

Attachment 1

**APPLICATION OF THE CITY OF SAN ANTONIO,
ACTING BY AND THROUGH THE CITY PUBLIC
SERVICE BOARD (CPS ENERGY) TO AMEND ITS
CERTIFICATE OF CONVENIENCE AND
NECESSITY FOR THE PROPOSED SCENIC LOOP
138-KV TRANSMISSION LINE PROJECT IN
BEXAR COUNTY, TEXAS**

DOCKET NO. 51023

AMENDMENT

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Amendment

By this filing, and as required by SOAH Order Nos. 4 and 5, CPS Energy supplements the application filed on July 22, 2020, by submitting the following amendments to the Application. Combined, the application filed on July 22, 2020, and this amendment, along with all referenced attachments, shall constitute the Application of CPS Energy in this matter. Changes to the original Application are shown in **Red, Bold, Underline**.

4. Project Description:

The new transmission line will be approximately **4.5** to 6.9 miles long, depending on the route selected. This change is applicable to Question No. 4 in the Application.

6. Right-of-way:

Approximately **4.5** to 6.9 miles of ROW will be required for the Proposed Project.

Approximately **9.0** to 13.8 miles of circuit will be required for the Proposed Project.

The percent of ROW acquired/donated/available for the Proposed Project at this time varies from 0 percent to approximately **54.29** percent. Routes **B1, D1, G1, I1, J1, M1, T1, Z1**, and **AA1**, which all use Segment **42a**, have approximately 2,059 feet of ROW available. The ROW available for use for these routes corresponds with an agreed landowner donation of approximately 2,059 feet of ROW for CPS Energy's use for a portion of Segment **42a**. **Routes G1, J1, and AA1 have an additional 12,905 feet, 12,075 feet, and 6,132 feet, respectively, of ROW available for CPS Energy's use, which corresponds to an agreed landowner donation for the modifications to Segment 49.** Please see the table below for the percent of ROW available for each of the routes listed.

Primary Alternative Route	Percent of Right-of-Way Available/Donated	Segments Utilizing Available/Donated Right-of-Way
<u>B1</u>	<u>6.30</u> percent	<u>42a</u>
<u>D1</u>	<u>7.48</u> percent	<u>42a</u>
<u>G1</u>	<u>54.29</u> percent	<u>42a, 46a, 49a</u>
<u>I1</u>	<u>7.75</u> percent	<u>42a</u>
<u>J1</u>	<u>50.97</u> percent	<u>36, 42a, 46a, 49a</u>
<u>M1</u>	<u>6.67</u> percent	<u>42a</u>
<u>T1</u>	<u>6.58</u> percent	<u>42a</u>
<u>Z1</u>	<u>8.61</u> percent	<u>42a</u>
<u>AA1</u>	<u>32.21</u> percent	<u>36, 42a, 46, 49a</u>

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9. Counties:

All of the **31** Primary Alternative Routes included in this Application would be constructed in Bexar County.

Please refer to Figures **2-3 Amended** and **4-1 Amended** in the **EA Amendment** for the location of Primary Alternative Route segments.

13. Estimated Costs:

*Please refer to **Attachment 3 Amended** to this Application for Transmission and Substation Facilities estimated costs for each alternative route presented in this Application.

17. Routing Study:

CPS Energy retained POWER Engineers, Inc. (POWER) to prepare the EA, included as Attachment 1 to the Application. **POWER also prepared the EA Amendment to address modifications to certain segments presented in the Application.** The objective of the EA and **EA Amendment** was to provide information in support of this Application in addressing the requirements of Public Utility Regulatory Act (PURA)¹ § 37.056(c)(4)(A)-(D), the PUC CCN Application form, and PUC Substantive Rule 25.101 (16 TAC § 25.101). By examining existing environmental conditions, including the human and natural resources that are located in the area of the Proposed Project, the EA and **EA Amendment** evaluates the environmental effects that could result from the construction, operation, and maintenance of the Proposed Project. The EA and **EA Amendment** will also be used in support of any additional local, state, or federal permitting activities that may be required for the Proposed Project.

Preliminary alternative route segments were identified by evaluation of the constraints mapped for the study area and then by identifying routing opportunity areas such as existing corridors and other linear features. Through application of the PUC's routing criteria, as described above, **49** primary alternative route segments were identified and developed into potentially viable alternative routes for comparative purposes. These primary alternative route segments were further evaluated based on information received from government agencies, the public meetings, and additional public input. Ultimately,

¹ Public Utility Regulatory Act, Tex. Util. Code §§ 11.001-66.016.

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31 alternative routes were identified for comparison. These routes were evaluated using 48 land use and environmental criteria. Impacts were evaluated by POWER for each identified alternative route. Additional forward progressing alternative routes may also be formed by configuring the various segments proposed in this Application in different ways.

Specific discussion regarding selection of the study area, identification of constraints, the selection of potential preliminary alternative route segments, and the alternative route analysis is set forth in the EA in Sections 2.0, 3.0, 4.0, and 5.0 and the EA Amendment.

19. Routing Maps:

Figure 2-4 Amended of the EA Amendment, titled *Primary Alternative Segments with Environmental and Land Use Constraints*, produced at a scale of 1 inch = 1,000 feet, is provided as part of the EA Amendment. These maps were produced using a U.S. Geological Survey (USGS) topographic base. They depict the study area for the project, locations of radio transmitters and other electronic installations, airports/airstrips, parks and recreational areas, historical sites, environmentally sensitive areas and other constraints. The maps also contain the alternative routes for the project. For their protection, locations of archeological sites are not shown on the maps.

Figure 4-1 Amended of the EA Amendment, titled *Habitable Structures and Other Land Use Features in the Vicinity of the Primary Alternative Routes*, which consists of aerial photography produced at a scale of 1 inch = 1,000 feet, is provided as part of the EA Amendment. The aerial photo-based maps include parcel boundaries identified from a review of the tax appraisal district records and combined, as appropriate, to reflect instances where multiple parcels are owned by a single individual or group in the study area. The locations of all known habitable structures located within 300 feet of the centerline of primary alternative routes on properties directly affected by the project are also identified on Figure 4-1 Amended. The habitable structures and other land use features map (Figure 4-1 Amended) was produced using recent aerial photography (January 2019).

Attachment 5 Amended and Attachment 6 Amended to this Application include 18 maps (utilizing aerial photography) titled *Location of Directly Affected Parcels and Habitable Structures*, that identify directly affected properties, tract IDs, and the location of habitable structures (including labels) within at least 300 feet of the centerline of the transmission line alternatives and approximate parcel boundary lines (based on tax appraisal district records). These maps show the location of each proposed alternative route with each route segment identified, and the locations of all major public roads.

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Attachment 8 to this Application is a list that cross-references each habitable structure, or group of habitable structures, and directly affected properties identified on the maps provided in Attachment 6 Amended with a list of tract IDs and corresponding landowner names and addresses. Landowner names and addresses were obtained by review of information obtained from the Bexar County Appraisal District.

21. Habitable structures:

The locations of habitable structures within 300 feet of the centerline of each route segment are listed and described with the approximate distance from the route segment centerline in Appendix C, Tables 4-6 through 4-36 of the EA Amendment and are shown on Figure 4-1 Amended of the EA Amendment. The total numbers of habitable structures for the 31 alternative routes are provided in the table below. Column two designates the number of habitable structures within 300 feet of the ROW centerline.

Alternative Route	Total number of habitable structures within 300 feet of the centerline
A	69
<u>B1</u>	<u>61</u>
<u>C1</u>	48
<u>D1</u>	43
E	60
<u>F1</u>	<u>12</u>
<u>G1</u>	52
H	61
<u>I1</u>	<u>43</u>
<u>J1</u>	<u>41</u>
K	<u>36</u>
L	<u>35</u>
<u>M1</u>	43
<u>N1</u>	<u>11</u>
O	29
P	<u>12</u>
<u>Q1</u>	<u>6</u>
<u>R1</u>	<u>7</u>
S	25
<u>T1</u>	34
<u>U1</u>	<u>6</u>
V	31
W	25
<u>X1</u>	<u>40</u>
Y	<u>39</u>
<u>Z1</u>	30
<u>AA1</u>	<u>30</u>
BB	<u>24</u>

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CC	<u>54</u>
<u>DD</u>	<u>32</u>
<u>EE</u>	<u>31</u>

22. Electronic Installations:

There are no known commercial AM radio transmitters located within 10,000 feet of any of the 31 alternative routes. There are two known communication towers (FM radio transmitters, microwave towers, or other electronic communications towers) that are located within 2,000 feet of the alternative routes. A listing, description, and approximate distance from the centerline of each of the alternative routes are presented in Table 4-3 and in Appendix C, Tables 4-6 through 4-36 of the EA Amendment, and the locations of these electronic installations are shown on Figures 2-4 Amended and 4-1 Amended of the EA Amendment.

For additional information on electronic installations, see Section 3.2.4 of the EA and Section 4.2.4 of the EA Amendment. None of the alternative routes filed in this Application are anticipated to have any impact on the existing communication towers.

23. Airstrips:

POWER's review of federal and state aviation/airport maps and directories, aerial photo interpretation and reconnaissance surveys, as well as information received from the TxDOT Division of Aviation, identified no FAA registered heliports located within 5,000 feet of the centerline of any of the 31 alternative routes, one FAA registered public or military airport with a runway longer than 3,200 feet within 20,000 feet of the routes, and no FAA registered public or military airports with runways shorter than 3,200 feet within 10,000 feet of the routes. No private airstrips were identified within 10,000 feet of the centerline of any of the alternative routes. No private heliports were identified within 5,000 feet of the centerline of any of the alternative routes.

Each airport/airstrip/heliport is listed and described with the approximate distance from the centerline of each of the alternative routes in Appendix C, Tables 4-6 through 4-36 of the EA Amendment. These facilities are shown on Figures 2-4 Amended and 4-1 Amended of the EA Amendment.

For additional information on airports/airstrips, see Section 3.2.3 of the EA and Section 4.2.3 of the EA Amendment. No significant impacts to these airports/airstrips/heliports are anticipated from construction of the Proposed Project. Following approval of a route by the PUC, CPS Energy will make a final determination of the need for FAA notification, based on specific route location and structure design. The result of this notification, and any subsequent coordination with FAA, could include changes in the line design and/or potential requirements to mark and/or light the structures.

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24. Irrigation Systems:

Based on POWER's review of aerial photography and field reconnaissance, none of the **31** alternative routes for the Proposed Project cross any known cropland or pastureland irrigated by traveling irrigation systems, either rolling or pivot type.

26. Parks and Recreation Areas:

POWER reviewed USGS topographic maps, TxDOT county highway maps, recent aerial photography, and field reconnaissance to identify parks and recreation areas within the study area. Based on this review, POWER identified no parks or recreation areas located within 1,000 feet of the centerline of any of the **31** alternative routes.

For more information on parks and recreational areas see Section 3.3 **of the EA** and Section 4.3 of the **EA Amendment**. No significant impacts to the use of the parks and recreation facilities located within the study area are anticipated from any of the alternative routes.

27. Historical and Archeological Sites:

POWER conducted a literature review and records search at the Texas Historical Commission and The Texas Archeological Research Laboratory at the University of Texas at Austin to identify known historical and archeological sites located within 1,000 feet of the centerline of each of the **31** alternative routes. For more information regarding site descriptions and the evaluation of the historical and archeological sites located within the study area, see Section 3.5 **of the EA** and Section 4.5 of the **EA Amendment**.

Based on POWER's review, 19 recorded archeological sites and three NRHP-listed resources are located within 1,000 feet of the centerline of one or more of the alternative routes. Five of the identified sites are within the potential ROW of an alternative route. These sites are listed and described with the approximate distance from the centerline for each of the alternative routes in Tables 4-4 and 4-5 and Appendix C, Tables 4-6 through **4-36** of the **EA Amendment**. For the protection of these sites, they are not shown on the routing maps.

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29. Environmental Impact:

The EA and EA Amendment describe the natural resources, cultural resources, land uses, and other sensitive areas that may occur within the study area. The EA and EA Amendment also describe how the Proposed Project may impact such resources. Specifically, the EA and EA Amendment include data obtained from TPWD, including the Texas Natural Diversity Database (TXNDD) and a list of Ecologically Significant Stream Segments (ESSS) in the study area.