

# Steel Monopolies *vs* Lattice Towers

***Evidence of how LCRA views  
the value of public comment***

highlighting testimony from



Gillespie - Newton  
Certificate of Convenience and Necessity  
filed by the  
Lower Colorado River Authority  
with the  
Public Utility Commission of Texas

DOCKET #37448  
OCT 28, 2009

At ‘open houses’ throughout the Hill Country, LCRA employees assured citizens that their comments would be considered as part of the pre-construction process.



Unlike a public hearing, comments made at open houses do not become evidence in a contested case.



impacted  
landowners  
were asked to  
submit  
questionnaires  
giving the  
impression of  
providing input  
to the process

**Twin Buttes to McCamey D to Westwind to Kendall Transmission Line Project**  
**Questionnaire**



This questionnaire is designed to help LCRA Transmission Services Corporation (LCRA TSC) understand public interests and concerns about the proposed Twin Buttes to McCamey D to Westwind to Kendall 345 kilovolt (kV) transmission line project. Your input is important to us. The information you provide is one element that is considered in the route selection process. Once you have viewed the exhibits, please complete this questionnaire and either leave it at the entrance or send it to the address below by May 29, 2009.\*

Sara Morgenroth  
Senior Regulatory Case Manager  
LCRA Regulatory Services  
Mailstop BTC151  
P.O. Box 220  
Austin, Texas 78767-0220  
Fax: (512) 369-4193

1. Which of the following apply to your situation? (Check all that apply)
- I am located in the project area.
  - Potential line route is near my home.
  - Potential line route is near my business.
  - Proposed substation site is near my home.
  - Proposed substation site is near my business.

Existing transmission line is on my land or near my home.  
(Please specify (e.g. I lease land and/or I am responsible for land  
line route or proposed station site.)

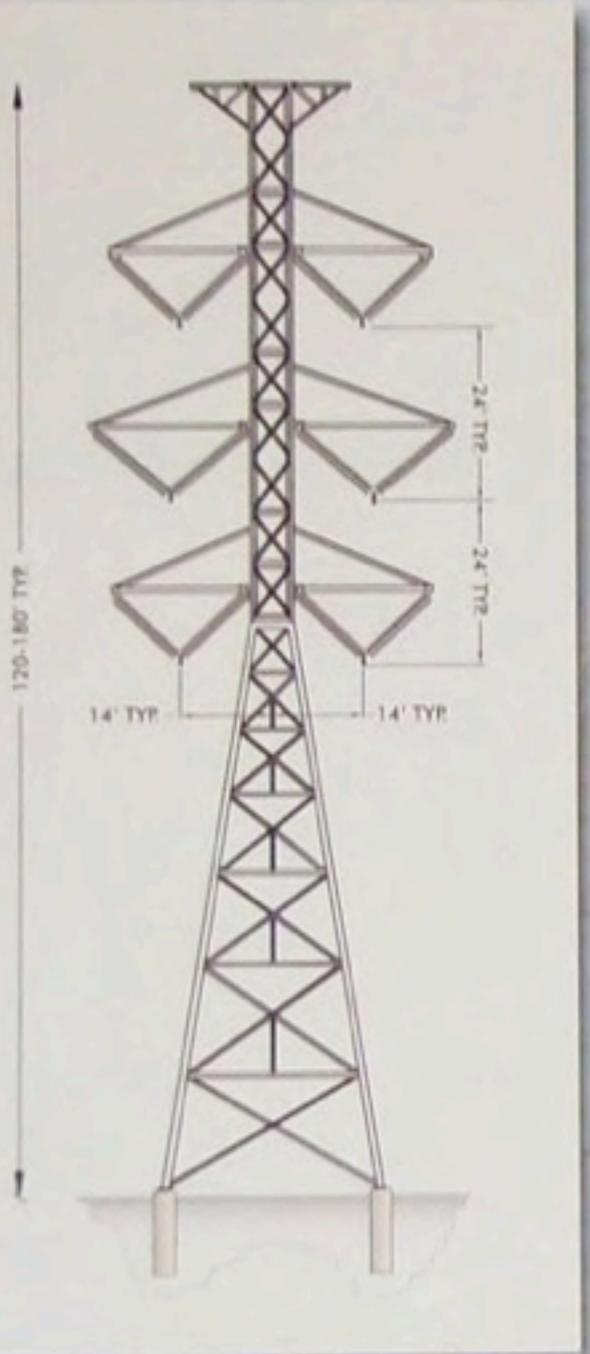
6. The routing and construction of transmission lines involves many considerations. Please rank the following factors in the order of their importance to you. Indicate the most important factor with the number 1, second most important with a 2, third most important with a 3, and so on.

- Maintain reliable electric service
- 3 Use or parallel existing compatible right-of-way (e.g. pipelines, railroads, highways, existing transmission lines) where possible
- Parallel property lines were possible
- 4 Maximize distance from residences
- 5 Maximize distance from schools, churches, nursing homes, etc.
- Maximize distance from commercial buildings
- Maximize distance from historic sites or areas
- Maximize distance from parks and recreational areas
- 1 Minimize visibility of the lines
- 2 Minimize environmental impacts
- Other \_\_\_\_\_

7. Is there any other information you would like the project team to know about or to take into consideration when evaluating the alternative locations for the new line?

Please avoid lattice structure poles and use  
steel or concrete monopoles.

## Typical Structure Type



Shown Above

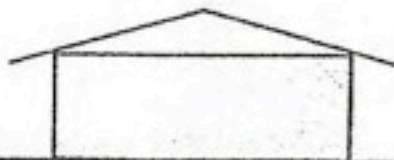
Typical Characteristics	Lattice Tower	Tower Pole	Tubular Pole
Distance Between Structures	~ to 1300 feet	~ to 1000 feet	~ to 1300 feet
Easement Width	100 to 160 feet	100 to 120 feet	100 to 160 feet
Width of Base	30 x 30 feet	8 x 8 feet	8 feet diameter
Weight	Lightest	Heavier	Heaviest
Cost	Lowest	Higher	Highest

LCRA  
‘Structural Design’  
information,  
as provided  
during the  
Open Houses

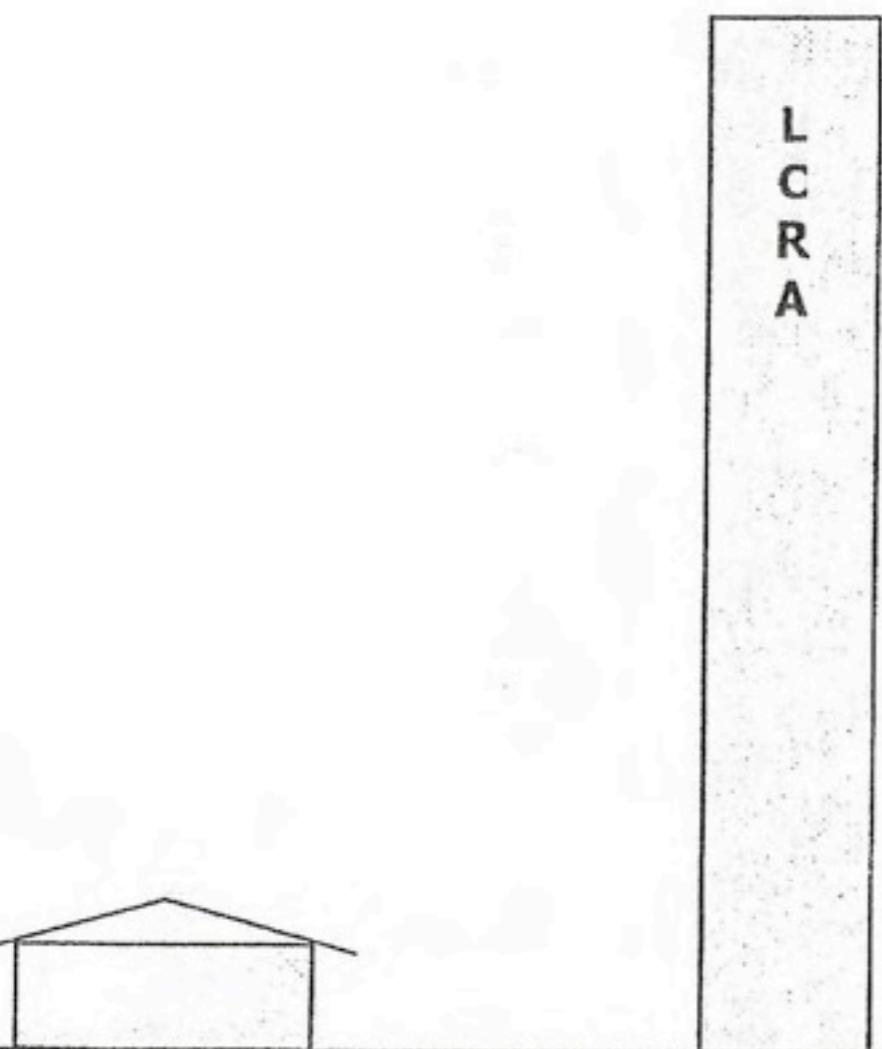
# RELATIVE SIZES OF STRUCTURES

Approximate Scale 1" = 30'

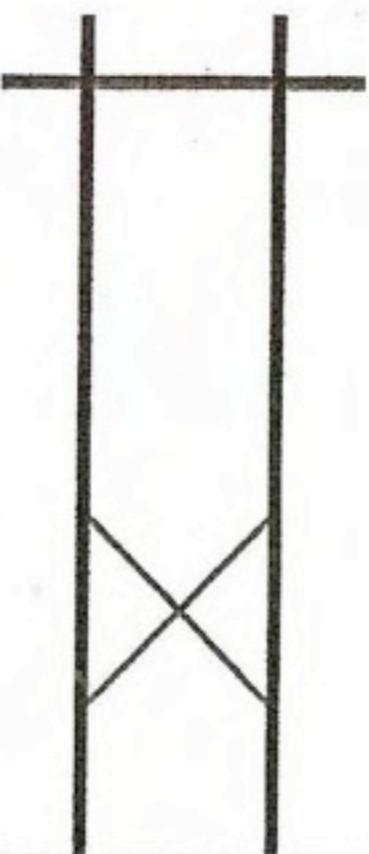
sketch produced by  
local citizen's group  
Harper, Tx area



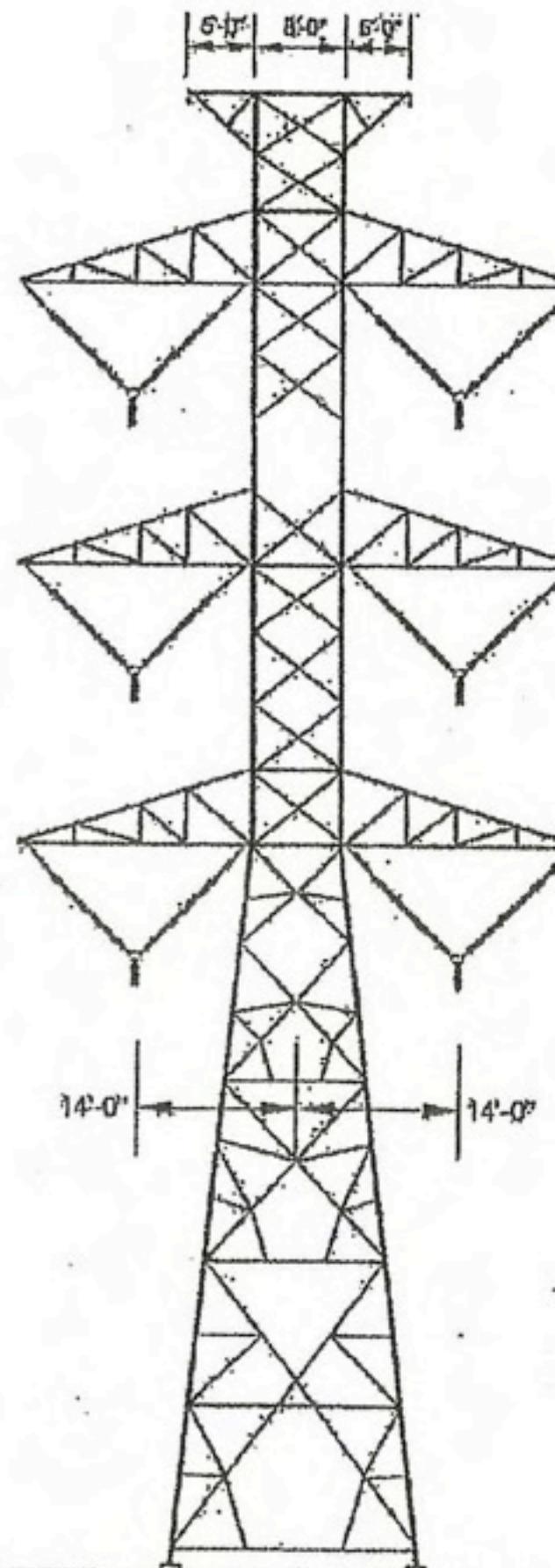
Typical Single  
Story House



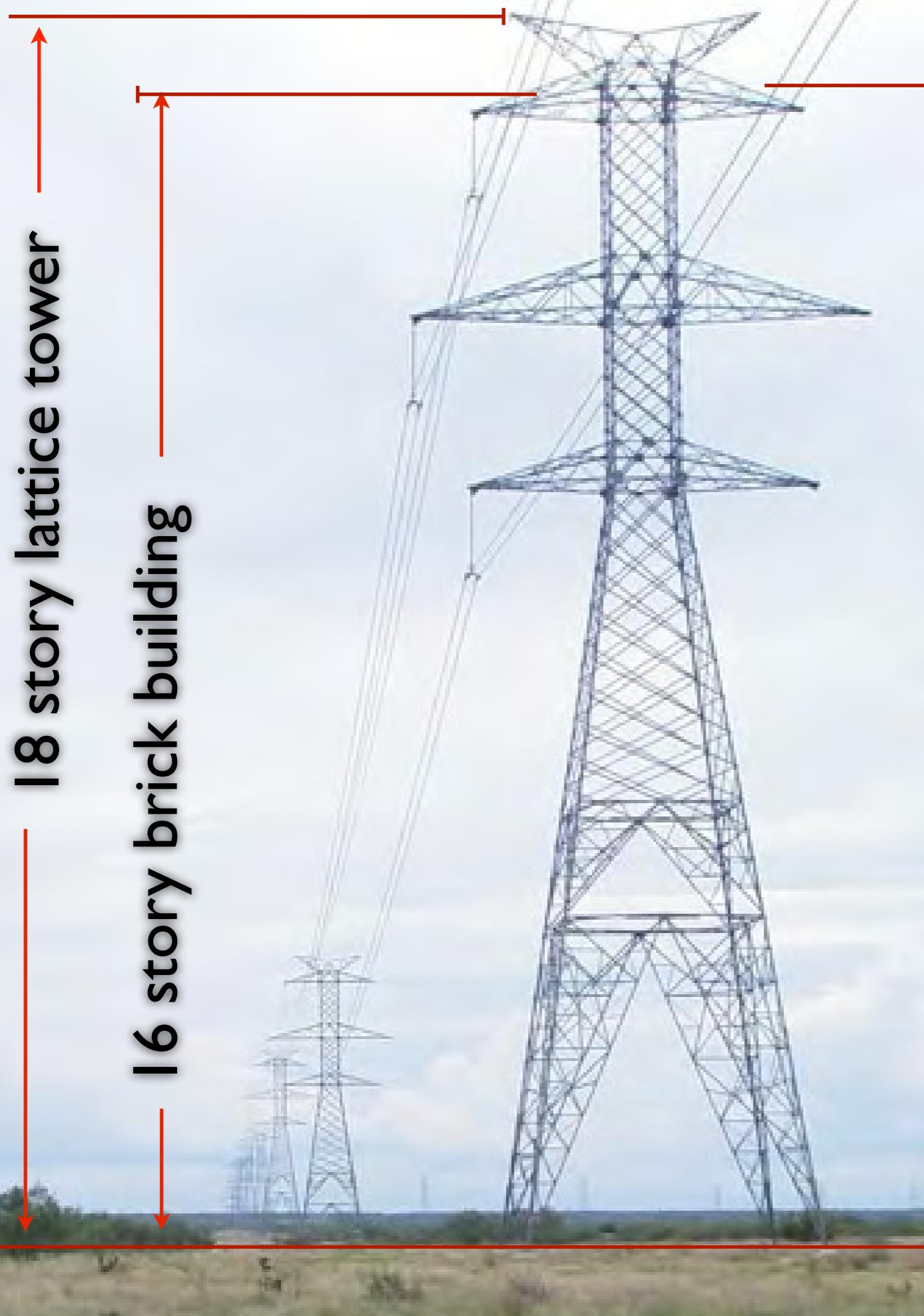
LCRA Water  
Tower in Harper



Hilliard Energy  
80' Wood Structure



145' Double Circuit  
Steel Lattice Struc-



Transmission lines significantly change the environmental aspects of local landscapes. Entire communities are particularly concerned about the type of structures used in the construction.

Private landowners facing condemnation by eminent domain feel they have little control over the situation.

To have public comments heard and taken seriously could provide needed relief.



A Florida Power & Light subsidiary,  
NextEra Energy,  
recently constructed a 345kV line  
entirely with monopoles.

Proof that CREZ projects can be built  
using aesthetic structures  
over the same type terrain  
in a cost-efficient manner.



**Concrete Monopole 345kV  
single circuit transmission line  
built in 2009 by FP&L/NextEra  
223 miles from Sweetwater thru  
Texas Hill Country to Comfort**

not beautiful, but offers clearer view  
on a narrower right of way  
than 4 legged lattice towers

an excerpt taken from the  
LCRA Gillespie-Newton CCN  
PUCT filing on October 28, 2009.  
This filing demonstrates the LCRA process.

17  
18 Q. HAS LCRA TSC BEGUN ORDERING 345-KV LATTICE TOWERS FOR THE  
19 TRANSMISSION LINE AND OTHER CREZ 345-KV TRANSMISSION  
20 LINES? IF SO, HOW MANY AND WHY?  
21 A. Yes. To complete this project by November 2012, and all of LCRA TSC's CREZ pro-  
22 jects by the end of 2013, in a cost efficient manner (as discussed elsewhere in my tes-  
23 timony) LCRA TSC began ordering lattice steel for all of LCRA TSC's CREZ 345-  
24 kV transmission lines in June 2009. LCRA TSC continues to evaluate schedules,  
25 evaluate material needs, and intends to place orders on a bi-monthly basis until all pro-  
26 ject needs are met.

the following pictures of  
10 acre “lay down yard”  
were taken near Junction  
October 2009

The yard is leased and operated by LCRA  
to receive and stockpile  
lattice tower construction materials  
for the McCamey D to Kendall  
345kV double circuit CREZ line.



Llano River valley looking towards Mason



An aerial photograph showing a wide, light-colored dirt road curving from the bottom left towards the center of the frame. The road is surrounded by a mix of green fields and sparse vegetation. In the upper right quadrant, there is a small, dark cluster of buildings or houses. The overall terrain appears dry and somewhat arid.

several diesel truckloads  
of lattice tower materials





**LCRA**  
ENERGY • WATER • COMMUNITY SERVICES

1-800-776-5272

**NO TRESPASS**

VIOLATORS WILL BE PROSECUTED

UNDER

CRIMINAL TRESPASS SECTION



**lattice tower steel material stockpile on FM 2169**

photo taken from roadside near Junction,Tx with olympus af zoom 6.4-32 mm



**lattice tower steel material stockpile on FM 2169**

photo taken from roadside near Junction,Tx with olympus af zoom 6.4-32 mm

another excerpt taken from the  
LCRA Gillespie-Newton CCN  
filed at PUCT on October 28, 2009.  
This filing potentially sets a precedent for  
the LCRA process to build all the CREZ lines.

Symank direct testimony

page 686

- 1       LCRA TSC began ordering in June 2009, and at the end of October 2009, LCRA  
2       TSC's orders account for approximately one third of the total needs for all of LCRA  
3       TSC's CREZ projects. At the end of April 2010, LCRA TSC's orders would account  
4       for most of the total needs for this project.
- 5
- 6       Thus, if the Commission orders LCRA TSC to use steel poles in certain areas, the  
7       amount of lattice towers allocated to other LCRA TSC 345-kV CREZ transmission  
8       lines may increase and potentially restrict structure type decisions on future projects.
- 9

the following letters written 11-04-09 by Walter Pfluger,  
an attorney with Smith, Rose & Finley  
San Angelo, Texas

Mr. Pfluger also serves as vice-president of  
Clear View Alliance, Inc  
Junction, Texas

Dear Governor Perry:

For your information and, hopefully your concern, I am enclosing a copy of my letter to Mr. Barry Smitherman, Chairman of the Public Utility Commission of Texas. Although it should be self-explanatory, I want to place it in context.

Landowners in Texas are concerned about the damage which the new CREZ transmission lines may impose on their land and the beauty of our state. Landowners, citizens and governmental entities have lobbied for singular steel or concrete poles as opposed to the more intrusive and "just darn ugly" lattice towers. [Please refer to Docket No. 37049 of the PUCT for letters, public comments and resolutions from governmental entities.]

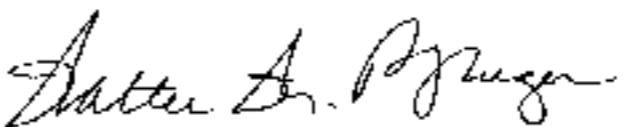
Recently the Lower Colorado River Authority (LCRA) filed its first application to build one segment of its CREZ lines. In that application LCRA states that it will use lattice towers despite what Texans are requesting. From the admissions of the LCRA that it has already ordered lattice towers for construction without prior direction from the PUCT to use such methods, it appears that either A) LCRA is playing bully by dictating to the PUCT regarding lattice towers, rather than being subject to PUCT direction as required by law; or B) a back room deal has already been struck between the PUCT and LCRA with a wink and a nod that lattice towers will be used without regard to the rights and demands of landowners upon whose property such behemoths are to be constructed. Either status is outside the realm of acceptable behavior or legal action.

I am passionate about protecting not only my land, but the beauty and charm of the hill country and the wide open spaces of Texas. Those elements of both are disappearing at a fast rate and Texans deserve much better than lattice towers.

Thanks for listening. I hope you will give thoughtful consideration as to how Texas should look in ten years.

Very truly yours,

SMITH • ROSE • FINLEY  
Attorneys At Law



Walter W. Pfluger

WWP:jms

Enclosure

cc: Mr. Thomas G. Mason, General  
Manager, LCRA

Mr. Verdie Rodriguez Legal Counsel  
LCRA TSC

Board Members of LCRA

Ms. Rebecca A. Klein

Mr. Timothy Timmerman

Mr. Franklin Scott Spears, Jr.

Mr. Steve K. Balas

Ms. Lori A. Berger

Ms. Ida A. Carter

Mr. John C. Dickerson III

Mr. Thomas Michael Martine

Mr. W.F. Woody McCasland

Mr. Michael G. McHenry

Ms. Linda C. Raun

Mr. Vernon E. Schrader

Mr. Richard Scott

Mr. B.R. Skipper Wallace

Ms. Kathleen Hartnett White

Dear Chairman Smitherman:

I am a landowner in Kimble County, Texas, and an attorney in San Angelo.

Along with everyone else in the Hill Country, I am concerned where LCRA and the PLCT locate the CREZ lines as well as how they are constructed.

Last week I studied LCRA's CCN application in PUC Docket No. 37448, that being the Gillespie to Newton 345 kV segment of LCRA's larger project. Contained within that application is information which confirms my fear that LCRA is already ordering lattice towers even before the PUCT has heard that or any other LCRA CREZ case.

On page 685 of the application, Mr. Curtis Symank, P.E., answers the following question as part of his direct testimony:

**Question:** HAS LCRA TSC BEGUN ORDERING 345 KV LATTICE TOWERS FOR THE TRANSMISSION LINE AND OTHER CREZ 345-KV TRANSMISSION LINES? IF SO, HOW MANY AND WHY?

**Answer:** Yes. To complete this project by November 2012, and all of LCRA TSC'S CREZ projects by the end of 2013, in a cost efficient manner (as discussed elsewhere in my testimony), LCRA TSC began ordering lattice steel for all of LCRA TSC'S CREZ 345-kV transmission lines in June 2009. LCRA TSC continues to evaluate schedules, evaluate material needs, and intends to place orders on a bi-monthly basis until all project needs are met.

LCRA TSC began ordering in June 2009, and at the end of October 2009, LCRA TSC's orders account for approximately one third of the total needs for all of LCRA TSC's CREZ projects. At the end of April 2010, LCRA TSC's orders would account for most of the total needs for this project.

Thus, if the Commission orders LCRA TSC to use steel poles in certain areas, the amount of lattice towers allocated to other LCRA TSC 345 kV CREZ transmission lines may increase and potentially restrict structure type decisions on future projects.

Chairman Smitherman, from the comments posted in both Docket No. 37448 and No. 37049, affected landowners and those who love the Hill Country have unanimously requested that the PUCT order LCRA to use singular tubular poles (often referred to as monopoles by lay persons such as myself) in building these transmission lines. LCRA admits this on page 679 of its application in Docket No. 37448 where it reads: "**The majority of public comments indicated a pronounced preference for single pole construction.**" Additionally, many governmental entities passed resolutions requesting that LCRA realize the adverse aesthetic effects of lattice towers and elect to use singular steel poles.

In what I would characterize as haughty, LCRA's response to the "majority of public comments" is also found on page 679 of its application where LCRA states: "**However since aesthetics are subjective and difficult to weigh, LCRA TSC selected double-circuit lattice towers as the typical structure type base on quantifiable factors, cost (an economic factor) and weight (which relates to economies and efficiency).**"

[As an aside, many of us wonder how Florida Power & Light could economically build its transmission line using singular poles without the power of eminent domain and still paying landowners a reasonable fee for using their properties. And, although the PUCT has nothing to do with eminent domain proceedings, what FP & L paid for easements is much fairer than what LCRA intends to offer.]

Now, I'm going to apologize in advance for how angry I may sound, but I am shocked that LCRA would completely disregard the reasonable requests of the people of the Hill Country and then have the audacity to force its will, without due process, upon landowners who face the power of eminent domain. The testimony of Mr. Curtis Symnak (regarding LCRA's purchases of double circuit lattice towers) also appears to show LCRA's willingness to force the PUCT to approve lattice towers.

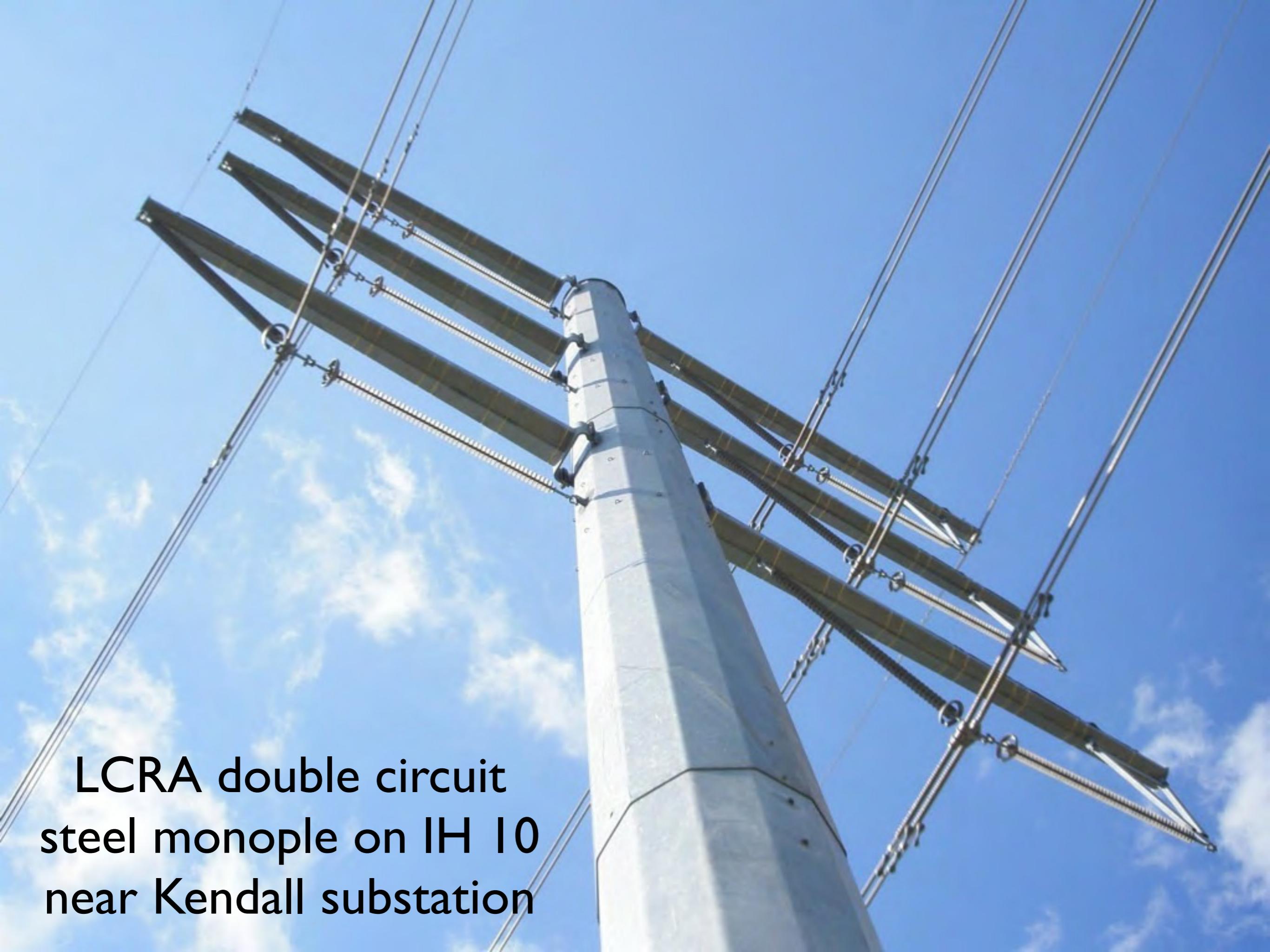
Again, it's probably not smart to write an angry-sounding letter to the Chairman of a powerful Texas agency, but at this point I feel betrayed by the system if it is true that the method of construction is no longer an issue for discussion or intervention. Perhaps my anger is misplaced and I am naive and misinformed; however, having only recently been involved in the process, I was under the impression that the PUCT regulated utilities and that the CCN hearing procedures were designed for due process, both for utilities and citizens. With LCRA currently ordering all of the lattice towers necessary for all of their CREZ projects, I have to say it appears that LCRA is not regulated by the PUCT.



**1-800-776-5272**

LCRA has incorporated monopoles  
into some of its existing lines.  
It can incorporate them  
into CREZ projects, too.





**LCRA double circuit  
steel monopole on IH 10  
near Kendall substation**

Despite repeated requests  
from the affected public,  
LCRA  
is currently purchasing materials  
that assume exclusive use of lattice towers.

Meanwhile,  
another Florida Power & Light subsidiary,  
Lone Star LLC,  
announces plans to build a CREZ transmission line  
in North Central Texas:

# November 2009

emphasis provided in red

## Project Description

Lone Star Transmission plans to build approximately 300 miles of new transmission line to bring electricity from wind-rich areas of West Texas to consumers throughout the state. The line that the PUCT ordered Lone Star to build reaches from Scurry County (west of Abilene) to Navarro County (south of Dallas/Fort Worth). The preliminary proposed routes will cross the following counties: Scurry, Fisher, Jones,



Mitchell, Taylor, Callahan, Shackelford, Stephens, Eastland, Palo Pinto, Erath, Somervell, Bosque, Hill and Navarro.

Aesthetically pleasing poles, from 120 to 140 foot tall, are planned to be used for the majority of the line, which is expected to transport enough energy to power over 2.5 million homes.

What will the new transmission lines look like?

We plan to use aesthetically pleasing poles, which are scheduled to range from 120-foot to 140-foot, for the majority of the route. We anticipate each pole will be a single



shaft capable of holding both circuits. This type of pole requires much less right-of-way than other types of transmission line structures.

Page 4 of 5

LCRA says that lattice tower materials must be purchased in advance so the public utility can complete the project by its deadline.

The CCN filing for the McCamey D to Kendall Crez line is July 6, 2010. Historically, the PUCT retains the option to decide structure materials.

LCRA may argue it cannot use monopoles because there will not be enough time for delivery to meet project deadlines.

How can private corporations such as  
Lone Star LLC be doing it right?

and

our public corporation can't?

Why is LCRA  
ignoring the will of the public?

Let's invest today  
for a clear view tomorrow

# Please write to let these men know your views, NOW!

include docket #37049

Governor of Texas



RICK  
PERRY

**PO Box 12428**  
**Austin, TX 78711**

Chairman of PUCT



BARRY  
SMITHERMAN

**PO Box 13326**  
**Austin, TX 78711**

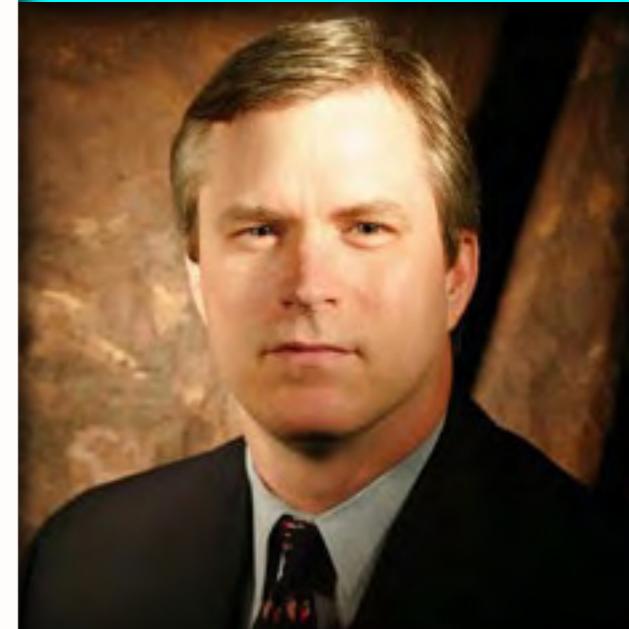
Senator District 24



TROY  
FRASER

**PO Box 12068**  
**Austin, TX 78711**

Representative District 53



HARVEY  
HILDERBRAN

**PO Box 2910**  
**Austin, TX 78768**

*Co-chairman of*  
Electric Utility Restructuring  
Legislative Oversight Committee

**Engineering, economic and environmental studies are needed to oppose the LCRA and its use of cheap lattice towers.**

**Short-term construction costs do not reveal the true costs and permanent effects from the unsightly lattice towers.**

With your help,  
Clear View Alliance  
will continue working  
to see that  
LCRA ‘gets it right’!

Transmission lines  
are permanent.

The Hill Country and  
surrounding regions  
will get no do-overs



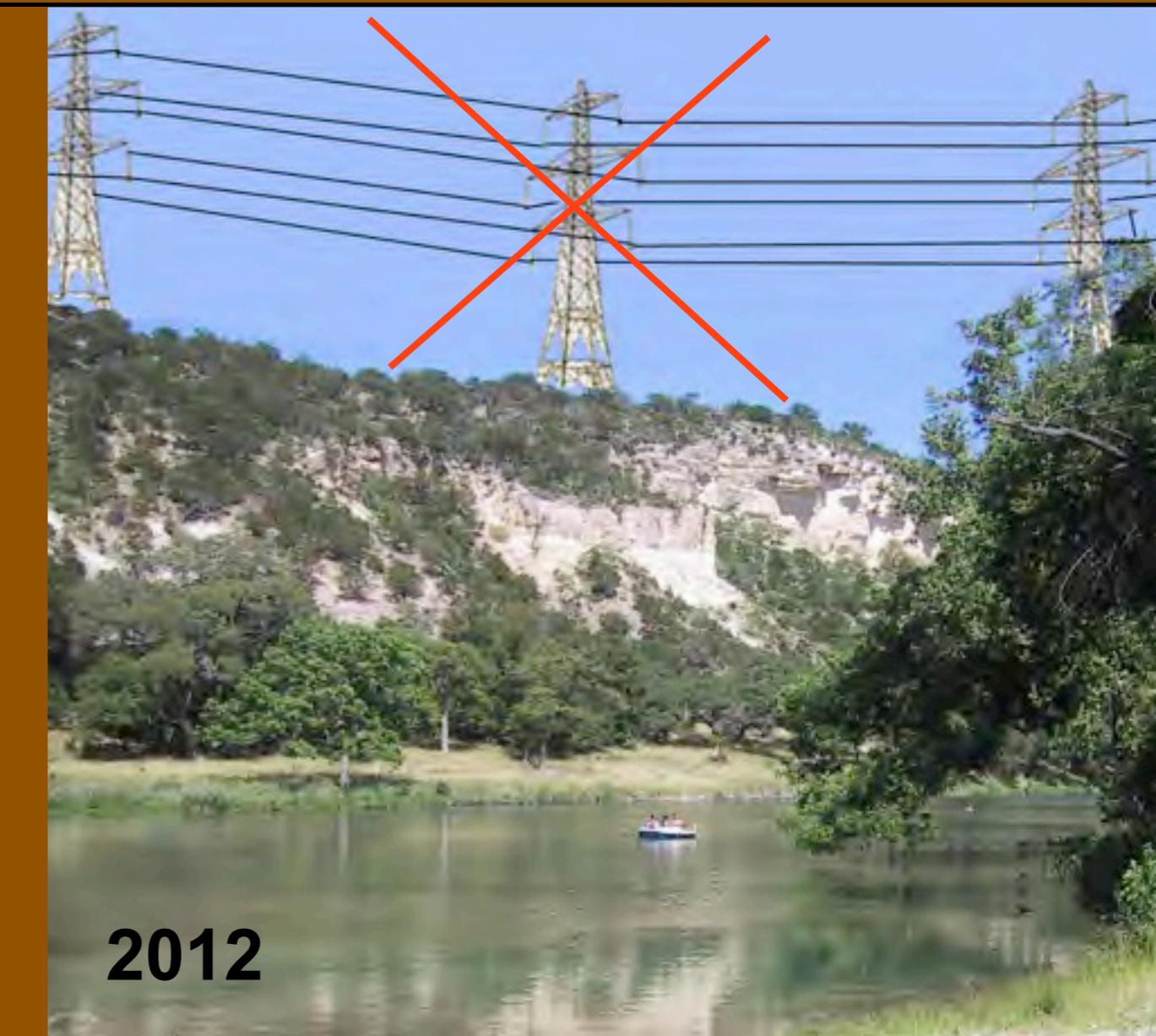
**Tomorrow's future is being built today**

# **Clear View Alliance, Inc. needs your support!**

**Donate**

[www.clearviewalliance.org](http://www.clearviewalliance.org)

- ✓ our website is credit card secure
- ✓ deposit directly at Junction National Bank
- ✓ mail donations to PO Box 906, Junction 76849



Thanks for all you do ...to help keep the Texas Hill Country region  
one of the greatest places on God's green earth!



for more information visit

[www.clearviewalliance.org](http://www.clearviewalliance.org)