



Control Number: 55768



Item Number: 811

DOCKET NO. 55768
SOAH DOCKET NO. 473-24-06199

APPLICATION OF CENTERPOINT § PUBLIC UTILITY COMMISSION,
ENERGY HOUSTON ELECTRIC, LLC §
TO AMEND ITS CERTIFICATE OF §
CONVENIENCE AND NECESSITY FOR § OF TEXAS
A PROPOSED 138-KV TRANSMISSION §
LINE IN HARRIS AND §
MONTGOMERY COUNTIES §

ORDER

This Order addresses the application of CenterPoint Energy Houston Electric, LLC (CenterPoint Houston) to amend its certificate of convenience and necessity (CCN) for the proposed 138-kilovolt (kV) transmission facilities in Harris and Montgomery counties. The Electric Reliability Council of Texas, Inc. (ERCOT) has not deemed the transmission facilities as critical to the reliability of the ERCOT system.

The Commission amends CenterPoint Houston's CCN number 30086 to include the construction and operation of the transmission facilities along route 2A (substation site A to segments TT-KK-GG-P-C to tap point C), which comprises 2.98 miles of new 138-kV double-circuit transmission line and a new load-serving substation located in southern Montgomery County and northern Harris County.

The Commission adopts the proposal for decision, including findings of fact and conclusions of law, for the reasons discussed in this Order. The Commission modifies finding of fact 2 and adds finding of fact 2A to be consistent with its standard findings of fact for this utility. The Commission modifies findings of fact 3 and 13 to include a description of the substation included in the transmission facilities. The Commission modifies finding of fact number 101 to match the correct estimated cost amount in finding of fact number 174. The Commission renumbers finding of fact 190 as finding of fact 198B and relocates the finding under the heading for Texas Parks and Wildlife Department Comments and Recommendations to comply with the Commission's CCN order format. The Commission also makes non-substantive changes for such matters as capitalization, spelling, grammar, punctuation, style, correction of numbering, readability, and conformity with the Commission's order-writing format.

I. Findings of Fact

The Commission adopts the following findings of fact.

Applicant

1. CenterPoint Houston is a Texas limited liability company registered with the Texas secretary of state under filing number 800119842.
2. CenterPoint Houston owns and operates for compensation in Texas facilities and equipment to transmit and distribute electricity in the ERCOT region.
- 2A. CenterPoint Houston holds CCN number 30086 to provide service to the public.

Application

3. On November 17, 2023, CenterPoint Houston filed an application to amend its CCN number 30086 for the proposed construction of a new 138-kV double-circuit transmission line and a new load-serving substation in southern Montgomery County and northern Harris County.
4. For applications filed with the Commission on or after June 2, 2023, PURA¹ § 37.057 requires the Commission to approve or deny the application not later than 180 days after the application is filed.
5. On November 30, 2023, the Commission referred this docket to the State Office of Administrative Hearings (SOAH) and filed a preliminary order specifying the issues to be addressed in this proceeding.
6. The preliminary order set December 17, 2023, as the deadline for intervention.
7. The application was amended after a period of abatement, and an amended version was filed on February 26, 2024.
8. CenterPoint Houston filed errata to the amended application on March 7 and May 9, 2024.
9. On March 7, 2024, CenterPoint Houston held a virtual technical conference to explain the revisions to its application and to give parties the opportunity to ask questions.

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

10. The application, as originally filed, was deemed sufficient for further processing on December 22, 2023, 35 days after the filing date.
11. CenterPoint Houston agreed to waive its right to seek a writ of mandamus in Travis County under PURA § 37.057 to compel the Commission to issue a final order on the application to the extent necessary to accommodate a reasonable procedural schedule.
12. In SOAH Order No. 12 filed on March 18, 2024, the SOAH administrative law judge (ALJ) adopted the final procedural schedule, which set the record close date for July 1, 2024. After accounting for 60 days for the SOAH ALJ to issue the proposal for decision (PFD) and five weeks (35 days) for the Commission to review the PFD, the deadline for the Commission to issue a final order in this proceeding is October 4, 2024.

Description of the Proposed Transmission Facilities

13. The proposed transmission line will connect a new substation (Mill Creek), to be located at one of three proposed substation sites (substation sites A, B, or C), to the existing 138-kV Circuit 81 at one of four proposed tap locations (tap points A1, A, B, or C) a few miles south of CenterPoint Houston's Pinehurst substation. The new Mill Creek substation will serve distribution loads in the area and includes installation of two 100 megavolt-amperes (MVA) transformers and four 35-kV feeders configured as a 138-kV loop substation.
14. CenterPoint Houston proposes that the approved route be constructed with double-circuit steel lattice towers with a vertical phase configuration in an 80-foot-wide right-of-way.
15. Depending on the terrain and other conditions, CenterPoint Houston may require a wider right-of-way and alternative structure types for some portions of the proposed transmission line, such as tubular steel poles or concrete poles with a vertical configuration in an 80-foot-wide right-of-way and flat-tap steel lattice tower with a horizontal configuration in a 180-foot-wide right-of-way to approach and dip under existing transmission lines. In the event a structure is needed to terminate a fiber cable inside the substation, a concrete pole would be evaluated.
16. The application proposed 23 routes.
17. The 23 routes range in length from 2.84 miles to 4.11 miles.

18. All routes presented in the application are viable and constructible.

Schedule

19. CenterPoint Houston estimates that it will finalize engineering and design by December 2024, acquire all land rights by July 2025, procure material and equipment by December 2025, complete construction by October 2026, and energize the transmission facilities approved by this Order by October 2026.

Procedural History At SOAH

20. In SOAH Order No. 1 filed December 5, 2023, the SOAH ALJ set a prehearing conference for December 15, 2023. SOAH Order No. 1 set December 18, 2023, as the deadline for Commission Staff and any other party to file comments on the sufficiency of the application and notice of the application. The Order recognized that, assuming completeness of the application on its November 17, 2023 filing date, and based on PURA § 37.057, the Commission's decision deadline was May 15, 2024.
21. On December 18, 2023, Commission Staff filed its recommendation that the application was sufficient for further processing.
22. On December 20, 2023, two intervenors filed requests for a route adequacy hearing.
23. In SOAH Order No. 2 filed on December 20, 2023, the SOAH ALJ set the hearing on the merits for February 6–8, 2024, and adopted a procedural schedule.
24. In SOAH Order No. 3 filed December 21, 2023, the SOAH ALJ set a route adequacy hearing for January 5, 2024.
25. In SOAH Order No. 4 filed on January 3, 2024, the SOAH ALJ, among other things, denied an intervenor's request for a hearing on the sufficiency of notice.
26. On January 5, 2024, the SOAH ALJ convened the route adequacy hearing.
27. In SOAH Order No. 5 filed on January 9, 2024, the SOAH ALJ set a deadline for written briefs on route adequacy and revised the procedural schedule as agreed by the parties.
28. On January 10, 2024, CenterPoint Houston filed an expedited motion to abate the proceeding for one month to amend the application and supporting material to correct errors.

29. In SOAH Order No. 6 filed on January 11, 2024, the SOAH ALJ granted the motion to abate, extending the deadline for written briefs on route adequacy, and canceled the February 6, 2024 hearing on the merits. SOAH Order No. 6 set a deadline of February 9, 2024, for CenterPoint Houston to file either an amended application and proposed amended procedural schedule or a status report. The Order treated CenterPoint Houston's abatement request as an agreement to waive its right to seek a writ of mandamus in Travis County to compel the Commission to issue a final order on the application under PURA § 37.057 until after June 15, 2024.
30. In SOAH Order No. 7 filed on February 8, 2024, the SOAH ALJ found that the application provided an adequate number of reasonably differentiated routes to allow the ALJ and the Commission to conduct a proper evaluation.
31. On February 9, 2024, CenterPoint Houston filed a request to extend the abatement to February 24, 2024, to allow it to complete its amended application and supporting materials.
32. In SOAH Order No. 8 filed on February 23, 2024, the SOAH ALJ granted the request to extend the abatement and required CenterPoint Houston to file, by February 26, 2024, either an amended application and proposed amended procedural schedule or a status report.
33. In SOAH Order No. 9 filed on February 27, 2024, the SOAH ALJ recognized that CenterPoint Houston had timely filed an amended application, supplemental direct testimony, a proposed amended procedural schedule, as well as a redline copy of the application showing all changes made. The ALJ set a March 4, 2024 deadline for parties to respond to the proposed procedural schedule.
34. In SOAH Order No. 10 filed on March 5, 2024, the SOAH ALJ denied CenterPoint Houston's proposed amended procedural schedule as allowing insufficient time for intervenors to respond and set a March 8, 2024 deadline for parties to file either agreed or competing proposed procedural schedules. The Order also adopted an uncontested proposed protective order to govern the use of materials deemed confidential or highly confidential (highly sensitive protected materials).

35. In SOAH Order No. 11 filed on March 11, 2024, the SOAH ALJ extended the deadline to file proposed amended procedural schedules to March 11, 2024, based on CenterPoint Houston's request.
36. In SOAH Order No. 12 filed on March 18, 2024, the SOAH ALJ adopted a revised procedural schedule and set June 10–12, 2024, for the hearing on the merits. The Order also denied requests to reopen the route adequacy hearing.
37. In SOAH Order Nos. 13–16, filed on May 2, 10, and 13, 2024, respectively, the SOAH ALJ ruled on discovery matters including motions to compel, for official notice, and to strike late-filed testimony or testimony on excluded matters; denied motions to include additional substation sites for consideration; denied motions to remove certain segments and routes from consideration; and dismissed as parties those intervenors who did not timely file statements of position or testimony.
38. On May 22, 2024, a final prehearing conference was convened via videoconference.
39. In SOAH Order No. 17 filed on May 22, 2024, the SOAH ALJ memorialized the final prehearing conference and oral rulings made therein, and revised certain pre-and post-hearing procedures.
40. In SOAH Order Nos. 18, 19, and 20, filed on May 29, June 4, and June 7, 2024, respectively, the SOAH ALJ ruled on motions to file supplemental direct testimony and for judicial notice; denied motions to remove certain segments and routes from consideration; and partially granted a motion in limine to exclude from the hearing on the merits any testimony or cross-examination concerning sites, routes, and segments that were excluded following the route adequacy hearing.
41. The hearing on the merits was convened via videoconference on June 10–12, 2024.
42. In SOAH Order No. 21 filed on June 13, 2024, the SOAH ALJ set forth instructions for post-hearing briefing and reiterated the deadlines of June 24 and July 1, 2024, for initial and reply briefs, respectively.

Intervenors

43. In SOAH Order Nos. 2 and 4 filed on December 20, 2023 and January 3, 2024, respectively) the SOAH ALJ listed the intervenors whose motions to intervene were granted party status in the proceeding.
44. In SOAH Order Nos. 14 and 17 filed on May 10 and 22, 2024, respectively, the SOAH ALJ listed the intervenors who were dismissed as parties for failure to file direct testimony or a statement of position.

Hearing On the Merits

45. The hearing on the merits convened by videoconference on June 10, 2024, and concluded on June 12, 2024. The following parties made appearances, either personally or through their representatives: CenterPoint Houston; Commission Staff; Samuel and Rebecca Elliott; the Hicks Intervenors (composed of Decker Prairie Properties, LP; VC Realty, LLC; FKH Living Trust; and Frank and Karen Hicks); Brian Huang on behalf of the Is Zen Center (B. Huang); John Huang (J. Huang); Mike Langhammer; Timothy Large; Stacey Lehigh; Lee Milam; William A. Roper, Jr.; the Schuchat Family Trust; Sherry Sykes; and the Tall Pines Alliance (Tall Pines, comprises intervenors Frederick Abbott; Steve and Sharon Cabral on behalf of the SSC Living Trust; Sonya Calooy; John and Pamela Caplinger on behalf of John and Pamela Caplinger Trust; Randall and Victoria Cosby; James Day on behalf of Chestnut Hill Farm Revocable Trust; Ann Gelardi on behalf of Gelardi Revocable Trust; Keith and Susan Gilbert; Mason and Stephanie McBee; Joseph Morris on behalf of The Ranches at Pinehurst POA; Shandy Oncken; Fernando Rueda; Dennis Scheer on behalf of Dennis W. and Lynda G. Scheer Revocable 2017 Trust; Kimberly Wallace; Tim Weems on behalf of BAC Investments, Inc.; and Larry Zimmerman).
46. A portion of the hearing, on June 11, 2024, concerned highly sensitive protected materials. That portion of the hearing was closed to participation only by parties having executed the appropriate protective order certifications. The corresponding portion of the hearing transcript is sealed.

47. The record closed July 1, 2024, upon receipt of the parties' reply briefs and proposed findings of fact and conclusion of law.

Testimony

48. On November 17, 2023, CenterPoint Houston filed the direct testimony of the following witnesses: Bradley Diehl, Jacob Tomczyszyn, and James Nicholas. As subsequently amended, this testimony was admitted at the hearing on the merits.
49. Commission Staff filed the direct testimony of David Bautista. The following intervenors filed direct testimony: the Elliotts; Hicks Intervenors; Mr. B. Huang on behalf of the Is Zen Center; Mr. J. Huang; Mr. Langhammer; Mr. Large; Mr. Milam; Mr. Roper; Jennifer Nichols and T. Brian Almon on behalf of the Schuchat Family Trust; and, on behalf of Tall Pines: Mr. Abbott, the Cabrals on behalf of the SSC Living Trust, Ms. Calooy, the Caplingers on behalf of John and Pamela Caplinger Trust, the Cosbys, Mr. Day on behalf of Chestnut Hill Farm Revocable Trust, Ms. Gelardi on behalf of Gelardi Revocable Trust, the Gilberts, the McBees, Mr. Morris on behalf of The Ranches at Pinehurst POA, Mr. Oncken, Mr. Rueda, Mr. Scheer on behalf of Dennis W. and Lynda G. Scheer Revocable 2017 Trust, Ms. Wallace, Mr. Weems on behalf of BAC Investments, Inc., and Mr. Zimmerman. This testimony, as amended, was admitted at the hearing on the merits.
50. On February 26, 2024, CenterPoint Houston filed the supplemental direct testimony of Messrs. Diehl, Tomczyszyn, and Nicholas. This testimony, as corrected, was admitted at the hearing on the merits.
51. On April 19, 2024, Messrs. J. Huang, Roper, and Milam filed cross-rebuttal testimony and Ms. Nichols and Mr. Almon filed cross-rebuttal testimony on behalf of the Schuchat Family Trust. This testimony, as corrected, was admitted at the hearing on the merits.
52. On April 29, 2024, CenterPoint Houston filed the rebuttal testimony of Messrs. Diehl, Tomczyszyn, and Nicholas. This testimony, as corrected, was admitted at the hearing on the merits.

53. On June 5, 2024, the Hicks Intervenors submitted the supplemental direct testimony of Mr. Hicks. This testimony, as corrected, was admitted at the hearing on the merits.

Adequacy of the Application - Route Adequacy

54. CenterPoint Houston retained TRC Companies, Inc to prepare an environmental assessment and alternative route analysis (routing analysis) for the proposed transmission facilities.
55. To identify preliminary alternative route links for the transmission line and alternative substation sites, TRC Companies and CenterPoint Houston delineated a study area, sought public official and agency input, gathered data regarding the study area, performed constraints mapping, identified preliminary alternative routing segments, and conducted aerial photography and field reconnaissance surveys from public points of view.
56. From the preliminary transmission line segments, TRC Companies and CenterPoint Houston identified 23 routes. In identifying these routes, TRC Companies and CenterPoint Houston evaluated input from public officials and agencies, geographic diversity within the study area, and an inventory and tabulation of a number of environmental and land use criteria.
57. In the application, CenterPoint Houston stated that route 4A best addressed the requirements of PURA and the Commission's rules.
58. On December 20, 2023, intervenors Mr. J. Huang and Mr. Roper timely filed requests for a hearing on the adequacy of the routes proposed in the application.
59. Commission Staff and intervenor Mr. Large filed statements of position regarding route adequacy on January 3, 2024.
60. Commission Staff, CenterPoint Houston, the Hicks Intervenors, and Messrs. J. Huang and Roper attended the route adequacy hearing.
61. In SOAH Order No. 7 filed on February 8, 2024, the SOAH ALJ found that the application provided an adequate number of reasonably differentiated routes to allow the ALJ and the Commission to conduct a proper evaluation. The ALJ further found that CenterPoint Houston demonstrated the intervenors' alternative proposals were not likely to be superior

to the routes proposed in the application and therefore those alternative proposals should not be included for further consideration.

Adequacy of Application in General

62. On January 10, 2024, CenterPoint Houston filed an expedited motion to abate the proceeding for one month to amend the application and supporting material to correct certain errors. The corrections primarily involved:
 - a. Adding additional small segments to complete the routes in question when it was determined that certain routes did not include all segments necessary to connect to CenterPoint Houston's proposed substation sites;
 - b. Correcting the estimated land acquisition costs associated with proposed substation site A, which had been transposed with those for proposed substation site C; and
 - c. Correcting areas in which the application miscounted the number of lattice towers vs. steel poles for certain routes.
63. The amended application was filed on February 26, 2024.
64. On March 7, 2024, CenterPoint Houston filed errata to its amended application, making corrections to the amended routing analysis.
65. On May 9, 2024, CenterPoint Houston filed a second errata to its amended application, correcting cost estimates of each of the proposed routes to add \$400,000 per route in inadvertently omitted labor costs.
66. The amended application adjusted only routes included in the initial application, did not remove any proposed routes or substation sites, and did not propose any new routes or substation sites, and therefore the reasoning in SOAH Order No. 7, ruling on route adequacy, remained unchanged.

Notice

67. CenterPoint Houston provided notice of the application via the following methods. On November 17, 2023, CenterPoint Houston:
 - a. Mailed by first-class mail written notice of the application to: (1) each landowner on the current county tax roll who could be directly affected by the proposed routes

- in Harris and Montgomery counties; (2) utilities providing similar service within five miles of the alternative routing options; (3) owners of pipelines with facilities paralleled or crossed by alternative routes; and (4) county and municipal authorities.
- b. Gave public notice of its application once in the week following the filing of the application in the *Houston Chronicle*, which has general circulation in Harris and Montgomery counties;
 - c. Provided, by electronic file sharing, notice and a complete copy of the application to the Office of Public Utility Counsel (OPUC);
 - d. Sent, by certified mail, notice of the application to the Department of Defense Military Aviation and Installation Assurance Siting Clearinghouse; and
 - e. Sent, by certified mail, a copy of the routing analysis as well as a copy of the application to Texas Parks and Wildlife Department.
68. On December 7, 2023, CenterPoint Houston filed the affidavit of Mr. Diehl, manager of transmission policy for CenterPoint Houston, attesting to the provision of newspaper notice, and notice to landowners, neighboring utilities, pipeline owners, counties, municipalities, OPUC, the Department of Defense Military Aviation and Installation Assurance Siting Clearinghouse, and Texas Parks and Wildlife Department.

Public Input

69. To develop information on community values, CenterPoint Houston held a public meeting on December 15, 2022, at the Tomball Community Center, located at 221 Market Street, Tomball, Texas.
70. CenterPoint Houston directly mailed individual notification letters announcing the public meeting to 331 landowners whose property is located within 300 feet of a preliminary transmission line segment. CenterPoint Houston obtained the landowners' names and addresses from the Montgomery County and Harris County tax rolls databases.
71. The notice included a map of the study area depicting the preliminary route segments and a document with frequently asked questions.

72. CenterPoint Houston sent written notice of the public meeting to 40 local officials and government agencies.
73. A total of 71 individuals signed in to the public meeting, with 97 people in attendance. Participants submitted 43 questionnaires regarding the proposed transmission facilities.
74. CenterPoint Houston and TRC Companies evaluated comments received from the questionnaires, agencies, and officials when evaluating the preliminary transmission line segments and determining the alternative routes to be included in the application.

Adequacy of Existing Service and Need for Additional Service

75. The Magnolia, Tomball, and The Woodlands area is experiencing load growth as a result of new residential, commercial, and light industrial developments.
76. CenterPoint Houston has three existing substations (Pinehurst, Tomball, and Stone Lake) in the vicinity of this load growth. The distribution load that is currently served from the three existing substations is forecasted to grow approximately 50 megawatts (MW) between 2023 and 2032, with a combined load increase of almost 10% between 2023 and 2032.
77. The need for service is more likely than not located in the general vicinity of the three substation sites proposed in the application.
78. The proposed transmission facilities will facilitate robust wholesale competition by delivering cost-efficient power at 138 kV from generation sources to customers.

Alternatives to the Proposed Transmission Facilities

79. CenterPoint Houston conducted a transmission study using the load forecast, generation pattern, and network topology projected for the 2025 summer peak, 2027 summer peak, and the 2026 minimum load conditions in the ERCOT steady state working group base cases from October 7, 2022. The transmission study evaluated two 138-kV interconnection options from Circuit 81 to the proposed Mill Creek substation and determined that an approximately 4.5-mile double circuit line looping Pinehurst to Tomball was preferable based on transmission design criteria and North American Electric Reliability Corporation standards.

80. CenterPoint Houston also evaluated and rejected as unworkable options such as upgrading voltages, bundling conductors, or adding transformers.
81. On April 1, 2024, CenterPoint Houston provided, in response to a request for information filed by Commission Staff, an assessment titled: Mill Creek Supplemental Distribution Assessment (distribution assessment), prepared in March 2024.
82. The distribution assessment concluded: Pinehurst substation had no overhead getaway space for an additional distribution circuit but had potential space for an underground getaway route running approximately 2.5 miles underground before extending overhead; Tomball substation could support one potential new circuit to the north; together, these two new distribution circuits would provide approximately 35 MW of capacity under a best-case scenario but growth between 2023 and 2032 is projected to be 36 MW across this area; and no future circuits could be built afterward at Pinehurst or Tomball.
83. The distribution assessment determined that the two new distribution circuits could be added at a cost of \$33.1 million for materials and labor with construction overhead adding as much as 20% to the cost. Though less costly than a new transmission line and substation, this approach would leave CenterPoint Houston's system without enough flexibility to reliably respond to contingency conditions.
84. The distribution alternative evaluated in the distribution assessment would not address the reliability issues currently being experienced by the existing circuits serving the study area, particularly under contingency conditions.
85. The proposed transmission facilities as proposed in the application are more likely than not a superior choice to the distribution alternatives studied in the distribution assessment.

Effect Of Granting the Certificate on Utilities Serving the Proximate Area

86. CenterPoint Houston is the only electric utility involved in the construction of the transmission facilities, and no other electric utility's existing facilities will be used.
87. The proposed transmission facilities will not serve another electric utility or connect with the facilities owned by another electric utility.

88. It is unlikely that the construction of the proposed transmission facilities will adversely affect service by other electric utilities in the area.
89. Pipelines (including those carrying oil and gas) will be identified on engineering drawings and flagged before construction. CenterPoint Houston will coordinate with the respective pipeline companies at each crossing for continued safe operation of the pipeline during transmission line construction and operation. The number of pipelines crossed by each proposed alternative route is five crossings.
90. Existing electric transmission lines were identified within the study area and each proposed alternative route crosses existing transmission lines.

Routing Criteria Overview

91. Four main routes perform well on many of the applicable statutory and regulatory factors and were supported by one or more parties:
 - a. Route 2A, starting at substation site A, following segments TT-KK-GG-P-C and terminating at tap point C;
 - b. Route 4A, starting at substation site A, following segments TT-KK-GG-P-O-E-B and terminating at tap point B;
 - c. Route 10B, starting at substation site B, following segments MM1-II-HH-V-P-O-E-B and terminating at tap point B; and
 - d. Route 13BM, starting at substation site B, following segments MM2-FF1-FF-DD-BB-R2-R1-J-I-E-B and terminating at tap point B.
92. CenterPoint Houston identified route 4A as the route that best meets all applicable criteria.
93. Commission Staff concurred that route 4A best meets all applicable criteria.
94. Though not a party to this case, Texas Parks and Wildlife Department provided comments, in which it stated that Route 4A appears to be the route that best minimizes adverse impacts to natural resources.
95. Tall Pines supports route 13BM, which it proposed.

96. The Hicks Intervenors will be affected to some degree by all proposed routes. Tap points A1, A, and B are on Hicks Intervenors' property. Tap point C is not on Hicks Intervenors' property but the right-of-way required will likely affect their land.
97. The Hicks Intervenors find least harmful a route terminating at tap point A and alternatively would accept a route terminating at tap point C.
98. Route 2A best meets applicable routing criteria and mitigates impact to the Hicks Intervenors without the significant increase in cost associated with the routes they find least harmful.

Costs

99. Of the 23 routes proposed in the application, route 10B is the least expensive with a total estimated cost of \$62,893,172.
100. Route 22C is estimated to be the most expensive route with a total estimated cost of \$97,862,193.
101. Route 2A is estimated to cost \$68,286,331 and is the third least-expensive route.
102. The cost of route 2A is reasonable considering the range of the cost estimates for the routes.

Prudent Avoidance

103. Commission rules define prudent avoidance under 16 Texas Administrative Code (TAC) § 25.101(a)(6) as the "limiting of exposures to electric and magnetic fields that can be avoided with reasonable investments of money and effort."
104. The greatest number of habitable structures within 300 feet of the centerline of any route is 107 (route 22C).
105. The fewest number of habitable structures within 300 feet of the centerline on any route is 16 (routes 4A, 5A, and 6A).
106. Route 2A has the fourth fewest (after routes 4A, 5A, and 6A, which are tied) number of habitable structures within 300 feet of the route centerline, at 20.
107. The construction of transmission facilities along route 2A complies with the Commission's definition of prudent avoidance.

Community Values

108. The primary concern expressed in the questionnaire responses from the public meeting was to avoid residential areas. Following residential, the average ranking of land use concerns from most to least was schools, wildlife, recreational, agricultural, floodplains, churches, commercial, historic sites, and cemeteries.
109. CenterPoint Houston evaluated comments received from the public meeting, agencies, and officials in incorporating community values. CenterPoint Houston reviewed the transmission line segments and determined that route 4A adequately addresses the expressed community values.
110. Route 2A maintains most of the benefits of route 4A. However, by avoiding segment B and tap point B, route 2A will not split the Hicks Intervenors' properties into three separate tracts and will avoid their residences to a greater extent than route 4A.
111. Route 2A best addresses community values in the area by minimizing the number of affected habitable structures while mitigating impact to the Hicks Intervenors.

Recreational and Park Areas

112. None of the proposed alternative routes cross or are located within 1,000 feet of parks or recreational areas.
113. It is unlikely that the presence of the proposed transmission facilities along any proposed route will adversely affect the use and enjoyment of any recreational or park areas.

Aesthetic Values

114. The aesthetic impact of the proposed transmission facilities is a function of who is viewing the transmission facilities and from what location.
115. All of the proposed routes would result in some negative impact on aesthetic values.
116. Route 2A would impact the viewshed for fewer residents of the study area than all other routes except 4A, 5A, and 6A, which are tied for affecting the fewest habitable structures.
117. By avoiding segment B and tap point B, route 2A will mitigate some of the aesthetic impact to the Hicks Intervenors.

118. Route 2A uses segment P, partly in a floodplain. The trees along segment P may help screen the line from view of homes, and further development in the viewshed is unlikely due to the floodplain.
119. None of the proposed routes are located within the foreground visual zone of any United States or State highways.
120. None of the proposed alternative routes have right-of-way length located within the foreground visual zone of parks and recreational areas.

Historical and Archaeological Values

121. There are no previously recorded National Register of Historic Places properties in the study area.
122. Two cemeteries are within 1,000 feet of transmission line routes but are not crossed by any routes.
123. The Texas Historical Commission will require an archaeological survey of the final route before construction.
124. On November 15, 2022, Larry Foerster, the chair of the Montgomery County Historical Commission responded to an inquiry from TRC Companies and CenterPoint Houston and advised that he was unaware of historical sites or structures in the study area that could be affected by the proposed routes.
125. On May 31, 2024, Mr. Foerster contacted TRC Companies and CenterPoint Houston and advised that he had recently learned of evidence of the remnants of the town of Virgie being discovered on the Hicks Intervenors' property near segments A2 and B and requested that the proposed transmission line be routed in such a way as to avoid disturbing the likely location of such historical resources.
126. Virgie was a sawmill town on a railroad track and dates from the late 1800s to early 1900s.
127. Evidence likely related to Virgie found in the vicinity of segments A2 and B includes a hand-dug, brick-lined water well, bottles, silverware, jar lids, and pieces of firearms, as well as the foundation of a water tank used for steam engines on the railroad. There is

evidence of several buried habitations or other possible remnants of Virgie in the area of segments A2 and B.

128. The Hicks Intervenors have found stone points and pot shards on their property that may date from archaic Native American settlements.
129. By using segment C and tap point C, route 2A avoids impact to potential historical and cultural resources in the vicinity of segments A2 and B.

Environmental Integrity - Land Use and Land Types

130. The study area was defined to provide an area large enough to develop an adequate set of geographically diverse, alternative routes. The southern study area boundary is defined by the Montgomery and Harris County line except for a short portion that extends into northern Harris County; the eastern boundary is parallel to Farm to Market 2978; the northern boundary begins approximately one-half mile north of Hardin Store Road; and the western boundary parallels the Burlington Northern Santa Fe Railroad.
131. The study area is roughly 37.6% forested land; 25.5% developed land (including open and low, medium, and high intensity development); 17% pasture and hay agricultural lands; 12% wetlands and open waters; 8% shrubland and herbaceous vegetation, and 0.1% barren land.
132. The evaluation criteria used to compare potential land use impacts included overall route length, the length of route paralleling existing corridors (including apparent property lines), the proximity of the route to habitable structures, potential impacts to recreational and park areas, and the length of route across various land use types. An analysis of the existing land use adjacent to the proposed right-of-way was required to evaluate the potential impacts.
133. Route 2A parallels apparent features for 90% of its length. It is the third shortest of all routes.
134. Placing the greatest importance on the length of the route, number of habitable structures along the route, and percentage of the route parallel with apparent features, route 2A has the least potential land use impact on balance.

Environmental Impact

135. The routing analysis analyzed the possible effects of the transmission facilities on numerous environmental factors, including potential consequences for soil and water resources, the ecosystem (including endangered and threatened vegetation and fish and wildlife), and land use within the study area.
136. It is unlikely that there will be significant effects on wetland resources, ecological resources, endangered and threatened species, or land use as a result of constructing the transmission facilities approved by this Order.
137. Route 2A crosses upland woodlands for 6,244 feet; bottomland or riparian woodlands for 2,605 feet; and wetlands mapped by the National Wetland Inventory for 569 feet.
138. Route 2A does not cross any known habitat of a federally listed endangered or threatened species of plant or animal.
139. All the proposed alternative routes cross multiple surface waters, including ephemeral, intermittent, and perennial streams, wetlands, and ponds. Structures would be located outside of the ordinary high-water mark of surface waters, when feasible. No significant burden on these surface waters is anticipated for any of the proposed alternative routes.
140. All the proposed alternative routes cross upland woodland and bottomland forest and therefore may potentially burden wildlife. These burdens, however, are anticipated to be temporary and minimal. The greatest potential burden to wildlife would result from the clearing of brushland and woodland habitat, clearing the right-of-way within 100 feet of streams, and clearing or crossing bottomland and riparian woodlands and wetlands.
141. Route 2A uses segment P, located in a floodplain. Because residential construction is unlikely in a floodplain, the wildlife and vegetation along segment P has the potential to recover after construction is completed.
142. It is unlikely that there will be any significant adverse consequences for populations of any federally listed endangered or threatened species.
143. It is unlikely that the transmission facilities will adversely affect the environmental integrity of the surrounding landscape.

Engineering Constraints

144. CenterPoint Houston evaluated engineering and construction constraints when developing the alternative proposed routes.
145. CenterPoint Houston did not identify significant engineering constraints along any of the alternative routes or with any proposed substation sites that cannot be adequately addressed by using design and construction practices and techniques usual and customary in the electric utility industry.
146. Route 2A uses segment P, which runs through a floodplain for 79.81% of its length, the longest such distance for any of the alternative segments.
147. Construction through a floodplain may require foundation design changes and compliance with additional permitting requirements.

Paralleling of Rights-of-Way, Property Lines, or Other Natural or Cultural Features

148. No portions of the proposed alternative routes are parallel to an existing transmission line rights-of-way.
149. The routes in the application use or parallel existing compatible right-of-way or parallel apparent property boundaries for 70 to 96% of the length of route depending on the route selected.
150. Route 2A parallels existing compatible rights-of-way or property boundaries for 90% of its length.
151. Route 2A parallels existing compatible rights-of-way and apparent property boundaries to a reasonable extent.

Moderation of Impact

152. Route 2A moderates the impact to the affected community and landowners by balancing the factors of prudent avoidance of habitable structures, community values, aesthetics, historical resources, and environment integrity factors.
153. By avoiding segment B and tap point B, route 2A mitigates some of the impact to the Hicks Intervenors, who are affected by all proposed routes to some degree.

154. The Hicks Intervenors prefer other routes over route 2A, and it is not among the routes they identified as least damaging to their interests. They have not been requested to make any contributions to offset any additional costs associated with route 2A.
155. Route 2A is not expected to diminish the electric efficiency of the proposed transmission facilities or reliability.

Other Comparisons of Land Uses and Land Types

a. Radio Towers and Other Electronics

156. Seven communication towers were observed in the study area.
157. One commercial AM radio transmitter is within 10,000 feet of one route centerline (route 23C).
158. FM radio transmitters, microwave towers or other electronic installations were identified within 2,000 feet of various proposed alternative routes, ranging from zero (route 4A) to four (route 23C).
159. It is unlikely that any of the proposed alternative routes would have a significant impact on electronic communication facilities or operations in the study area.

b. Airstrips and Airports

160. No Federal Aviation Administration-listed airport with at least one runway longer than 3,200 feet is located within 20,000 feet of the proposed alternative routes.
161. No Federal Aviation Administration listed airport with at least one runway longer than 3,200 feet is located within 10,000 feet of the proposed alternative routes.
162. No heliports are located within 5,000 feet of the proposed alternative routes.
163. No private airstrips are located within 10,000 feet of the proposed alternative routes.
164. It is unlikely that the presence of transmission facilities along route 2A will adversely affect any airports, airstrips, or heliports.

c. Irrigation Systems

165. No routes cross agricultural lands with known mobile irrigation systems.
166. No routes cross any crop land.

167. It is unlikely that the presence of transmission facilities along route 2A will adversely affect any agricultural lands with known mobile irrigation systems.

d. Pipelines

168. The proposed alternative routes parallel metallic pipeline right-of-way, ranging from zero feet to 1,551 feet.

169. Route 2A parallels existing pipeline right-of-way for 710 feet.

170. The number of pipelines crossed by each proposed alternative route is five crossings.

171. It is unlikely that the presence of transmission facilities along route 2A will adversely affect any metallic pipelines that transport hydrocarbons.

Cost To Consumers

172. The proposed transmission facilities are not necessary to meet federal and state reliability standards.

173. The estimated cost range for all routes is \$62,893,172 (route 10B) to \$97,862,193 (route 22C).

174. Route 2A is the third least-expensive route at \$68,286,331 and affects the fourth fewest habitable structures (20).

Best Management Practices

175. Before beginning construction, it is appropriate for CenterPoint Houston to undertake appropriate measures to identify whether a potential habitat for endangered or threatened species exists and to respond as required.

176. It is appropriate for CenterPoint Houston to use best management practices to minimize any potential harm that the ordered route presents to migratory birds and threatened or endangered species.

177. It is appropriate for CenterPoint Houston to protect raptors and migratory birds by following the procedures outlined in the following publications: *Reducing Avian Collisions with Power Lines: State of the Art in 2012*, Edison Electric Institute and Avian Power Line Interaction Committee, Washington, D.C. 2012; *Suggested Practices for Avian Protection on Power Lines: The State of the Art in 2006*, Edison Electric Institute, Avian Power Line

Interaction Committee, and California Energy Commission, Washington, D.C. and Sacramento, CA 2006; and *Avian Protection Plan Guidelines*, Avian Power Line Interaction Committee and United States Fish and Wildlife Service, April 2005.

178. It is appropriate for CenterPoint Houston to take precautions to avoid disturbing occupied nests and take steps to minimize the burden of construction on migratory birds during the nesting season of the migratory bird species identified in the area of construction.
179. It is appropriate for CenterPoint Houston to exercise extreme care to avoid affecting non-targeted vegetation or animal life when using chemical herbicides to control vegetation within right-of-way. The use of chemical herbicides to control vegetation within right-of-way is required to comply with the rules and guidelines established in the Federal Insecticide, Fungicide, and Rodenticide Act and with Texas Department of Agriculture regulations.
180. It is appropriate for CenterPoint Houston to minimize the amount of flora and fauna disturbed during construction of the proposed transmission facilities.
181. It is appropriate for CenterPoint Houston to re-vegetate cleared and disturbed areas using native species and to consider landowner preferences and wildlife needs in doing so.
182. It is appropriate for CenterPoint Houston to avoid, to the maximum extent practicable, causing adverse environmental effects on sensitive plant and animal species and their habitats as identified by the Texas Parks and Wildlife Department and the United States Fish and Wildlife Service.
183. It is appropriate for CenterPoint Houston and its contractors, in the event they encounter any artifacts or other cultural resources during proposed transmission facilities construction, to cease work immediately in the vicinity of the resource, report the discovery to the Texas Historical Commission, and take action as directed by the Texas Historical Commission.
184. It is appropriate for CenterPoint Houston to implement erosion-control measures and return each affected landowner's property to its original contours and grades unless the landowners agree otherwise. However, it is not appropriate for CenterPoint Houston to

restore original contours and grades where different contours and grades are necessary to ensure the safety or stability of any transmission line's structures or the safe operation and maintenance of any transmission line.

185. CenterPoint Houston represents that it will comply with all applicable regulatory requirements in constructing the proposed transmission facilities, including any applicable requirements under section 404 of the Clean Water Act.
186. CenterPoint Houston represents that it will comply with all applicable environmental laws and regulations, including those governing threatened and endangered species.
187. CenterPoint Houston represents that it will mitigate any effect on federally listed plant or animal species per standard practices and measures taken in accordance with the Endangered Species Act.
188. CenterPoint Houston represents that it committed to follow the procedures set forth in its established avian protection plan program to minimize potential impacts on migratory birds.
189. If construction affects federally listed species or their habitats or affects water under the authority of the United States Army Corps of Engineers or the Texas Commission on Environmental Quality (TCEQ), CenterPoint Houston will cooperate with the United States Fish and Wildlife Service, United States Army Corps of Engineers, and TCEQ as appropriate to obtain permitting and perform any required mitigation.
190. DELETED.

Texas Parks and Wildlife Department Comments and Recommendations

191. TRC Companies sent a letter to Texas Parks and Wildlife Department (TPWD) on December 20, 2022, and TPWD responded to TRC Companies with information and recommendations regarding the preliminary study area for the transmission facilities.
192. TPWD did not intervene in this proceeding.
193. TPWD filed a letter dated January 4, 2024, containing its recommendations and comments regarding the proposed transmission facilities.

194. TPWD limited its review to nine routes out of 23, apparently reviewing the nine routes (three originating at each proposed substation site) that were preliminarily identified by TRC Companies as best meeting PURA and Commission criteria.
195. The table relied upon by TPWD and referenced in its letter is not included in the application after it was amended in February 2024.
196. TPWD's letter addressed issues relating to effects on ecology and the environment but did not consider the other factors the Commission and utilities must consider in CCN applications.
197. TPWD wrote that route 4A appears to be the route that best minimizes adverse impacts to natural resources.
198. Route 2A follows the same route as 4A for the first four segments before deviating and terminating at tap point C (instead of tap point B).
- 198A. It is appropriate to not address the Texas Parks and Wildlife Department's recommendations because there is no record evidence to support the recommendations.
- 198B. The Commission's standard mitigation requirements included in the ordering paragraphs in this Order, coupled with CenterPoint Houston's standard practices, are reasonable measures for a transmission service provider to undertake when constructing a transmission line and are sufficient to address Texas Parks and Wildlife Department's comments and recommendations.

Permits

199. Before beginning construction of the transmission facilities approved by this Order, CenterPoint Houston must obtain any necessary permits or clearances from federal, state, or local authorities.
200. The Texas General Land Office requires a miscellaneous easement for a right-of-way within any coastal submerged lands (tidally influenced), state-owned riverbeds, and navigable streams (non-tidal). A miscellaneous easement may be required if the right-of-way for the approved transmission line crosses areas meeting these criteria.

201. The proposed transmission facilities could require United States Army Corps of Engineers' nationwide permit 57, a new permit that authorizes discharges of dredged or fill material into waters of the United States and structures of work in navigable waters for crossings of those waters associated with the construction, maintenance, or repair of electric utility lines.
202. TRC Companies reviewed the United States Fish and Wildlife Service listed species for Montgomery County and Harris County, Texas and solicited Texas Natural Diversity Database records from TPWD. Upon Commission approval of a route, coordination with the United States Fish and Wildlife Service and Texas Coastal Ecological Services Field Office may be required to determine the need for any required species-specific surveys or additional permitting under Section 7 of the Endangered Species Act and the Migratory Bird Treaty Act.
203. Coordination with floodplain administrators for the counties within the proposed transmission facilities study area may be required after Commission route approval to determine if any permits or mitigation is necessary.
204. Based on Federal Aviation Administration notification criteria and the route selected by the Commission, the proposed transmission facilities may require a notice of proposed construction or alteration, Federal Aviation Administration form 7460-1, to be completed and submitted to the Federal Aviation Administration southwest regional office.
205. The proposed transmission facilities may require a Texas pollution discharge elimination system general permit and the development of a stormwater pollution prevention plan, which is a TCEQ stormwater discharge-related requirement. A determination of the need for stormwater pollution prevention plan will be made after Commission approval of the proposed transmission facilities. A section 401 water quality certificate from TCEQ may also be required if the proposed transmission facilities require a United States Army Corps of Engineers individual permit for proposed impacts to surface waters and wetlands.
206. It is appropriate for CenterPoint Houston to conduct a field assessment of the approved route before beginning construction of the transmission facilities approved by this Order to identify water resources, cultural resources, potential migratory bird issues, and

threatened and endangered species' habitats disrupted by the transmission facilities. As a result of these assessments, CenterPoint Houston must identify all necessary permits from Harris and Montgomery counties and federal and state agencies. CenterPoint Houston must comply with the relevant permit conditions during construction and operation of the transmission facilities along the agreed route.

Coastal Management Program

207. None of the 23 proposed alternative routes of the proposed transmission facilities are located within the Texas Coastal Management Program, as defined in 31 TAC § 27.1.

Limitation Of Authority

208. It is reasonable and appropriate for a CCN order not to be valid indefinitely because it is issued based on the facts known at the time of issuance.

209. Seven years is a reasonable and appropriate limit to place on the authority granted in this Order for CenterPoint Houston to construct the transmission facilities.

Other Issues

210. The proposed transmission facilities are a Tier 4 Neutral Project under ERCOT Protocols and does not require ERCOT review.

211. There is no expectation that any generator will be precluded or limited from generating or delivering power or that will adversely affect the reliability of the ERCOT system during the construction of the proposed transmission facilities.

212. The parties have not reached a complete or partial agreement on a route that relies on modifications to the route segments as noticed in the application.

II. Conclusions of Law

The Commission adopts the following conclusions of law.

1. CenterPoint Houston is a public utility as defined in PURA § 11.004 and an electric utility as defined in PURA § 31.002(6).
2. The Commission has authority over this matter under PURA §§ 14.001, 32.001, 37.051, 37.053, and 37.056.

3. CenterPoint Houston is required to obtain approval from the Commission to construct the proposed transmission facilities and provide service to the public using those facilities under PURA §§ 37.051 and 37.053.
4. SOAH exercised authority over the proceeding under PURA § 14.053 and Texas Government Code §§ 2001.058 and 2003.021, .049.
5. The Commission processed this docket in accordance with the requirements of PURA, the Administrative Procedure Act,² and the Commission's rules.
6. CenterPoint Houston's application is sufficient under 16 TAC § 22.75(d).
7. CenterPoint Houston provided notice of the application in compliance with PURA § 37.054 and 16 TAC § 22.52(a).
8. CenterPoint Houston held a public meeting and provided notice of that meeting in compliance with 16 TAC § 22.52(a)(4).
9. The Commission ALJ modified the deadline to file a motion to intervene in this proceeding from 45 days to 30 days after the application is filed, in accordance with 16 TAC § 22.104(b).
10. The hearing on the merits was set and notice of the hearing was provided in compliance with PURA § 37.054 and Texas Government Code §§ 2001.051–.052.
11. CenterPoint Houston is entitled to approval of its application, utilizing route 2A, having demonstrated that the proposed transmission line facilities are necessary for the service, accommodation, convenience, or safety of the public, taking into consideration the factors set forth in PURA § 37.056 and 16 TAC § 25.101.
12. The Texas Coastal Management Program does not apply to any of the transmission facilities approved by this Order, and the requirements of 16 TAC § 25.102 do not apply to the application.
13. CenterPoint Houston waived its right to seek a writ of mandamus in Travis County under PURA § 37.057 to compel the Commission to issue a final order on the application within

² Tex. Gov't Code §§ 2001.001–.903.

the 180-day deadline to the extent necessary to accommodate a reasonable procedural schedule.

III. Ordering Paragraphs

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

1. The Commission adopts the proposal for decision, including findings of fact and conclusions of law, to the extent provided in this Order.
2. The Commission amends CenterPoint Houston's CCN number 30086 to include the construction and operation of the transmission facilities along route 2A (substation site A-to-segments TT-KK-GG-P-C to tap point C), which comprises 2.98 miles of new 138-kV double-circuit transmission line located in southern Montgomery County and northern Harris County.
3. CenterPoint Houston must consult with pipeline owners or operators in the vicinity of the approved route regarding the pipeline owners' or operators' assessment of the need to install measures to mitigate the effects of alternating-current interference on existing pipelines that are paralleled by the electric transmission facilities approved by this Order.
4. CenterPoint Houston must conduct surveys, if not already completed, to identify metallic pipelines that could be affected by the transmission lines approved by this Order and cooperate with pipeline owners in modeling and analyzing potential hazards because of alternating-current interference affecting metallic pipelines being paralleled.
5. CenterPoint Houston must comply with all applicable local, state, and federal laws, regulations, and permits.
6. CenterPoint Houston must obtain all permits, licenses, plans, and permission required by state and federal law that are necessary to construct the transmission facilities approved by this Order, and if CenterPoint Houston fails to obtain any such permit, license, plan, or permission, it must notify the Commission immediately.
7. CenterPoint Houston must identify any additional permits that are necessary, consult any required agencies (such as the United States Army Corps of Engineers and United States

- Fish and Wildlife Service), obtain all necessary environmental permits, and comply with the relevant conditions during construction and operation of the transmission facilities approved by this Order.
8. Before beginning construction, CenterPoint Houston must undertake appropriate measures to identify whether a potential habitat for endangered or threatened species exists and must respond as required.
 9. CenterPoint Houston must use best management practices to minimize the potential harm to migratory birds and threatened or endangered species that is presented by the approved route.
 10. CenterPoint Houston must follow the procedures to protect raptors and migratory birds as outlined in the following publications: *Reducing Avian Collisions with Power Lines: The State of the Art in 2012*, Edison Electric Institute and Avian Power Line Interaction Committee, Washington, D.C. 2012; *Suggested Practices for Avian Protection on Power Lines: The State of the Art in 2006*, Edison Electric Institute, Avian Power Line Interaction Committee, and California Energy Commission, Washington, D.C. and Sacramento, CA 2006; and *Avian Protection Plan Guidelines*, Avian Power Line Interaction Committee and United States Fish and Wildlife Service, April 2005. CenterPoint Houston must take precautions to avoid disturbing occupied nests and take steps to minimize the burden of the construction on migratory birds during the nesting season of the migratory bird species identified in the area of construction.
 11. CenterPoint Houston must exercise extreme care to avoid affecting non-targeted vegetation or animal life when using chemical herbicides to control vegetation within the right-of-way. Herbicide use must comply with rules and guidelines established in the Federal Insecticide, Fungicide, and Rodenticide Act and with Texas Department of Agriculture regulations.
 12. CenterPoint Houston must minimize the amount of flora and fauna disturbed during construction of the transmission facilities, except to the extent necessary to establish appropriate right-of-way clearance for the transmission line. In addition, CenterPoint Houston must re-vegetate using native species and must consider landowner preferences

- and wildlife needs in doing so. Furthermore, to the maximum extent practicable, CenterPoint Houston must avoid adverse environmental effects on sensitive plant and animal species and their habitats, as identified by the Texas Parks and Wildlife Department and United States Fish and Wildlife Service.
13. In the event CenterPoint Houston or its contractors encounter any artifacts or other cultural resources during proposed transmission facilities construction, work must cease immediately in the vicinity of the resource and the discovery must be reported to the Texas Historical Commission. In that situation, CenterPoint Houston must take action as directed by the Texas Historical Commission.
 14. CenterPoint Houston must implement erosion control measures as appropriate. Erosion-control measures may include inspection of the right-of-way before and during construction to identify erosion areas and implement special precautions as determined reasonable to minimize the effect of vehicular traffic over the areas. Also, CenterPoint Houston must return each affected landowner's property to its original contours and grades unless otherwise agreed to by the landowner or the landowner's representative. However, the Commission does not require CenterPoint Houston to restore original contours and grades where a different contour or grade is necessary to ensure the safety or stability of the structures or the safe operation and maintenance of the line.
 15. CenterPoint Houston must cooperate with directly affected landowners to implement minor deviations in the approved route to minimize the impact of the transmission line. Any minor deviations to the approved route must only directly affect landowners who were sent notice of the transmission line in accordance with 16 TAC § 22.52(a)(3) and have agreed to the minor deviation.
 16. The Commission does not permit CenterPoint Houston to deviate from the approved route in any instance in which the deviation would be more than a minor deviation without first further amending the relevant CCN.
 17. If possible, and subject to the other provisions of this Order, CenterPoint Houston must prudently implement appropriate final design for the transmission facilities to avoid being subject to the Federal Aviation Administration's notification requirements. If required by

federal law, the applicants must notify and work with the Federal Aviation Administration to ensure compliance with applicable federal laws and regulations. The Commission does not authorize CenterPoint Houston to deviate materially from this Order to meet the Federal Aviation Administration's recommendations or requirements. If a material change would be necessary to meet the Federal Aviation Administration's recommendations or requirements, then CenterPoint Houston must file an application to amend their CCNs as necessary.

18. CenterPoint Houston must update the reporting of this proposed transmission facilities on its monthly construction progress report before the start of construction to reflect final estimated cost and schedule in accordance with 16 TAC § 25.83(b). In addition, CenterPoint Houston must provide final construction costs, with any necessary explanation for cost variance, after the completion of construction when CenterPoint Houston identifies all charges.
19. The Commission limits the authority granted by this Order to a period of seven years from the date the Order is signed unless the transmission facilities are commercially energized before that time.
20. The Commission denies all other motions requests for entry of specific findings of fact and conclusions of law, and any other requests for general or specific relief that the Commission has not expressly granted.

Signed at Austin, Texas the 21st day of November 2024.

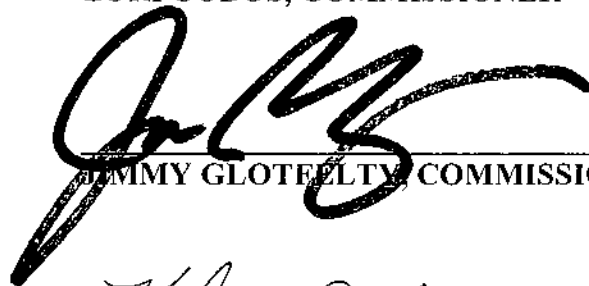
PUBLIC UTILITY COMMISSION OF TEXAS



THOMAS J. GLEESON, CHAIRMAN

[Recused from docket]

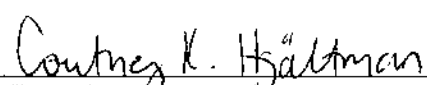
LORI COBOS, COMMISSIONER



JIMMY GLOTEELTY, COMMISSIONER



KATHLEEN JACKSON, COMMISSIONER



COURTNEY K. HJALTMAN, COMMISSIONER