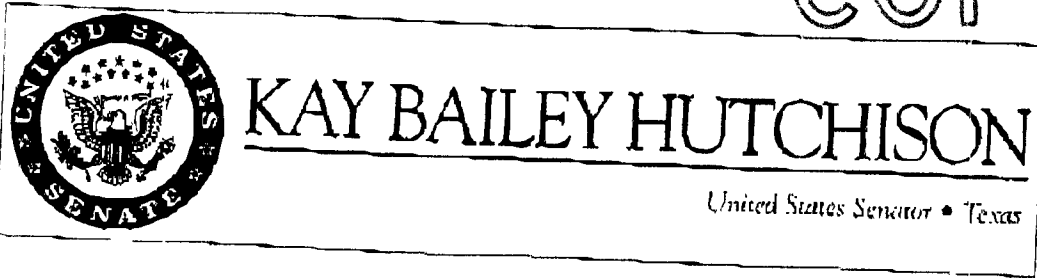
Sincerely,



Gabriel Cardenas
Public Utility Commission of Texas

cc: Office of Senator Kay Bailey Hutchison

COPY



TO: Government Relations, Mr. Casey Haney, PUCT

FAX: 512.936.7003

FROM: Sarah Stubblefield
Constituent Liaison
3133 General Hudnell Drive, Suite 120
San Antonio, TX 78226

PHONE: (210) 340-2885 DATE: 09/14/2009

FAX: (210) 349-6753

PAGES: 8 (INCLUDING COVER SHEET)

MESSAGE:

Respectfully referred.

Thank you,

Sarah Stubblefield
Constituent Liaison

KAY BAILEY HUTCHISON
TEXAS

COMMITTEES:
APPROPRIATIONS
COMMERCE, SCIENCE,
AND TRANSPORTATION
RULES AND ADMINISTRATION
VETERANS' AFFAIRS

United States Senate

WASHINGTON DC 20510-4304

September 14, 2009

RESPECTFULLY REFERRED:

Mr. Casey Haney
Public Utility Commission of Texas
Governmental Relations
P O Box 13326
Austin, TX 78711-3326

Dear Mr. Haney:

The attached communication was forwarded to Senator Kay Bailey Hutchison by Mr. William Heath, who is concerned about a matter that falls within your agency's jurisdiction. We are respectfully referring this correspondence to you for your attention. It would be appreciated if you would reply directly to the constituent.

Sincerely,



Sarah Stubblefield
Constituent Liaison

Enclosure

**Tally Ho Ranch
749 Tally Ho Road
Killeen, Texas 76542
254-634-8310**

Senator Kay Bailey Hutchison
961 Federal Building
300 East 8th Street
Austin, TX 78711

August 23, 2009

Dear Senator Hutchison:

I am saddened to know that Oncor Electric Delivery is planning to run high power transmission lines and towers not only across my property but also along my western property line. Three generations of my family have lived and worked this property. If Oncor is allowed to put their high transmission lines and towers as planned I might be the last generation to be able to live and work this land. I urge you to help Oncor consider a more northern route, closer to Chaparral Road and the southern boundary of Fort Hood.

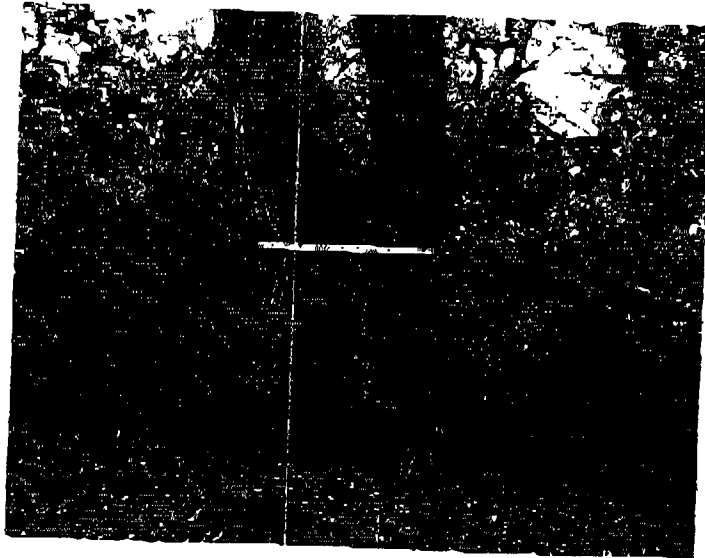
In considering your decision to help or not to help me, I would like you to consider the high power transmission lines and towers Oncor would build, would destroy many magnificent ancient oaks, destroy some ancient ruins that are on my property, damage the migratory patterns of ducks and geese, and negatively effect my livelihood.

I have enclosed some photographs of some of the magnificent ancient oaks. If you would like to come out and see them yourself, please contact me and I would show them to you.



Please note that a yardstick (36 inches) has been placed on this tree. As you can see this oak is massive and it's trunk diameter is over six feet.

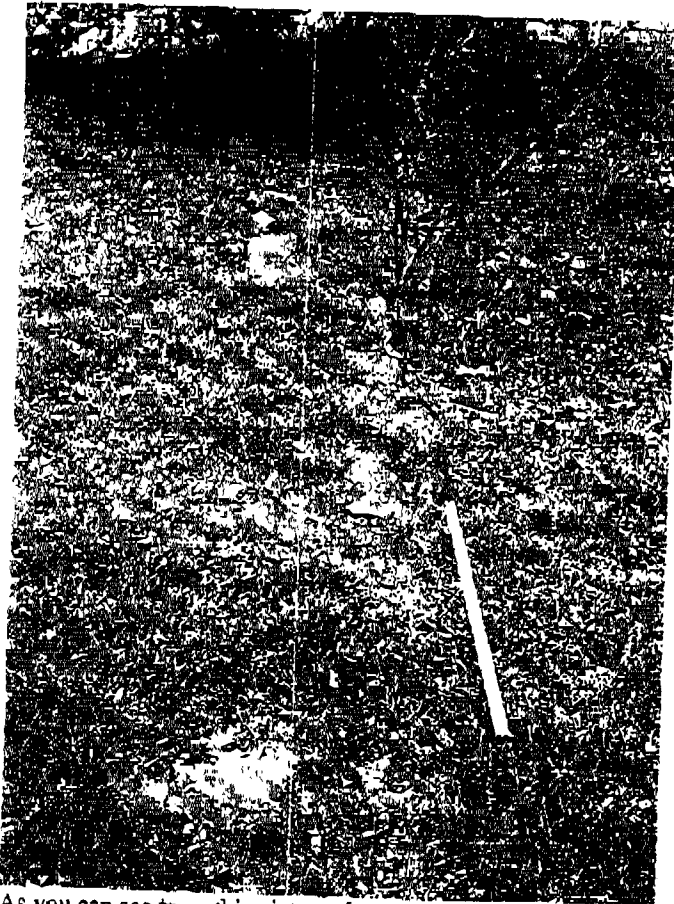
Below is another ancient oak Oncor would destroy their high power transmission lines and towers come this way.



It would be a tragedy that in this part of the county where many oak motts and forests have been destroyed by oak wilt and decline, man would finally destroy these magnificent ancient oaks. To give you an ideal of just how near the proposed line is to these ancient oaks, I just turned around and shot the following photograph of the power pole that are in use now. As Oncor's maps indicate (see attached map -- circled part -- line WW), the new high power transmission lines and towers would replace these current power poles and lines and these ancient oaks would be destroyed by clearing the land for the high transmission power lines and towers.



I would also like to bring your attention to some ancient ruins that are in this same area. People unknown to us, many years ago built these stone structures and what remains is the ruins you can see in these photographs. These ruins are extensive and go in many directions and are in different elevations. Again, I extend you an invitation to come and see the magnificent ancient ruins in person.



As you can see from this picture above the foundation of this wall is over two feet thick and the picture below the wall is over four feet thick.

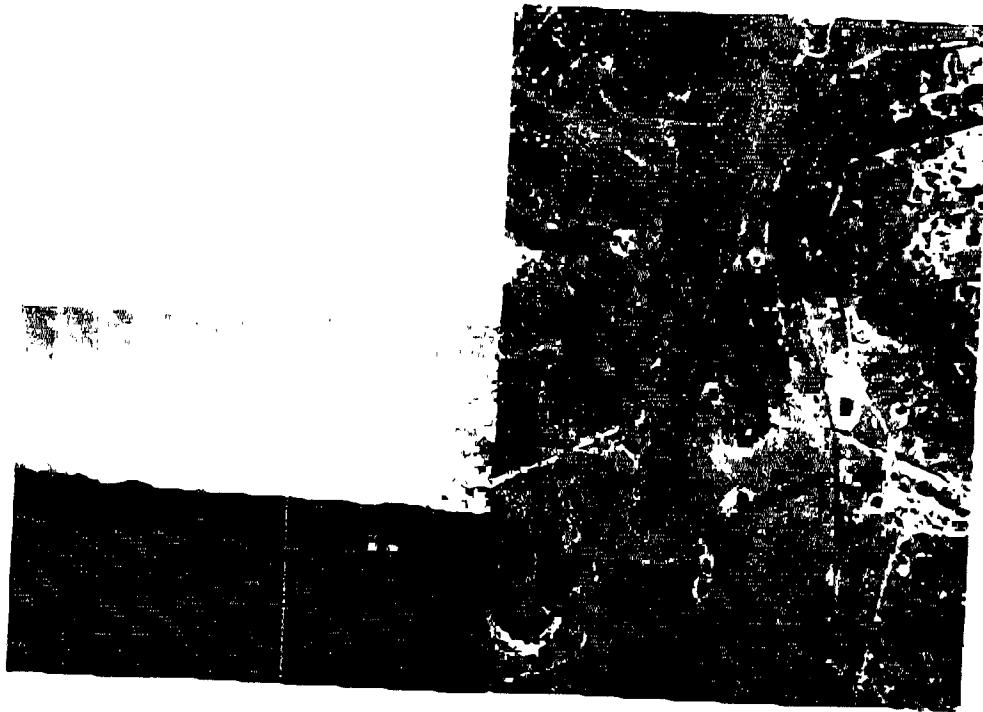


There are also some stone mounds that have always been referred to as ancient graves. Below is a picture of just one of these mounds.



These ancient oaks have been living here for hundreds and hundreds of years. These ancient ruins have been here as long if not longer. It would be tragic if Oncor choose to put their high power transmission lines and towers where these ancient oaks and ancient ruins now rest.

There is also the concern that I have about the health issue of living so near a high power transmission line. The concern is not only for people, but for livestock, and wildlife. As you can see from the picture below and from the overhead photograph, I have some large tanks (ponds) on my property. Every year in the fall and spring you can hear the ducks and geese migrating, quacking and honking as they spiral down to land on my ponds to rest a while then take off to resume their migration. If the high power lines and towers are constructed, they would block their migratory path of the ducks and geese.



I raise cattle and have deer leases on my property. If these high power transmission lines and towers are built using this route, I am concerned as how it would affect my livelihood. It is easy to find many documented scientific studies with results that indicate that high power transmission lines are detrimental to the health of young living organisms. Placing Oncor's lines across and along my property would jeopardize the health of pregnant cows. If you do a search, you will find that high power transmission lines produce gravid cows and deformed calves. Oncor's high power transmission lines and towers would also destroy what income I earn from deer leases. The American Transmission Company (ATC) distributes a warning flyer to deer hunters urging the hunters to "Avoid electric transmission structures" <http://www.atck.com/newsreleases/11-13-01%20satc%20htm#top>

If these high power transmission lines and towers come across and by my property, this would negatively affect my livelihood in many ways.

Again, I hope you would help Oncor choose a more northern route, closer to Chaparral Road and the southern boundary of Fort Hood. Also, if you know of any historical societies, government agencies, or anybody that could help with my problem, please forward them a copy of this letter, or send me their addresses. If you would like to meet with me so I can show you these magnificent ancient oak trees, ancient ruins, and ponds, please let me know.

Respectfully,

William J. Heath
 William J. Heath
 749 Tally Ho Road
 Killeen, TX 76542
 254-634-8310

