

Report on Meeting with Judges from Five County Area

Presented by CVA President Bill Neiman

Clear View Alliance Vice President Walter Pfluger and I attended a special meeting last week called by Menard County Judge Cordes. Judges from the following counties attended the meeting at the Menard Courtroom:

Mason

Kimble

Schleicher

Sutton

Menard

Also in attendance were representatives from LCRA-TSC and the PUC. A lively, informal discussion was conducted after the host, Judge Cordes, opened the meeting vowing *not* to discuss Sub-Regional Planning Commissions(SRPC).

The majority of the time was spent by the LCRA and PUC explaining the CREZ routing and selection processes. Pfluger informed the five county judges about the differences between official evidence presented by an intervenor at the PUC hearing and the unofficial comments made at open houses or posted on the PUC dockets. Pfluger also added to the dialog with technical details of the condemnation processes.

Basically, when a routing case goes to the PUC hearing stage, only evidence presented to the appointed Administrative Law Judge (Judge) by a recognized intervenor can be considered for the record. Once all the evidence is heard from the LCRA attorneys and engineers, expert witnesses, and the attorneys for the various intervenors, the Judge makes a recommendation, which is then presented to the three PUC commissioners. The commissioners then make final decisions as they desire and order LCRA to build the CREZ lines.

Next, the Lower Colorado River Authority (LCRA) begins to contact all landowners in the path of the line. LCRA will then make an offer to purchase the rights of way. LCRA will not purchase the lands, just the rights to build and operate the line *on* the land. If the LCRA and the land owner do not agree on a price for these rights, then LCRA may begin the process of condemnation through its power of eminent domain. The Public Utility Commission (PUC) will not have anything to do with land owner compensation.

Kimble County Judge Murr appeared to be the most informed about the process. The other judges seemed to have less experience with such matters of legal real estate law.

There was *no* indication that any of the other judges have interests in joining or creating additional Sub-Regional Planning Commissions(SRPC), such as the commission formed by Mason County and the City of Mason. At this time, the judges will reserve that option until new information is available following the next round of LCRA open houses. It appeared that Schleicher and Sutton county judges do not believe the transmission lines are a county issue. Isn't it funny how septic tanks rule over 18 story towers,

A new \$3.5 million dollar electric sub-station has just been built by AEP in Menard on the old 138kV line. AEP is in partnership with LCRA-TSC to build transmission lines in Texas. Judge Cordes has not inquired why this sub-station has been located in his community.