

PUC DOCKET NO. 41921
SOAH DOCKET NO. 473-14-1961

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PUBLIC UTILITY COMMISSION
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APPLICATION OF SOUTHWESTERN § PUBLIC UTILITY COMMISSION
PUBLIC SERVICE COMPANY TO §
AMEND A CERTIFICATE OF § OF TEXAS
CONVENIENCE AND NECESSITY §
FOR A PROPOSED 115-KV §
TRANSMISSION LINE WITHIN §
BAILEY AND PARMER COUNTIES §

ORDER

This Order addresses Southwestern Public Service Company's (SPS's) application to amend a certificate of convenience and necessity (CCN) for a proposed 115-kV transmission line within Bailey and Parmer Counties. A unanimous stipulation (Stipulation) was executed that resolves all of the issues in this docket. Consistent with the Stipulation, SPS's application is approved.

The Public Utility Commission of Texas (Commission) adopts the following findings of fact and conclusions of law:

I. Findings of Fact

Procedural History

1. SPS is an investor-owned electric utility providing retail electric service in Texas under CCN No. 30153.
2. On December 12, 2013, SPS filed an application for the Texas portion of a proposed 115-kV single-circuit transmission line that will begin at the Bailey County Substation in Bailey County, approximately 0.2 miles south of Muleshoe, Texas on County Road 214, and will end at the Curry County Substation located in Curry County, New Mexico, approximately 430 feet north of East Brady Avenue and approximately 460 feet east of Mary Street in Clovis, New Mexico (Application). The Bailey County Substation will be expanded to include the new 115-kV bus upgrade, and an existing 230-kV transmission line will be rerouted to accommodate the southern expansion of the substation. The

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Application addresses the routes within Texas which will connect to the New Mexico portion of the route at various points on the Texas/New Mexico Border. The proposed transmission line was identified by the Southwest Power Pool (SPP) as needed for reliability to address low voltage violations at the Bailey County Substation during system intact conditions. The proposed transmission line's length would be approximately 23 to 28 miles in Texas depending on the route selected.

3. On December 12, 2013, SPS provided, by first class mail, written notice of the Application to: (a) the county governments of Bailey and Parmer, the Texas counties in which the proposed facility is located; (b) Golden Spread Electric Cooperative, Inc., Bailey County Electric Cooperative, Inc., Deaf Smith Electric Cooperative, Inc., and Lamb County Electric Cooperative, Inc., the neighboring utilities within five miles of the proposed facility; (c) the Cities of Muleshoe and Farwell, the municipalities within five miles of the proposed facility; (d) each landowner, as stated on the county tax rolls, that will be directly affected by the requested CCN amendment; and (e) the Office of the Public Utility Counsel (OPUC).
4. On December 12, 2013, SPS provided a copy of the Application and the Environmental Assessment and Alternative Route Analysis (EA) to the Texas Parks and Wildlife Department (TPWD). SPS included a copy of the transmittal letter to TPWD with the Application.
5. On December 13, 2013, the Commission's Administrative Law Judge (ALJ) filed Order No. 1, requiring information from SPS and a recommendation from Commission Staff regarding the sufficiency of the Application and notice, and addressing other procedural matters.
6. On December 18, 2013, SPS filed a response to the issues to be addressed in Order No. 1.
7. On December 19, 2013, SPS published notice of the Application in *The Muleshoe Journal*, a newspaper of general circulation in Bailey County and *The Friona Star*, a newspaper of general circulation in Parmer County.
8. On December 23, 2013, Terry Copley filed a motion to intervene.

9. On December 27, 2013, SPS filed proof of notice to the affected counties, utilities, municipalities, landowners, and OPUC.
10. On January 2, 2014, SPS filed a clarification of the affidavit of notice.
11. On January 3, 2014, Laurance Kriegel filed a motion to intervene.
12. On January 3, 2014, SPS filed a request for an extension of time to file proof of publication for one of the two newspapers where notice was published.
13. On January 6, 2014, Happy State Bank filed a motion to intervene.
14. On January 6, 2014, SPS filed an affidavit attesting to the publication of notice in *The Friona Star*.
15. On January 6, 2014, the Commission's ALJ issued Order No. 2, extending the deadline to file proof of publication for *The Muleshoe Journal*.
16. On January 7, 2014, SPS filed an affidavit attesting to the publication of notice in *The Muleshoe Journal*.
17. On January 7, 2014, the Commission's ALJ issued Order No. 3, granting the request to intervene of Terry Copley.
18. On January 9, 2014, SPS filed a response and objection to Laurance Kriegel's request to intervene and other motions.
19. On January 9, 2014, Commission Staff filed a recommendation on the sufficiency of the Application and notice. Commission Staff recommended that the Application be deemed sufficient and the notice be approved, but requested that SPS supplement its Application to correct non-material deficiencies. Commission Staff also proposed a procedural schedule.
20. On January 14, 2014, SPS filed a supplement and amendment to the Application.
21. On January 14, 2014, the Commission's ALJ issued Order No. 4, granting the motion to intervene of Happy State Bank, and establishing a deadline for Laurance Kriegel to respond to SPS's objection.

22. On January 15, 2014, the Commission's ALJ issued Order No. 5, addressing the sufficiency of the Application and notice and establishing a procedural schedule.
23. On January 21, 2014, Laurance Kriegel filed a response to SPS's response and objection to request to intervene and other motions. Mr. Kriegel also filed a response to Commission Staff's response to Order No. 1.
24. On January 27, 2014, Frontera Cattle Company, LLC filed a request to intervene and a request for a hearing on the merits.
25. On January 29, 2014, the Commission issued the Order of Referral and Preliminary Order to the State Office of Administrative Hearings (SOAH).
26. On January 30, 2014, Laurance Kriegel filed a motion for replevin and a motion for injunction [sic] relief.
27. On January 30, 2014, SPS filed a second amendment to the Application.
28. On February 6, 2014, the SOAH ALJ filed Order No. 1, scheduling a prehearing conference, establishing filing and service procedures, and denying Laurance Kriegel's motion to intervene.
29. On February 10, 2014, Laurance Kriegel filed a response to the Order of Referral and Preliminary Order.
30. On February 18, 2014, Commission Staff filed a letter from TPWD containing comments and recommendations regarding the proposed transmission line.
31. On February 24, 2014, Laurance Kriegel filed a notice of appeal to SOAH Order 1.
32. On February 26, 2014, Stephen Journey, Director of the Commission Advising and Docket Management Division of the Commission, informed all parties that Laurance Kriegel's notice of appeal to SOAH Order No. 1 would not be balloted, as Mr. Kriegel's motion was filed more than 10 days after issuance of SOAH Order 1.
33. On March 4, 2014, the SOAH ALJ filed Order No. 2, setting deadlines, providing notice of hearing, and informing parties of procedural matters.

34. On April 9, 2014, SPS filed a motion to abate the procedural schedule to give the parties time to finalize settlement documents.
35. On April 10, 2014, the SOAH ALJ filed Order No. 3, abating the procedural schedule and requiring that SPS file either a motion to remand the case or a motion to extend the period of abatement on or before April 25, 2014.
36. On April 24, 2014, SPS filed a motion to extend abatement period.
37. On April 29, 2014, the SOAH ALJ filed Order No. 4, extending the abatement period and requiring that SPS file either a motion to remand the case or a status report on or before May 9, 2014.
38. On May 9, 2014, SPS filed a second motion to extend abatement period, requesting that the abatement period be extended until May 30, 2014.
39. On May 30, 2014, SPS filed a third motion to extend abatement period, requesting that the abatement period be extended until June 30, 2014.
40. On June 9, 2014, SOAH ALJ filed Order No. 5, extending the abatement and requiring that SPS file either a motion to remand the case or a status report on or before June 30, 2014.
41. On June 27, 2014, SPS filed the Agreed Motion to Admit Evidence and Motion to Remand which included the Unanimous Stipulation resolving all issues in this docket.
42. On June 27, 2014, Commission Staff filed the Memorandum by Mohammed Ally in Support of the Stipulation.
43. On July 2, 2014, the SOAH ALJ issued Order No. 6, admitting evidence, remanding the case to the Commission, and dismissing the SOAH docket.

Description of the Agreed Transmission Line and Cost

44. SPS filed eight alternate routes consisting of a combined 79 segments in Texas. The parties agreed to Modified Route 5 that is comprised of segments: JM, JK, JL, CE, CB, FS, JT, KP, DX, BW, HK, BS, BQ, DR, BJ, BG, BC, GK, AZ, AW, AR, AQ, AM, AK, AI, AD, and Y. Segment JT is a new segment between Segment FS and new Segment KP that is located entirely on the land in which Frontera Cattle Company, LLC, and

Happy State Bank, both parties to this proceeding, maintain an interest. Segment KP is a newly named segment that is a modification of the west half of Segment FR as proposed in SPS's Application. Segment KP affects R & M Cattle Company. Modified Route 5 directly affects Happy State Bank and Frontera Cattle Company, LLC. Additionally, Mark Williams on behalf of R & M Cattle is not a party to the proceeding, but executed an affidavit acknowledging that R & M Cattle received notice of the originally-proposed segments and routes, waived notice of Modified Route 5, and agreed to the route crossing their property as described in the affidavit. A map depicting Modified Route 5 is attached to the Stipulation as Attachment D. The length of Modified Route 5 is approximately 37.2 miles overall, consisting of 25.9 miles in Texas and 11.3 miles in New Mexico.

45. The proposed transmission line will be built using primarily single-pole steel structures.
46. The total estimated cost to construct the Texas portion of Modified Route 5, including substation costs, is approximately \$19,564,841. The cost to construct the Texas portion of the line, including a reroute and retermination of a 230-kV transmission line to accommodate the substation upgrade, is estimated to be \$15,748,755. The cost to expand the Bailey County Substation will be approximately \$3,816,086. The New Mexico portion of the project is estimated to cost \$18,558,394, for a total project cost (both in Texas and New Mexico) of \$38,123,235. SPS provided an estimate of the total project cost and an estimate of the total jurisdictional allocation to Texas customers under which Modified Route 5 is the third least expensive route overall of the routes proposed by SPS, as well as the third least expensive to Texas customers on a jurisdictional-allocation basis. The estimated cost of the proposed transmission line and substation facilities is reasonable when compared to the estimated cost of construction of the other proposed alternative routes for this project.

Need for the Proposed Transmission Line

47. SPS is a member of, and its entire transmission system is located within, the SPP. The SPP is a regional transmission organization approved by the Federal Energy Regulatory Commission that meets the requirements of § 39.151 of the Public Utility Regulatory

Act, TEX. UTIL. CODE ANN. §§ 11.001-66.016 (Vernon 2007 & Supp. 2013) (PURA) as an independent system operator.

48. The proposed project will include the Texas portion of a new 115-kV single-circuit transmission line that will connect the Bailey County Substation in Bailey County, Texas, approximately 0.2 miles south of Muleshoe, Texas on County Road 214 to the Curry County Substation located in Curry County, New Mexico, approximately 430 feet north of East Brady Avenue and approximately 460 feet east of Mary Street in Clovis, New Mexico. The Bailey County Substation will be expanded to include the new 115-kV bus upgrade, and an existing 230-kV transmission line will be rerouted to accommodate the southern expansion of the substation. This Order addresses the Texas portion of the transmission line. The proposed transmission line was identified by the SPP as needed for reliability to address low voltage violations at Bailey County Substation during system intact conditions.
49. The proposed transmission line was identified by SPP as the result of the 2012 SPP Transmission Expansion Plan (STEP) report which is part of the annual Regional Transmission Organization Reliability Assessment.
50. SPS demonstrated a reasonable need for the proposed project in order to provide more adequate and reliable service. The need for the proposed project was not disputed in this docket.

Resolution of Landowner Concerns

51. All intervenors have agreed to Modified Route 5 consisting of segments JM, JK, JL, CE, CB, FS, JT, KP, DX, BW, HK, BS, BQ, DR, BJ, BG, BC, GK, AZ, AW, AR, AQ, AM, AK, AI, AD, and Y. The affidavit of the landowner that is directly affected by a routing modification but did not intervene is provided as Attachment A to the Stipulation, indicating their agreement with the selection of Modified Route 5.

Project Alternatives

52. In coordination with SPS, SPP conducted studies to determine if there were reliability issues within the transmission system and whether additional transmission lines or upgrades to existing lines were needed. These studies provided an in-depth analysis of

the need for this project prior to SPP's issuance of the notice to construct (NTC) the proposed transmission line. The studies concluded that the project was needed for reliability purposes and to mitigate voltage issues at the Bailey County Substation during system intact conditions. SPS did not analyze distribution alternatives, upgrading voltage or bundling of conductors of existing facilities, adding transformers, or distributed generation alternatives, because those alternatives alone would not satisfy the reliability requirements of the STEP study to mitigate low voltage issues at the Bailey County Substation during system intact conditions and because an in-depth analysis was conducted by SPP, in coordination with SPS, prior to the determination of the need for the project and the issuance of the NTC.

Routes

53. SPS considered and submitted a sufficient number of geographically diverse routes for the proposed transmission line.
54. Consistent with the Application and Stipulation, the proposed transmission line to be constructed along Modified Route 5 is comprised of segments JM, JK, JL, CE, CB, FS, JT, KP, DX, BW, HK, BS, BQ, DR, BJ, BG, BC, GK, AZ, AW, AR, AQ, AM, AK, AI, AD, and Y as described in Attachment C to the Stipulation. The Texas portion of the proposed transmission line will begin at the Bailey County Substation in Bailey County Texas, approximately 0.2 miles south of Muleshoe, Texas, on County Road 214, and end at the Texas/New Mexico state line where County Road DD turns into County Road 5, just over three miles south of Farwell, Texas. The Bailey County Substation will be expanded to include the new 115-kV bus upgrade, and an existing 230-kV transmission line will be rerouted to accommodate the southern expansion of the substation.
55. Modified Route 5 complies with the criteria of PURA § 37.056 and P.U.C. SUBST. R. 25.101 and construction of the proposed project on Modified Route 5 best meets those criteria.

Community Values

56. Pursuant to P.U.C. PROC. R. 22.52(a)(4), SPS and TRC Environmental Corporation (TRC) conducted two open houses between the hours of 5:00 and 7:30 PM on March 27

and 28, 2013, at the Clovis High School in Clovis, New Mexico and Bailey County Electric Cooperative, Inc. offices in Muleshoe, Texas, respectively.

57. Information received from the public open-house meetings in Muleshoe and from local, state, and federal agencies was considered and incorporated into the routing analysis and selection of alternative routes.
58. There are 32 habitable structures located within 300 feet of the proposed transmission line along Modified Route 5.
59. There are two AM radio towers within 10,000 feet of the proposed transmission line along Modified Route 5.
60. There are seven FM towers located within 2,000 feet of the transmission line along Modified Route 5.
61. There are no known FAA registered airports with a runway longer than 3,200 feet within 20,000 feet of the centerline of Modified Route 5. There are no known heliports within 5,000 feet of Modified Route 5. There are no private airstrips within 10,000 feet of the centerline of Modified Route 5.

Park and Recreational Areas

62. There are no recreation areas within 1,000 feet of the proposed centerline of Modified Route 5.
63. The proposed transmission line will have no adverse impact on parks and recreational areas.

Historical and Archeological Areas

64. Modified Route 5 does not cross any listed or determined-eligible historical or archeological sites, and there are no such sites within 1,000 feet of the route.
65. Modified Route 5 does not cross a previously recorded archeological site.

Aesthetic Values

66. The aesthetic impacts of the proposed transmission line have been considered and minimized to the extent reasonable.

Effect of Granting the CCN on Other Utilities

67. The proposed transmission line will not adversely affect service by other utilities in the area and will improve system reliability capacity in the area.

Environmental Impact

68. Construction of the proposed transmission line will not have a significant effect on the geologic or physiographic features of the area.
69. The proposed transmission line will not have a long-term impact on soils. SPS will inspect the right-of-way (ROW) during and after construction to identify problem erosion areas and will take special precautions to minimize vehicular traffic over areas with very shallow soils. SPS will also exercise special care when clearing near waterways.
70. The proposed transmission line will have minimal impact on prime farmland and will be limited to the physical occupation of small areas at the base of support structures.
71. The construction of the proposed transmission line should have little to no impact on surface water.
72. Modified Route 5 will cross no streams and will have approximately 0.28 mile of ROW across playa lakes. SPS will span playa lakes where possible. Lines that cross or are located near streams and playa lakes will have line markers installed at the crossings or closest points to the streams or playa lakes.
73. There are no 100-year floodplain maps available for either Bailey or Parmer County. Careful siting should minimize the possible impacts in any flood prone areas and the structures should not significantly affect flooding. SPS will coordinate with the appropriate floodplain administrators for Bailey and Parmer counties as necessary.
74. Construction of the proposed transmission line and substation should have little to no impact on the groundwater resources of the area.
75. The main impact of the transmission line on vegetation will be the removal of woody vegetation along the proposed ROW. When clearing vegetation, SPS will make efforts to retain native ground cover, where possible, to minimize impacts to local vegetation and will reseed as required by this Order.

76. The transmission line will have no significant impact, if any, on aquatic/hydric habitat.
77. The transmission line will have no significant impact on local wildlife.
78. The transmission line is not located within the Texas Coastal Management Program Boundary.
79. No plants currently listed as threatened or endangered by United States Fish and Wildlife Service (USFWS) and TPWD are known to occur along the proposed transmission line routes or on substation sites. No impacts to any federally or state-protected plant species are expected to result from this project.
80. No significant impacts to unique, sensitive, or protected wildlife habitats are anticipated.
81. No impacts to federal or state-listed threatened or endangered species are anticipated. SPS will consult with USFWS should any federally listed species be observed during construction.
82. No impacts are expected to non-listed sensitive species that may occur in the study area. SPS will consult USFWS or TPWD for any required surveys.
83. SPS has conducted reasonable evaluation of potential environmental impacts of the proposed transmission line in the impacted area.

Prudent Avoidance

84. The proposed transmission line has been routed in accordance with the Commission's policy of prudent avoidance. There are 32 habitable structures within 300 feet of the centerline of Modified Route 5.

Engineering Constraints

85. Based on the information currently available, SPS has determined that it can construct and operate any of the proposed routes, including Modified Route 5.
86. Using the best information available to it without access to the subject properties, SPS has not identified any engineering constraints along the approved route that cannot be resolved with additional consideration during the design and construction phase of the proposed transmission line project.

TPWD Written Comments, Recommendations, and Procedures

87. SPS has committed to comply with all environmental laws and regulations independent of any language included by the Commission in an Order.
88. In addition to obtaining a CCN from the Commission, SPS may need additional permits and may be required to make additional notifications in order to construct the project.
89. After a transmission line route has been selected and approved by the Commission, qualified individuals will conduct a field assessment of the entire length of the project to identify water resources, cultural resources, potential migratory bird issues, and threatened or endangered species habitat that may be impacted as a result of the project. As a result of these assessments, SPS will identify additional permits that are necessary, will consult any required agencies, will obtain all necessary environmental permits, and will comply with the relevant permit conditions during construction and operation of the transmission line.
90. It is appropriate that SPS will utilize permitted biological monitors to ensure compliance with the Endangered Species Act.
91. SPS will implement construction practices that are sufficient to avoid the need for additional permitted biological monitors during clearing and construction activities for state-listed species.
92. It is proper that SPS undertake measures necessary to comply with the Migratory Bird Treaty Act.
93. The standard mitigation requirements included in the ordering paragraphs in this Order, coupled with SPS's construction and mitigation practices are reasonable measures for SPS to undertake when constructing a transmission line.
94. It is appropriate that SPS use best management practices to minimize the potential impact to migratory birds and threatened or endangered species.
95. To the extent Lesser Prairie Chicken habitat is in the immediate proximity of the route, SPS shall implement TPWD and USFWS approved measures for avoiding and

minimizing habitat loss and fragmentation, collision and other direct and indirect sources of mortality and disturbance of breeding, nesting, and brood rearing activities.

96. This Order addresses only those TPWD recommendations and comments for which there is record evidence.

II. Conclusions of Law

1. SPS is an electric utility as defined in PURA §§ 11.004 and 31.002(6).
2. SPS is not a participant in the retail competition market under PURA, Chapter 39, Subchapter I.
3. The Commission has jurisdiction over this matter pursuant to PURA §§ 14.001, 32.001, 37.051, 37.053, 37.054, and 37.056.
4. SPS provided proper notice of the Application in compliance with PURA § 37.054 and P.U.C. PROC. R. 22.52(a).
5. This docket was processed in accordance with the requirements of PURA and the Texas Administrative Procedure Act, TEX. GOV'T CODE ANN. Chapter 2001 (Vernon 2008 & Supp. 2013), and Commission rules.
6. SPS is entitled to approval of the Application described in the findings of fact, utilizing Modified Route 5, having demonstrated that the proposed transmission line facilities are necessary for the service, accommodation, convenience, and safety of the public within the meaning of PURA § 37.056(c).
7. Modified Route 5 complies with the criteria of PURA § 37.056 and P.U.C. SUBST. R. 25.101, as well as the Commission's policy of prudent avoidance.
8. This Application does not constitute a major rate proceeding as defined by P.U.C. PROC. R. 22.2.
9. Consistent with the Stipulation, the Application is reasonable and should be approved.
10. The requirements for informal disposition pursuant to P.U.C. PROC. R. 22.35 have been met in this proceeding.

III. Ordering Paragraphs

In accordance with these findings of fact and conclusions of law, the Commission issues the following Order:

1. Consistent with the Stipulation, SPS's Application is approved.
2. Consistent with the Stipulation, CCN No. 30153 is amended to include the construction and operation of the transmission line facilities requested in the Application. SPS will use Modified Route 5, comprised of segments JM, JK, JL, CE, CB, FS, JT, KP, DX, BW, HK, BS, BQ, DR, BJ, BG, BC, GK, AZ, AW, AR, AQ, AM, AK, AI, AD, and Y as described in Attachment C to the Stipulation. Modified Route 5 is approximately 25.9 miles in length. A map depicting Modified Route 5 is provided as Attachment D to the Stipulation.
3. Resolution of this docket was the product of negotiation and compromise between the parties and a directly affected landowner, Mark Williams, on behalf of R & M Cattle. Entry of this Order does not indicate the Commission's endorsement or approval of any principle or methodology that may underlie the Stipulation. Entry of this Order shall not be regarded as binding precedent as to the appropriateness of any principle or methodology underlying the Stipulation.
4. In the event SPS or its contractors encounter any artifacts or other cultural resources during project construction, work shall cease immediately in the vicinity of the resource and the discovery shall be reported to the Texas Historical Commission (THC). In that situation, SPS shall take action as directed by the THC.
5. SPS shall implement erosion control measures as appropriate. Also, SPS shall return each affected landowner's property to its original contours and grades unless otherwise agreed to by the landowner or landowners' representatives. SPS shall not be required to restore original contours and grades where a different contour or grade is necessary to ensure the safety or stability of the project's structures or the safe operation and maintenance of the line.
6. SPS shall follow the procedures for raptor protection outlined in the Avian Power Line Interaction Committee (APLIC), *Suggested Practices for Raptor Protection on Power*

Lines: The State of the Art in 2012 (2012); and in the APLIC and USFWS *Avian Protection Plan Guidelines* (2005). SPS shall take precautions to avoid disturbing occupied nests and shall take steps to minimize the impact of construction on migratory birds, especially during nesting season.


7. SPS shall exercise extreme care to avoid affecting non-targeted vegetation or animal life when using chemical herbicides to control vegetation within the ROW, and shall ensure that such herbicide use complies with the rules and guidelines established in the Federal Insecticide, Fungicide and Rodenticide Act and with the Texas Department of Agriculture regulations.
8. SPS shall minimize the amount of flora and fauna disturbed during construction of the transmission line, except to the extent necessary to establish appropriate ROW clearance for the transmission line. Additionally, SPS shall re-vegetate using native species and shall consider landowner preferences and wildlife needs in doing so. Furthermore, to the maximum extent practicable, SPS shall avoid adverse environmental impacts to sensitive plant and animal species and their habitats as identified by TPWD and the USFWS.
9. SPS shall use best management practices to minimize the potential impact to migratory birds and threatened or endangered species.
10. SPS shall cooperate with directly affected landowners to implement minor deviations in the settlement route to minimize the impact of the transmission line. Any minor deviations in the settlement route shall only directly affect landowners who were sent notice of the transmission line in accordance with P.U.C. PROC. R. 22.52(a)(3) and shall directly affect only those landowners that have agreed to the minor deviation.
11. SPS shall be permitted to deviate from the settlement route in any instance in which the deviation would be more than the minor deviation, but only if the following two conditions are met. First, SPS shall receive consent from all landowners who would be affected by the deviation regardless of whether the affected landowner received notice of or participated in this proceeding. Second, the deviation shall result in a reasonably direct path towards the terminus of the line and not cause an unreasonable increase in cost or delay the project. Unless these two conditions are met, this paragraph does not

authorize SPS to deviate from the settlement route except as allowed by the other ordering paragraphs in this Order.

12. SPS shall update the reporting of this project on their monthly construction progress report prior to the start of construction to reflect final estimated cost and schedule in accordance with P.U.C. SUBST. R. 25.83(b).
13. All other motions, requests for entry of specific findings of fact and conclusions of law, and any other requests for general or specific relief, if not expressly granted herein, are denied.

SIGNED AT AUSTIN, TEXAS the ^{26th} 21st day of August 2014.

PUBLIC UTILITY COMMISSION OF TEXAS



DONNA L. NELSON, CHAIRMAN



KENNETH W. ANDERSON, JR., COMMISSIONER



BRANDY D. MARTY, COMMISSIONER