

PUC DOCKET NO. 35665

PUBLIC UTILITY COMMISSION OF TEXAS

COMMISSION STAFF'S PETITION
FOR THE SELECTION OF ENTITIES RESPONSIBLE
FOR TRANSMISSION IMPROVEMENTS NECESSARY TO DELIVER
RENEWABLE ENERGY FROM COMPETITIVE RENEWABLE ENERGY ZONES

2008 OCT 28 PM 2:58

PUBLIC VERSION
RESPONSIVE TESTIMONY OF

J. CALVIN CROWDER

FOR

ELECTRIC TRANSMISSION TEXAS, LLC

OCTOBER 28, 2008

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RESPONSIVE TESTIMONY
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1 A. Apparently not. Tejas states that if the Commission is unable or unwilling to adopt its
2 proposed ratemaking principles, Tejas is prepared to develop the CREZ facilities
3 under the assumption that rates will be set in accordance with the Commission's usual
4 ratemaking procedures. This negates any alleged advantage.

5 B.

6 **VI. THE MUNICIPAL UTILITIES' CTP PROPOSALS**

7 Q. WHAT CONCERNS DO YOU HAVE ABOUT THE CTP PROPOSALS OF
8 GARLAND, TEXAS MUNICIPAL POWER AGENCY AND CITY PUBLIC
9 SERVICE OF SAN ANTONIO?

10 A. These entities' proposal to build transmission lines far from their municipal
11 boundaries without submitting to the Commission's jurisdiction and the landowner
12 protections that accompany the CCN process could present difficult and sensitive
13 issues that ultimately delay completion of the lines. It is true that municipal utilities
14 may be excluded from the CCN provisions of PURA. However, with the exception
15 of a few generator interconnection facilities to serve their native load, their
16 transmission construction has primarily been in and around their municipal service
17 areas, where they are responsive to local residents through the ballot box.

18 Landowners in the Panhandle and the Hill Country will have less influence
19 over the siting of facilities in their area if constructed by Garland, TMPA or San
20 Antonio. This would be in marked contrast to situations where these cities undertake
21 projects in their municipal boundaries, or where any other utility undertakes lines in
22 the Panhandle or the Hill Country. These municipal utilities are attempting to extend
23 their CCN exemption far beyond the situation for which it was intended, in

1 derogation of the Commission's authority over transmission line routing. This could
2 easily lead to litigation or legislation that might delay completion of the CREZ lines.

3 Q. DOES THIS CONCLUDE YOUR TESTIMONY?

4 A. Yes.