PUC DOCKET NO. 57648
SOAH DOCKET NO. 473-25-12927

APPLICATION OF ENTERGY TEXAS, INC. TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE SETEX AREA RELIABILITY PROJECT IN JASPER, MONTGOMERY, NEWTON, POLK, SAN JACINTO, TRINITY, TYLER, AND WALKER COUNTIES	§	**PUBLIC UTILITY COMMISSION OF TEXAS**

ORDER ON REHEARING

This Order addresses the application of Entergy Texas, Inc, to amend its certificate of convenience and necessity (CCN) number 30076 to construct, own, and operate a 500-kilovolt (kV) transmission line for the SETEX area reliability project in Jasper, Montgomery, Newton, Polk, San Jacinto, Trinity, Tyler, and Walker counties. The State Office of Administrative Hearings (SOAH) issued a proposal for decision recommending approval of the CCN amendment for transmission facilities constructed along route 10 MOD D. The Commission does not adopt the proposal for decision's route recommendation and instead approves route 10. Except as discussed in this Order, the Commission adopts the proposal for decision, including findings of fact and conclusions of law. The Commission amends Entergy Texas's CCN number 30076 to include the construction and operation of the proposed transmission line, including a new single-circuit 500-kV transmission line and related 138-kV and 230-kV facilities along route 10 (composed of routing segments ExB-2-5-7-11-12-14-17-20a-287-19b-28-42-43-46-48-59-81-82a-291-82c-91-121-128-138-162-179-289-188-201-205-221-223-224-229-231-236-261-266) and the construction of a Running Bear substation at site B and a Babel 500-kV switching station at site B.

I. Future Development

The Commission rejects the proposal for decision's analysis and consideration of future development as it relates to the Chambers Creek community.[1] The administrative law judges'

[1] Proposal for Decision at 52–53 and Finding of Fact No. 141 (July 28, 2025).

analysis did not distinguish between route segments that the record shows would impact the current Chambers Creek community (e.g. segment 6 included in routes other than route 10) and route segments that might impact its future development plans (e.g., segments 2 and 5 on route 10). With respect to the latter, the proposal for decision misapplies the Commission's precedent. While some route segments may be modified based on landowner input, it is not consistent with Commission precedent, in determining the best route, to give significant weight to the future development plans of some intervenors over existing constraints.[2] Whether a development, broadly defined by the developer, is an "ongoing development" is not outcome determinative. Instead, the question is whether future development that could be affected by a proposed route has been initiated in some readily observable or measurable way on that route.[3] Here, the evidence does not show that Chamber's Creek's future development plans have been initiated along route 10. Thus, these future development plans should not be given the same weight as existing constraints.

The Commission modifies finding of fact 141 accordingly and adds conclusion of law 14A to reiterate the Commission's policy regarding future development in the context of siting an electric transmission.

II. Other Changes

The Commission adds findings of fact 10A through 10D to define the term *transmission facilities* as used in this Order and to provide a technical description of the station facilities included in the transmission facilities, for completeness and consistency with past Commission orders. In accordance with the Commission's decision to approve route 10 instead of route 10 MOD D, the Commission deletes finding of fact 138 and modifies findings of fact 72, 79, 85, 89, 93, 94, 96–98, 101, 103, 108–110, 112, 121, 122, 137, 145, 149, 154, and 155 and conclusions of law 13 and 14. The Commission also makes non-substantive changes for such matters as

---

[2] *Application of Oncor Electric Delivery Company LLC to Amend its Certificate of Convenience and Necessity for the Exchange Switch-Keller Magnolia Substation 138-kV Transmission Line in Tarrant County*, Docket No. 55574, Order at 1 (June 5, 2024); *Application of LCRA Transmission Services Corporation to Amend a Certificate of Convenience and Necessity for the Round Rock – Leander 138-kV Transmission Line in Williamson County*, Docket No. 45866, Order on Rehearing at Conclusion of Law No. 11A (July 28, 2017).

[3] *Application of LCRA Transmission Services Corporation to Amend its Certificate of Convenience and Necessity for the Proposed Blumenthal Substation and 138-kV Transmission Line Project in Blanco, Gillepsie, and Kendall Counties*, Docket No. 43599, Order at Finding of Fact No. 118 (Dec. 4, 2015).

capitalization, spelling, grammar, punctuation, style, correction of numbering, readability, and conformity with the Commission's order-writing format.

III. Rehearing

The Commission filed its order in this proceeding on October 7, 2025. On November 3, 2025, motions for rehearing were filed by B&H Intervenors (Barrett's Landing Entergy Litigation, LLC, Gordy Family Companies and Russell Gordy, and the Carter Family), the Dunwoody Family, Caldwell Companies, and Moran Minerals Company LP. Entergy Texas and other parties filed replies to those motions. On November 14, 2025, the Commission extended time to act on the motions for rehearing.

The Commission grants rehearing for the limited purpose of including additional findings and explanation regarding the Commission's decision to select route 10. In its order filed on October 7, 2025, the Commission addressed each of the transmission line routing factors that the Commission must consider and included relevant findings that demonstrate route 10's superiority. Nevertheless, upon rehearing, the Commission modifies the order to include additional findings.

The Commission finds that the selection of route 10 will best moderate the proposed transmission line's impact on the affected community and landowners. Route 10 has the lowest number of habitable structures within 300/500 feet of the centerline for the focus routes, has the lowest estimated cost of the focus routes, was identified by Entergy Texas as best meeting the criteria the Commission must consider, and was identified by the Texas Parks and Wildlife Department as the route that best minimizes adverse effects on natural resources. And, to the extent that the transmission line traverses land for which the Chambers Creek community has future development plans along segments 2 and 5 of route 10, it is appropriate that the selection of route 10 does not give alleged future development that has not been initiated the same consideration as existing constraints. To reflect these findings, the Commission adds findings of fact 138A and 138B under a subheading "Moderation of Impact".

The Commission also modifies ordering paragraph 2 for accuracy. Ordering paragraph 2's list of routing segments comprising route 10 erroneously included "Babel B" as both a routing segment and as the site of the new Babel switching station, but "Babel B" is not a routing segment.

The Commission denies the motions for rehearing in all other respects.

IV. Findings of Fact

The Commission adopts the following findings of fact.

Applicant

1. Entergy Texas, Inc. is a Texas corporation registered with the Texas secretary of state under filing number 800911623.

2. Entergy Texas owns and operates, for compensation, facilities and equipment to generate, transmit, distribute, and sell electricity in Texas.

3. Entergy Texas holds CCN number 30076 to provide electric service to the public.

Application

4. On February 19, 2025, Entergy Texas filed an application with the Commission to amend its CCN for the proposed SETEX area reliability project to construct, own, and operate a 500-kV transmission line in Jasper, Montgomery, Newton, Polk, San Jacinto, Trinity, Tyler, and Walker counties.

5. Entergy Texas hired POWER Engineers, Inc. to prepare an environmental assessment and alternative route analysis (routing analysis) for the proposed transmission line, which was included as part of the application.

6. On March 19, 2025, Commission Staff recommended that the application be found sufficient.

7. In SOAH Order No. 3 filed on April 24, 2025, the SOAH administrative law judges (ALJs) found the application sufficient.

Proposed Transmission Facilities Description

8. Entergy Texas proposes to construct a new single-circuit 500-kV transmission line and related 138-kV and 230-kV facilities in Jasper, Montgomery, Newton, Polk, San Jacinto, Trinity, Tyler, and Walker counties. The proposed new 500-kV transmission line will connect the proposed Babel 500-kV switching station (Babel) to the proposed Running Bear substation (Running Bear).

9. On the east end of the proposed transmission line, the proposed Babel station will be constructed at one of three potential locations (A, B, or C) that will connect into the existing

Layfield-to-Hartburg 500-kV transmission line south of the Toledo Bend Reservoir in Newton County.

10. On the west end of the proposed transmission line, the proposed Running Bear substation will be constructed at one of four potential locations (A, B, C, or D) that will connect via 138-kV and 230-kV transmission line extensions, as needed, into either (a) Entergy Texas's existing Lewis Creek facilities along Longstreet Road between Lake Conroe and Interstate Highway 45 or (b) Entergy Texas's existing transmission facilities east of Willis between Farm to Market Road 1097 and County Line Road in Montgomery County.

10A. In this Order, the term *transmission facilities* includes the 500-kV transmission line, the Babel and Running Bear station facilities, and the 138-kV and 230-kV transmission line extensions.

10B. The Babel Switching Station would initially be constructed as a 500-kV three-breaker folded ring bus with three 500-kV transmission line terminals. The ultimate arrangement to support three additional 500-kV transmission lines will be a breaker-and-one-half arrangement.

10C. For the new Running Bear 500-kV Substation site options A, B, and C, Entergy Texas is proposing to construct a new 500-kV three-breaker ring bus substation north of the existing Lewis Creek 230-kV yard and to install a new 1,200 megavolt-ampere (MVA) 500/230-kV autotransformer bank. The Running Bear substation at these site options would be constructed with provisions for an ultimate 500-kV three-ring bus arrangement to support one additional 500-kV transmission line. In addition, the existing 230-kV and 138-kV yards at Lewis Creek would be upgraded by:

- converting the 230-kV yard from the existing ring bus into a four-bay, breaker-and-one-half arrangement to accommodate one 750 MVA, 230/138-kV autotransformer bank and one additional 230-kV transmission line to connect to the 500-kV substation at Running Bear;
- upgrading the existing 138-kV yard to add one 138-kV transmission line to connect to the existing Lewis Creek 230-kV yard; and

- installing one new 230-kV, 3000 A, 63 kA, independent pole operated, 3-cycle circuit breaker and associated bus and equipment at the Lewis Creek 230-kV yard.

10D. For site option D for the Running Bear substation, located east of interstate highway 45, Entergy Texas would need to construct a 500-kV yard with a new 500-kV three-breaker ring bus substation and install a new 1,200 MVA, 500/230-kV autotransformer bank. This site would also require the construction of a new 230/138-kV yard and cut in to the existing 230-kV and 138-kV transmission lines via the following connections:

- The new 230-kV side will be constructed as a breaker-and-one-half to allow five 230-kV transmission line terminals.
- The new 138-kV side will be constructed as a breaker-and-one half to allow six 138-kV transmission line terminals.
- The new 230-kV side will require new line extensions to interconnect into two existing 230-kV transmission lines and the proposed 500-kV yard.
- The new 138-kV side will require new line extensions to interconnect into three existing 138-kV transmission lines at or near the proposed Running Bear substation site.

11. The new transmission line will be between approximately 131.2 to 159.8 miles in length, depending on the route selected, and will typically require a 225-foot-wide right-of-way for the areas where Entergy Texas will construct a 500-kV transmission line and a 125-foot-wide right-of-way in the areas where Entergy Texas will construct 230-kV or 138-kV extensions.

12. Entergy Texas plans to construct the transmission line on steel single-circuit structures, either tubular steel H-frames or self-supporting or guyed lattice towers as typical structures. The 138/230-kV extensions that will interconnect substation yards or substation facilities to the existing transmission lines will likely be constructed using steel monopole structures.

13. The typical structures will be between 75 and 170 feet above grade. The typical width of the 500-kV right-of-way will be 225-feet wide. The typical width of the 138-kV

and 230-kV right-of-way will be 125- to 250-feet wide, depending on the voltage, location, and number of circuits in the right-of-way.

14. Depending on clearance circumstances, the estimated maximum height of structures is 195 feet. However, there could be structures that exceed this height at certain locations with longer spans or additional clearance requirements, such as highways or major waterways.

15. Entergy Texas plans to use 954-kilocircular-mil aluminum-conductor-steel-reinforced conductors, with three wires per phase, having a continuous summer static current rating of 3,000 amperes and a continuous summer static line capacity of 2,598 megavolt amperes at 500 kV.

16. Entergy Texas will own 100% of the proposed transmission facilities.

17. Entergy Texas estimated that it would acquire all rights-of-way and land needed by March 2027, finalize engineering and design by December 2027, procure material and equipment by October 2027, complete construction of facilities by August 2029, and energize the transmission facilities approved by this Order by December 2029.

Public Notice and Input

18. To develop information on community values for the proposed transmission facilities, Entergy Texas and POWER Engineers hosted four public meetings. The first three meetings were held on May 7, 8, and 9, 2024, at the Polk County Commerce Center in Livingston, the Willis Community Center in Willis, and the Lone Star Community Center in Jasper, respectively. Entergy Texas and POWER Engineers held the fourth public meeting at the Polk County Commerce Center in Livingston on June 18, 2024.

19. A public meeting notice was provided to landowners who own property located within 510 feet of the preliminary link centerlines. In total, 8,050 invitation letters to landowners were sent in advance of the public meetings.

20. The public meeting invitation letters included a map of the study area depicting the preliminary route segments, a brochure, a list of frequently asked questions, and a questionnaire.

21. On April 17 and May 30, 2024, notice regarding the public meetings was provided to the Department of Defense Military Aviation and Installation Assurance Siting Clearinghouse.

22. A total of 558 individuals attended the public meetings, with 93 questionnaire responses submitted upon conclusion of the public meetings. An additional 265 questionnaires were received from landowners after the public meetings. A total of 358 questionnaires were received including 89 duplicate submittals. In total, 269 questionnaires were reviewed and analyzed.

23. POWER Engineers contacted federal, state, and local regulatory agencies, elected officials, and organizations regarding the proposed transmission facilities. Copies of correspondence with the various state and federal regulatory agencies and local and county officials and departments are included in appendix A of the routing analysis.

24. Information from landowners and from local, state, and federal agencies was evaluated and incorporated into the selection of recommended routes by Entergy Texas.

25. In response to comments and stakeholder input, several segments were modified.

Notice of the Application

26. On February 17 through 19, 2025, Entergy Texas sent written notice of its application by first-class mail to each landowner, as stated on the current county tax rolls, in Jasper, Montgomery, Newton, Polk, San Jacinto, Trinity, Tyler, and Walker counties, who could be directly affected by the transmission facilities on any of the routes.

27. On February 19, 2025, Entergy Texas sent written notice of its application by first-class mail to: (a) each neighboring utility providing similar service within five miles of the routes; (b) county officials in Jasper, Montgomery, Newton, Polk, San Jacinto, Trinity, Tyler, and Walker counties; (c) municipalities located within five miles of the routing options; and (d) the Office of Public Utility Counsel (OPUC).

28. On February 19, 2025, Entergy Texas sent written notice of its application by email and first-class mail to the Department of Defense Military Aviation and Installation Assurance Siting Clearinghouse.

29. On February 19, 2025, Entergy Texas sent a copy of its application, including a copy of the environmental assessment, by first-class mail to the Texas Parks and Wildlife Department.

30. On March 11, 2025, Entergy Texas filed the affidavit of Matt Forest, a project manager for Rampart, Inc., attesting to the provision of notice to the directly affected landowners.

31. On March 11, 2025, Entergy Texas filed the affidavit of Kenny Muhammad, Manager, West Region Customer Service for Entergy Texas, attesting to the provision of notice to the counties in which the proposed transmission facilities may be located and to the municipalities within five miles of the proposed transmission facilities.

32. On March 11, 2025, Entergy Texas filed the affidavit of Panagiotis Papadakis, a paralegal for Entergy Texas, attesting to the provision of notice to utilities providing similar service within five miles of the proposed transmission facilities; the Department of Defense Military Aviation and Installation Assurance Siting Clearinghouse, OPUC, and Texas Parks and Wildlife Department.

33. Entergy Texas published notice of the application in newspapers as follows:

    a. on February 19, 2025, in the *Montgomery County News*, which has general circulation in Montgomery County;

    b. on February 20, 2025, in the *San Jacinto News Times*, which has general circulation in San Jacinto County;

    c. on February 20, 2025, in the *Huntsville Item*, which has general circulation in Walker County;

    d. on February 20, 2025, in the *Trinity County News Standard*, which has general circulation in Trinity County;

    e. on February 20, 2025, in the *Tyler County Booster*, which has general circulation in Tyler County;

    f. on February 20, 2025, in the *Polk County Enterprise*, which has general circulation in Polk County;

g. on February 26, 2025, in the *East Montgomery County Observer* (Observer Group), which has general circulation in Montgomery, Polk, Trinity, San Jacinto, and Walker counties;

h. on February 26, 2025, in the *Conroe Courier* (North Group), which has general circulation in Montgomery, Polk, Trinity, San Jacinto, and Walker counties;

i. on February 26, 2025, in the *Jasper Newsboy*, which has general circulation in Jasper, Newton, and Tyler counties; and

j. on February 26, 2025, in *The Woodlands Villager* (North Group), which has general circulation in San Jacinto, Montgomery, Polk, Trinity, and Walker counties.

34. On March 11, 2025, Entergy Texas filed the affidavit of Kendra James, communications manager for Entergy Texas, attesting to the publication of notice.

35. On March 11, 2025, Entergy Texas filed publishers' affidavits attesting to the publication of notice of the application.

36. In SOAH Order No. 3 filed on April 24, 2025, the ALJs found notice of the application sufficient.

Referral to SOAH for Hearing

37. On February 20, 2025, the Commission referred this docket to SOAH and filed a preliminary order establishing a decision deadline and specifying issues to be addressed in this proceeding.

38. In SOAH Order No. 2 filed on March 10, 2025, the ALJs set the hearing on the merits for 9:00 a.m. on May 5, 2025, by videoconference.

39. The hearing convened by videoconference on May 5, 2025, and concluded on May 7, 2025.

40. Post-hearing initial briefs and reply briefs were filed on May 21 and May 28, 2025, respectively, after which the record closed.

Intervenors

41. In SOAH Order No. 3 filed on April 24, 2025, the ALJs granted the motions to intervene filed by: Caldwell Companies; Gordy Family Companies; Stoker Real Estate LP, and Clear

Fork Creek Ranch, LLC; Blackhorse Farm, LLC; The Young Family Trust c/o Nicholas and Julie Young; R. Byron Roach; Jim Cline; W.R. and Sherry Baker; Janet L. Tallichet; Charles D. McMurrey, Jr.; John A. Few; Toni Cochran Hughes and Scott Hughes; J-T Cochran Family LP; John McMurrey; Brent and Susan Butler; Ann and Johnny Gonzalez; Dale Lutz - Log Creek Farms LLC; India and Robert Peden; James M. McMurrey; Brian and Tammy Adams; Danny and India Adams; Noel Aveton; Moran Minerals Company LP; SE Texas Opportunity Fund, LLC; Barrett's Landing; John S. Neal, individually, as Trustee of the Frances CC Neal 2023 Trust, and as Power of Attorney for Frances R S Neal; The Dunwoody Family; The Neskora Parties; Russell Gordy; The Carter Family; Hawthorne Land, LLC; Republic Grand Ranch LLC; Texas Industrial Energy Consumers; SLT Farms, LLC and Stephen Tebo; Dwayne Vickery; Arthur Smalley; Authorized Representative Renee Howes for Republic Grand Ranch LLC; GarGon LLC and Richard or Nan Garcia; James and Emily Nunnery; Rock Creek Alliance; Hay Fever Ranch, LLC; Brian and Bobbi Snyder; Alexander Champagne; Benjamin Beradino; Eddy Ellisor; Lake Livingston Ranch, LLC, Coldspring Ranch LLC, and North Houston Land & Timber LLC; Sherrie Hartke; John Benestante; Debora Somuano; George Russell; The Ethician Foundation; The Universal Ethician Church; Russell Ministries; Herbert Melton; Nicholas W. Marek; Grant and Amber Darnell; Don Gardner and Patricia Murfin; Thomas B. McClelland, Jr.; Margaret Mature and the Estate of James Mature; Willie and Teressa Hoffart; Barbara and Robert Thornton; Trey and Christi Hall; William Marek; Billy Marek; Clifford M. Rowland III, Julia Renee Mastin, Magnolia Creek Ranch, LLC, MCR-Phase One, a Series of Magnolia Creek Ranch, LLC, MCR-Phase Two, a series of Magnolia Creek Ranch, LLC and the Rowland-Mastin Family Trust; Forrest and Lorelei Tharpe; Robert Fitz and Patricia Hulbert; Brian and Merridee Rodel; Matthew and Alexis Tower; Salome Kathleen Inglet; George Webster; Montgomery County Municipal Utility District No. 170 and Chambers Creek Community Association Inc.; H/FW Timbers Partners; Brad and Sarah Parsons; Deborah Somuano; Texas Land Conservancy; Robbie Sherman; Sherley Partners Ltd.; Native Prairies Association of Texas; Cathy D'Entremont; Jeanette Carlton; Cindy Dishman; Beverly Jefferson; John C. Jefferson, Sr.; Steve Spurling; Minnie Zimmerman, Individually and as Co-Trustee of the Charles M. Zimmerman Family Trust;

Merle C. Zimmerman, Individually and as Co-Trustee of the Charles M. Zimmerman Family Trust; Jason and Jennifer Laningham; Darlene Gipson; Michael Gipson; Margaret Sanford; Teresa Worley, on behalf of the estate of Tommie R. Sanford, Deceased; Daphne Perkins; Craig Godwin; Joseph E. Adams III; Joseph Adams; Heather Adams; Finca de Arboles, LLC; Joseph Adams III; Summit Operations Company, LLC, Calvary Utility Company, LLC, and WellCom Technologies Chambers, LP; Wayne McDermand, Individually and as Trustee of the Amanda L. McDermand Trust; Trinity River Authority of Texas; Craig Godwin; Johnny F. Muller; Rebecca A. Muller; C. Muller Family Partnership LTD; Alexis Cartwright Tower; Brian Ard; and Barbara Thornton.

42. In SOAH Order No. 3 filed on April 24, 2025, the ALJs granted Entergy Texas's motion to dismiss the following intervenors for failing to show standing to intervene: Nicholas Brunson; Sheri and Gary Mitchell; Roxanne and Rodney Burns; Frank and Dawn Davis; Sy and Kim Yasa; Mary and Patricia Novark; Janet Joyce; James Beaird; Sane Yasa and Somsanuck Luangkhot; Jim and Christina Butz; and Faddis Bennett.

43. In SOAH Order No. 3 filed on April 24, 2025, the ALJs denied the motions to intervene for the following parties who did not file either direct testimony or a statement of position by the deadline for such filings: Christopher Robertson, for Met Farms, LLC; Johnny Vickery; Brandy Vickery; Jeff Cherry; Tim Tindell; David Davis Family Properties LLC, Davis Farm & Ranch LLC, and David Davis; Jose Cavazos; Brian and Stacy Fitzgerald; Corby Skiles; Trey Whitley; Jel and Marilyn Palma; Steven Denman; Joel and Marilyn Palma; Mariah Shelton; Jacob Skinner; John Barnett; Robert and Terry Wright; Virginia Marsh Thagard; Jane Minnich; Mariah Shelton; Christopher Boom; Karen Garcia; Steven Gill; Phil Wisiackas; Chris Thomas; Stephen and Rebecca Cohn; Timothy McMillin; Allen Davis; Karen Garcia; Michael Lyons; Portia K. Brown; Voyager Group Ltd.-Damon Burris; Guy and Barbara Worsham; Mark Hammond; Glenn Ellisor; Jeanette Bissonnet; Robert and Vivian Sutter; Shannon Marsh; Pam Cooper; Jerry Cooper; Robert and Vivian Sutter; Victor and Martha Schindler; Christine Elliott; Kathlene and Donny Tomkivits; Jim and Darlene Wiens; Roxanne and Rodney Burns; Frank and Dawn Davis; John Navarro; Sy and Kim Yasa; Arthur Records; Barry Sadler - Trustee; Mary and Patricia Novark; Janet Joyce; Tony Knepper; James Beaird; Jim and Christina Butz; Tony and Mary Cook; Sane

Yasa and Somsanuck Luangkhot; Wayne and Lori Davis; BroJohn (BJ) Tomkivits; Dalva Keener; Jeremy LaPoint; Steven Smith; Garret Chong; DPW Ranches, LP; The Knight Management Trust; Catherine Dunwoody; Kimberlie Hughes; Kaleb and Kimberlie Hughes; Eleby Yarnelle; Darren Jennings; Emmanuel Mojica; Jared Morris; Patrick Kelly; Gregory Parker; Floyd and Theresa Houser; Mary E. Shiflet; John Ard; Jeromy Francis; Richard Hlavacka; Tina and Jason Gilstrap; Shiela Goodney; Mary Buice, Edward Gomez; William Zimmerman; Spikes-Ransom Family Residence; Spikes-Ransom Residence; Darren Jennings; Eleby Yarnelle; Starlett Curry, William Fielding Smith, Jr., Candace White, Stuart Scott; P. Karl Muench; Robert Denny Clark; Rhoda Alvarez; Faddis Bennett; Guy and Kelly Bentsen; Matthew Brown; Blake and Chelsea Hardy; Avon J. Bartee; Julie Bergman; Blake Hardy; Christopher Nicholas (Trustee); Guoshun Wang; Tim and Lecia Prince; Joseph Looke; Andrew Sherman; Michael Manners; John and Alexandra Kazmierczak; Druscilla Miller; Clint Garig; Kay Ellisor Hopkins; Aimee Andrade; Faddis Bennett; Nicholas Brunson; Sheri and Gary Mitchell; Charles D. Ganz; Donnie Franklin; John Jordan; Andrew Sherman; Guadalupe Villasenor; Mark and Melinda Allen; Rhonda Alvarez; James Dockery; Debra B. Rips; Dan Morrow; Paradise Cove Property Owners' Association; Robert Fivecoat; and Darla Fivecoat.

44. At the hearing, Paradise Cove Property Owners' Association moved for the ALJs to reconsider their motion to intervene, and the ALJs granted their request to intervene. The ALJs also denied the request to intervene of David D. Wickens Family Partnership, Ltd., Kendall Homes of Texas, LLC, Rose Road Company, and SILCO Inc.; denied the second request to intervene of Robert and Darla Fivecoat; and denied the request of William Zimmerman and Lisa Latour to reconsider their dismissal as intervenors.

45. The following individuals were voluntarily aligned as the Segment 13 Intervenors: Willie and Teresa Hoffart, Arthur Smalley, Barbara Thornton, Robert Fitz, Patricia Hulbert, Brian and Merridee Rodel, Jason and Jennifer Laningham, Forrest Tharpe, Herbert Melton, and Alexis & Matthew Tower.

Route Adequacy

46. No party timely contested whether the application provided an adequate number of reasonably differentiated routes to conduct a proper evaluation.

47. Given the distance between the transmission line endpoints and the nature of the area in which the routes are located, the application provided an adequate number of reasonably differentiated routes to conduct a proper evaluation.

Need for the Proposed Transmission Line and Adequacy of Existing Service

48. The new transmission line will help Entergy Texas meet the requirements of its load-serving capability criteria in the Entergy Texas local planning criteria for constrained regions of the system, including existing load pockets such as Entergy Texas's western region.

49. The new transmission line will increase operational flexibility, help meet the growing power demands of southeast Texas throughout Entergy Texas's western region and broader service territory, and increase reliability and resiliency during extreme events such as hurricanes and winter storms.

50. The need for the proposed transmission facilities was confirmed by both the Midcontinent Independent System Operator, Inc. (MISO) and Entergy Texas's own local planning criteria.

51. With regard to MISO, during the 2023 MISO transmission expansion plan (MTEP23) process, MISO identified the proposed transmission line as a baseline reliability project that is needed to comply with electric reliability organization (i.e., the North American Electric Reliability Corporation (NERC)) reliability requirements for transmission planning. As a result of the analysis during MTEP23, the project was included as an appendix A project for MTEP23 and was approved by the MISO board of directors in December 2023. More recently, in the MTEP24 process, P1 and P2 (N-1) contingencies resulting in undervoltage violations were identified that are also mitigated by the proposed transmission facilities.

52. Entergy Texas evaluated numerous transmission and generation alternatives to the proposed transmission facilities but determined that the proposed transmission facilities are the most cost-effective and electrically efficient solution to address the needs identified.

53. MISO evaluated transmission alternatives to the proposed transmission facilities but determined that the proposed transmission facilities are the optimal solution to address the needs identified.

54. There are no practical distribution-only alternatives or a better transmission solution to address the identified need.

55. There is no feasible or cost-effective level of distributed generation or energy efficiency that would enable the existing transmission and distribution infrastructure to reliably accommodate and serve the expected load in the area.

56. No party presented evidence that challenged the need for the transmission line, and Commission Staff recommended that the proposed transmission facilities are necessary and the best way to address reliability issues in Entergy Texas's historically constrained Western Region load pocket.

Effect of Granting the Application on Other Utilities in the Proximate Area and Probable Improvement of Service or Lowering Cost

57. Entergy Texas is the only electric utility involved in the construction of the proposed transmission line's transmission facilities.

58. The proposed transmission line will not be directly connected to any other electric utility.

59. It is unlikely that the construction of the transmission facilities will adversely affect service by other utilities in the area.

60. It is likely that the construction of the proposed transmission facilities will result in a more reliable transmission system.

Routing Criteria

Overview

61. The POWER Engineers project team included professionals with expertise in different environmental and land-use disciplines who were involved in data acquisition, routing analysis, and environmental assessment for the transmission facilities.

62. To identify routes for the transmission facilities, POWER Engineers delineated a study area, sought public and public official and agency input, gathered data regarding the study

area, performed constraints mapping, identified preliminary route segments, and reviewed and adjusted the preliminary route segments following field reconnaissance and review of public and public official and agency input finalizing them into primary route segments.

63. Using the route segments, POWER Engineers and Entergy Texas identified 34 routes based on 271 routing segments.

64. In identifying routes and route segments, POWER Engineers evaluated a variety of information, including input from the public and public officials and agencies, geographic diversity within the study area, and an inventory and tabulation of a number of environmental and land-use criteria.

65. The routes identified in the application range in length from approximately 131 to 160 miles.

66. Over the course of the proceeding, parties requested cost estimates and environmental data regarding 27 additional routes, all of which utilize route segments that were among the 271 segment options identified in the application and for which notice was provided at the time the application was filed. In sum, 61 routes have been explored in this docket.

67. Each of the 61 routes satisfies the need for the proposed transmission facilities and is viable and constructible.

68. During the hearing, the parties narrowed consideration to 10 focus routes (focus routes) identified as routes 10, CLD 10 MOD D (10 MOD D), 25, 26, 31, 31 Mod B, 31 Mod C, 31 Mod D, 37, and JSN 37 MOD.

69. Entergy Texas evaluated the recommendation of POWER Engineers as well as other routing criteria, including cost, and identified route 10 as the route that best addresses the requirements of PURA[4] and the Commission's rules. Route 10 consists of the following options and segments: Running Bear B, ExB-2-5-7-11-12-14-17-20a-287-19b-28-42-43-46-48-59-81-82a-291-82c-91-121-128-138-162-179-289-188-201-205-221-223-224-229-231-236-261-266, Babel B.

---

[4] Public Utility Regulatory Act, Tex. Util. Code §§ 11.001—66.017.

70. Commission Staff recommended route 37, which comprises Running Bear D, ExD1-ExD2-31-33-35-38-39-40-41-42-43-46-48-59-81-83-89-90-93-119-123-125-132-133-134-136-137-143-147-150-164-167-171-175-177-181-188-200-206-216-226-237-246-255-262-266, Babel B.

71. Route 10 MOD D comprises Running Bear D, ExD1-ExD2-31-33-34-38-39- 40-41-42-43-46-48-59-81-82a-291-82c-91-121-128-138-162-179-289-188-201-205-221-223-224-229-231-236-261-266, Babel B.

72. Route 10 crosses the Trinity River at the north end of Lake Livingston, one mile north of Entergy Texas's transmission circuits that already traverse the lake.

73. Route 26 is the only focus route that crosses the Trinity River south of Lake Livingston and consists of Running Bear D, ExD1-ExD2-31-32-36-41-44- 50-55-56-61-62-65-69-74-77a-77b-97a-97b-99a-99b-116-117-126-133-135-149-155-157-160-168-171-175-178-185-208-211-215-216-226-237-246-255-262-266, Babel B.

Costs

74. The estimated costs for all routes in the application range from approximately $1.33 billion (route 29) to approximately $1.52 billion (route 1), including station facility costs.

75. Route 10 MOD D has an estimated total cost of $1,401,341,355.

76. Routes 10 and 37 have estimated total costs of $1,358,899,433 and $1,376,428,460, respectively.

77. Route 26 is the most expensive of the focus routes, at $1,458,428,423, and is more than Entergy Texas's approved funding level for the proposed transmission line.

78. The estimated transmission line cost includes the costs of engineering, acquiring right-of-way, procuring materials and supplies, site preparation, construction labor and transportation, and administration. The costs do not include additional land costs for damages due to impact on development.

79. The cost of the transmission facilities using route 10 is reasonable considering the range of the cost estimates for the proposed routes.

80. The transmission facilities will be financed through a combination of debt and equity.

Prudent Avoidance

81. All of the routes presented in the application conform to the Commission's policy of prudent avoidance in that they reflect reasonable investments of money and effort to limit exposure to electric and magnetic fields.

82. All of the proposed routes, including the identified focus routes, have habitable structures located within 500 feet of the centerline of the proposed 500-kV facilities or 300 feet of the proposed 230- or 138-kV transmission facilities.

83. Of the identified focus routes, route 10 has the least number of habitable structures within 500 or 300 feet of the centerline, at 48; while route 26 has the most with 149. Route 37 has 76.

84. Route 10 MOD D has 54 habitable structures located within 500 feet of the centerline of the proposed 500-kV facilities and/or 300 feet of the proposed 230- or 138-kV transmission facilities.

85. The construction of the transmission facilities along route 10 complies with the Commission's policies of prudent avoidance.

Community Values

86. The principal concerns expressed in the questionnaire responses from the public meetings included: maintain distance from residences, businesses, and schools; maintain reliable electric service; maximize length along property boundary lines; maximize distance from parks and recreational facilities; minimize environmental impact; minimize visibility of the line; minimize impacts to archeological and historic sites; and maximize length along existing transmission line and existing compatible right-of-way where possible.

87. A summary of the comments provided by federal, state, and local officials and other stakeholders was provided in the routing analysis, including comments from Big Thicket National Preserve, the Federal Emergency Management Agency, Department of Defense Military Aviation and Installation Assurance Siting Clearinghouse, United States Army Corps of Engineers-Fort Worth District, United States Army Corps of Engineers-Galveston District, United States Department of Agriculture-Natural Resources Conservation Service, United States Forest Service, United States Fish and Wildlife Service-Texas

Coastal Ecological Services Field Office, Texas General Land Office, Texas Historical Commission, Texas Parks and Wildlife Department, Texas Department of Transportation-Lufkin Division, San Jacinto River Authority, and the City of Coldspring.

88. POWER Engineers and Entergy Texas evaluated information such as public meeting input and agency coordination and input in developing and evaluating the proposed routes and segments.

89. Route 10 adequately addresses the expressed community values.

Recreational and Park Areas

90. POWER Engineers performed searches of federal and state databases, including a review of the Texas Outdoor Recreation Plan and the Land and Water Resources Conservation and Recreation Plan and web viewer; spatial data from the Sam Houston National Forest, Angelina National Forest, and Sabine National Forest; and county and local maps to identify any parks or recreational areas within the study area. Reconnaissance surveys were also conducted to identify any additional park or recreational areas.

91. In its searches of relevant databases, POWER Engineers identified several park and recreational areas along the shores of Lake Livingston (namely, Lake Livingston State Park and the Trinity River Authority of Texas's Wolf Creek Park and Tigerville Park), but each of these parks is 10–20 miles south of the proposed lake-crossing segments, segments 82c and 90. Lake Livingston, taken as a whole, is not identified as a park or recreational area in these databases.

92. None of the focus routes cross any recreational or park areas except for the Lone Star Hiking Trail.

93. The number of additional parks or recreational areas located within 1,000 feet of the centerline of the focus routes ranges from zero each to two each. Route 10 has no additional parks or recreational areas located within 1,000 feet of their centerlines.

94. It is unlikely that the transmission facilities along route 10 will adversely affect the use or enjoyment of any park or recreational areas.

Historical and Archeological Values

95. All of the focus routes have some recorded cultural resource sites or National Register of Historic Places-listed or -determined eligible properties within 1,000 feet of the centerline.

96. The length of the focus routes presented in the application across areas of high archeological or historical site potential ranges from 109.02 to 122.57 miles, with route 10 at 122.57 miles.

97. Route 10 crosses no recorded historical or archeological resources.

98. It is unlikely that the transmission facilities along route 10 will adversely affect historical or archeological resources.

Aesthetic Values

99. Overall, the study area exhibits a degree of aesthetic quality typical for the region. Most of the landscape within the study area has been altered by land use practices and infrastructure associated with residential and commercial developments, oil and gas production, roadways, and existing transmission facilities.

100. The focus routes are within the foreground visual zone of United States or state highways from 8.83 to 13.22 miles, within the foreground visual zone of farm-to-market roads from 16.32 to 32.01 miles, and within the foreground visual zone of parks and recreational areas from 0.94 to 9.27 miles.

101. Route 10 is within the foreground visual zone of United States or state highways for 11.30 miles, within the foreground visual zone of farm-to-market roads for 19.30 miles, and within the foreground visual zone of recreational or park areas for 0.94 mile.

102. Construction of the proposed transmission line could have both temporary and permanent aesthetic effects, and these impacts may occur on any of the focus routes.

103. It is unlikely the transmission facilities along route 10 will adversely impact the aesthetic quality of the surrounding landscape.

Environmental Integrity

104. The routing analysis analyzed the possible effects of the transmission facilities on numerous environmental factors.

105. POWER Engineers evaluated potential consequences for physiography and geology, soil and water resources, the ecosystem (including endangered and threatened vegetation and fish and wildlife), and land use within the study area.

106. Construction of the proposed transmission facilities is not anticipated to have any significant adverse effects on the physiographic or geological features and resources of the area.

107. Before construction, Entergy Texas will develop a stormwater pollution prevention plan to minimize potential impacts associated with soil erosion, compaction, and off right-of-way sedimentation. Potential impacts to soils, primarily erosion and compaction, would be minimized with the development and implementation of a stormwater pollution prevention plan and use of matting in sensitive areas.

108. Route 10 crosses upland woodlands, including pine plantations, for 88.77 miles.

109. Route 10 crosses bottomland or riparian woodlands for 35.71 miles.

110. Route 10 crosses 35.99 acres of wetlands mapped by the National Wetland Inventory.

111. The proposed routes cross no currently United States Fish and Wildlife Service -designated critical habitat for federally listed threatened or endangered species. The proposed routes cross proposed United States Fish and Wildlife Service-designated critical habitat for federally-listed threatened or endangered species for 0.07 to 0.10 miles.

112. Route 10 crosses proposed United States Fish and Wildlife Service-designated critical habitat for federally listed threatened or endangered species for 0.07 miles.

113. Entergy Texas will mitigate any effect on federally listed plant or animal species according to standard practices and measures taken in accordance with the Endangered Species Act.

114. It is appropriate for Entergy Texas to minimize the amount of flora and fauna disturbed during construction of the transmission facilities.

115. It is appropriate for Entergy Texas to re-vegetate cleared and disturbed areas using native species and consider landowner preferences and wildlife needs in doing so.

116. It is appropriate for Entergy Texas to avoid, to the maximum extent reasonably possible, causing adverse environmental effects on sensitive plant and animal species and their habitats as identified by Texas Parks and Wildlife Department and United States Fish and Wildlife Service.

117. It is appropriate for Entergy Texas 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 Entergy Texas 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.

118. It is appropriate for Entergy Texas to exercise extreme care to avoid affecting non-targeted vegetation or animal life when using chemical herbicides to control vegetation within rights-of-way. The use of chemical herbicides to control vegetation within rights-of-way is required to comply with the rules and guidelines established in the Federal Insecticide, Fungicide, and Rodenticide Act and within Texas Department of Agriculture regulations.

119. It is appropriate for Entergy Texas 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 the California Energy Commission, Washington, D.C. and Sacramento, CA (2006); and the *Avian Protection Plan Guidelines*, Avian Power Line Interaction Committee and the United States Fish and Wildlife Service (April 2005).

120. It is appropriate for Entergy Texas 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.

121. It is appropriate for Entergy Texas to use best management practices to minimize any potential harm that route 10 presents to migratory birds and threatened or endangered species.

122. It is unlikely that the transmission facilities along route 10 will adversely affect the environmental integrity of the surrounding landscape.

123. 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.

124. It is unlikely that there will be any significant adverse consequences for populations of any federally listed endangered or threatened species.

Engineering Constraints

125. Entergy Texas evaluated engineering and construction constraints when developing routes.

126. Entergy Texas did not identify any engineering constraints that would prevent the construction of transmission facilities along any proposed route.

127. There are no significant engineering constraints along any of the focus routes that cannot be adequately addressed by using design and construction practices and techniques usual and customary in the electric utility industry.

128. All segments proposed by Entergy Texas in this proceeding can be safely and reliably constructed and operated without significant adverse effects on uses of property.

129. All routes are viable, feasible, and reasonable from an engineering perspective.

Paralleling

130. When developing routes, POWER Engineers evaluated the use of existing compatible rights-of-way and paralleling of existing compatible rights-of-way and apparent property boundaries.

131. The routes parallel existing transmission line rights-of-way, other existing compatible rights-of-way, or apparent property boundaries for approximately 11% to 31% of their length depending on the route selected. For the focus routes, the range is 16% to 31% of their length depending on the route selected.

132. Because of the size and constraints of the proposed transmission line and the layout and shape of the study area, none of the proposed routes perform particularly well regarding the paralleling of existing compatible rights-of-way and apparent property boundaries.

133. Route 10 MOD D is 141.85 miles long and parallels existing compatible rights-of-way and apparent property boundaries for 24.05 miles. Route 10 MOD D parallels existing compatible for approximately 17% of its length.

134. Route 10 is 144.90 miles long and parallels existing compatible rights-of-way and apparent property boundaries for 23.18 miles. Route 10 parallels existing compatible rights-of-way for approximately 16% of its length.

135. Route 37 is 136.88 miles long and parallels existing compatible rights-of-way and apparent property boundaries for 27.33 miles. Route 37 parallels existing compatible rights-of-way for approximately 20% of its length.

136. Route 26 is 140 miles long and parallels existing compatible rights-of-way and apparent property boundaries for 42.75 miles. Route 26 parallels existing compatible rights-of-way for approximately 31% of its length. Of the focus routes, this route performs best with regard to paralleling.

137. Route 10 uses or parallels existing compatible rights-of-way or apparent property boundaries to a reasonable extent.

Moderation of Impact

138. DELETED.

138A. The selection of route 10 will best moderate the proposed transmission line's impact on the affected community and landowners as this route has the lowest number of habitable structures within 300/500 feet of the centerline for the focus routes, has the lowest estimated cost of the focus routes, was identified by Entergy Texas as best meeting the criteria the Commission must consider, and was identified by the Texas Parks and Wildlife Department as the route that best minimizes adverse effects on natural resources.

138B. To the extent that the transmission line traverses land for which the Chambers Creek community has future development plans along segments 2 and 5 of route 10, it is appropriate that the selection of route 10 does not give alleged future development that has not been initiated the same consideration as existing constraints.

Other Comparisons of Land Uses and Land Types

139. The study area is generally composed of rural residential development, commercial development, and forested areas with residential developments scattered throughout close to the communities.

140. The study area is located within the Interior Coastal Plains and Coastal Prairies sub-provinces of the Gulf Coastal Plains Physiographic Region of Texas. Elevations within the study area range between approximately 50 and 550 feet above mean sea level.

141. Segments 2 and 5 on route 10 can be safely and reliably constructed and operated without significant adverse effects on uses of property.

142. The area traversed by the study area is predominantly forest.

a. Radio Towers and Other Electronic Installations

143. No commercial AM radio transmitters were identified within 10,000 feet of the focus routes.

144. The number of FM radio transmitters and other electronic communication facilities located within 2,000 feet of the focus routes range from 5 to 14.

145. There are 14 FM radio transmitters and other electronic communication facilities located within 2,000 feet of route 10.

146. The proposed transmission facilities will not have a significant effect on electronic communication facilities or operations in the study area.

b. Airstrips and Airports

147. There are no airports registered with the Federal Aviation Administration and equipped with runways shorter than or exactly 3,200 feet within 10,000 feet of the centerline of any of the proposed routes.

148. There are no airports registered with the Federal Aviation Administration and equipped with at least one runway longer than 3,200 feet within 20,000 feet of the centerline of any of the proposed routes.

149. For the focus routes, the number of private airstrips within 10,000 feet of a route centerline ranges from one to three, including three along route 10.

150. There are no heliports identified by Entergy Texas within 5,000 feet of the centerline of any of the proposed routes.

151. It is unlikely that the transmission facilities will adversely affect any airports, airstrips, or heliports.

c. Irrigation Systems

152. None of the proposed routes cross agricultural lands with known mobile irrigation systems.

153. It is unlikely that the transmission facilities will adversely affect any agricultural lands with known mobile irrigation systems.

d. Pipelines

154. The focus routes cross pipelines ranging from 80 to 94 times with route 10 crossing 89 times.

155. The focus routes parallel pipeline rights-of-way ranging from 11.28 to 21.58 miles with route 10 paralleling at 11.28 miles.

156. It is unlikely that the transmission facilities will adversely impact any crossed or parallelled pipelines.

Texas Parks and Wildlife Department Comments and Recommendations

157. Texas Parks and Wildlife Department (TPWD) provided information and recommendations regarding the preliminary study area for the proposed transmission facilities to POWER Engineers on September 28, 2023.

158. On April 17, 2025, TPWD filed a letter making various comments and recommendations regarding the proposed transmission facilities.

159. 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.

160. TPWD identified route 10 as the route that best minimizes adverse effects on natural resources.

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

162. Entergy Texas must comply with all environmental laws and regulations, including those governing threatened and endangered species.

163. Entergy Texas must comply with all applicable regulatory requirements in constructing the transmission facilities, including any applicable requirements under section 404 of the Clean Water Act.

164. If construction affects federally listed species or their habitat or affects water under the authority of the United States Army Corps of Engineers or the Texas Commission on Environmental Quality (TCEQ), Entergy Texas must cooperate with said agencies as appropriate to coordinate permitting and perform any required mitigation.

165. POWER Engineers relied on habitat descriptions from various sources, including the Texas Natural Diversity Database, other sources provided by TPWD, and observations from field reconnaissance to determine whether habitats for some species are present in the area surrounding the transmission facilities.

166. Entergy Texas must cooperate with the United States Fish and Wildlife Service and TPWD to the extent that field surveys identify threatened or endangered species' habitats.

167. The standard mitigation requirements included in the ordering paragraphs in this Order, coupled with Entergy Texas's standard practices, are reasonable measures for a transmission service provider to undertake when constructing a transmission line and are sufficient to address TPWD's comments and recommendations.

168. The Commission does not address TPWD's recommendations for which there is no record evidence to provide sufficient justification, adequate rationale, or an analysis of any benefits or costs associated with the recommendation.

169. This Order addresses only those recommendations by TPWD for which there is record evidence.

170. The recommendations and comments made by TPWD do not necessitate any modifications to the proposed transmission facilities.

Permitting

171. Before beginning construction of the transmission facilities approved by this Order, Entergy Texas must obtain any necessary permits from Texas Department of Transportation or any other applicable state agency if the facilities cross state-owned or maintained properties, roads, or highways.

172. Before beginning construction of the transmission facilities approved by this Order, Entergy Texas must obtain a miscellaneous easement from the General Land Office if the transmission line crosses any state-owned riverbed or navigable stream.

173. Before beginning construction of the transmission facilities approved by this Order, Entergy Texas must obtain any necessary permits or clearances from federal, state, or local authorities.

174. It is appropriate for Entergy Texas, before commencing construction, to obtain a general permit to discharge under the Texas pollutant discharge elimination system for stormwater discharges associated with construction activities as required by the TCEQ. In addition, because more than five acres will be disturbed during construction of the transmission facilities, it is appropriate for Entergy Texas, before commencing construction, to prepare the necessary stormwater pollution prevention plan, to submit a notice of intent to the TCEQ, and to comply with all other applicable requirements of the general permit.

175. It is appropriate for Entergy Texas 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 line. As a result of these assessments, Entergy Texas must identify all necessary permits from Jasper, Montgomery, Newton, Polk, San Jacinto, Trinity, Tyler, and Walker counties and federal and state agencies. Entergy Texas must comply with the relevant permit conditions during construction and operation of the transmission facilities along the approved route.

176. After designing and engineering the alignments, structure locations, and structure heights, Entergy Texas must determine the need to notify the Federal Aviation Administration based on the final structure locations and designs. If necessary, Entergy Texas must use lower- than-typical structure heights, line marking, or line lighting on certain structures to avoid or accommodate requirements of the Federal Aviation Administration.

Coastal Management Program

177. None of the proposed 34 routes identified in the application for the proposed transmission line or the ten focus routes are located within the Texas Coastal Management Program boundary, as defined by 31 Texas Administrative Code (TAC) § 27.1.

Limitation of Authority

178. 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.

179. Seven years is a reasonable and appropriate limit to place on the authority granted in this Order for Entergy Texas to construct the transmission facilities.

Other Issues

180. There is no expectation that any generator will be precluded or limited from generating or delivering power during the construction process.

181. The parties have not reached a complete or partial agreement on a route that relies on modifications to the route segments as noticed in Entergy Texas's application.

V. Conclusions of Law

The Commission adopts the following conclusions of law.

1. Entergy Texas 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. Entergy Texas is required to obtain the Commission's approval to construct the proposed transmission facilities and provide service to the public using those facilities under PURA §§ 37.051 and .053.

4. SOAH exercised authority over the proceeding under PURA § 14.053 and Texas Government Code §§ 2003.021 and .049.

5. The application is sufficient under 16 TAC § 22.75(d).

6. The Commission processed this docket in accordance with the requirements of PURA; the Administrative Procedure Act,[5] and the Commission's rules.

7. Entergy Texas provided notice of the application in compliance with PURA § 37.054 and 16 TAC § 22.52(a).

8. Additional notice of the approved route is not required under 16 TAC § 22.52(a)(2) because it consists of properly noticed links contained in the application and, for the modifications identified, all affected municipalities, utilities, or counties previously received notice.

9. Additional notice of the approved route is not required under 16 TAC § 22.52(a)(3)(C) because it consists of properly noticed links contained in the application and, for the modifications identified, all directly affected landowners previously received notice.

10. Entergy Texas held public meetings and provided proper notice of those public meetings in compliance with 16 TAC § 22.52(a)(4).

11. 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 and .052.

12. The Texas Coastal Management Program does not apply to the transmission facilities, and the requirements of 16 TAC § 25.102 do not apply to the application.

13. Route 10 best meets the routing criteria set forth in PURA § 37.056 and 16 TAC § 25.101.

14. The transmission facilities using route 10 are necessary for the service, accommodation, convenience, or safety of the public within the meaning of PURA § 37.056 and 16 TAC § 25.101.

---

[5] Tex. Gov't Code §§ 2001.001–.903.

14A. While route segments may be modified based on landowner input, alleged future development that has not been initiated is not granted the same consideration as existing constraints.

15. The Commission must approve or deny the application not later than the 180th day after the application was filed under PURA § 37.057.

VI. 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 Entergy Texas's CCN number 30076 to include the construction and operation of the proposed transmission line, including a new single-circuit 500-kV transmission line and related 138-kV and 230-kV facilities along route 10 (composed of routing segments ExB-2-5-7-11-12-14-17-20a-287-19b-28-42-43-46-48-59-81-82a-291-82c-91-121-128-138-162-179-289-188-201-205-221-223-224-229-231-236-261-266) and the construction of a Running Bear substation at site B and a Babel 500-kV switching station at site B.

3. Entergy Texas 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 metallic pipelines that are paralleled by the electric transmission facilities approved by this Order.

4. Entergy Texas must conduct surveys, if not already completed, to identify metallic pipelines that could be affected by the transmission line 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. Entergy Texas must obtain all permits, licenses, plans, and permissions required by state and federal law that are necessary to construct the transmission facilities approved by this

Order, and if Entergy Texas fails to obtain any such permit, license, plan, or permission, it must notify the Commission immediately.

6. Entergy Texas 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.

7. Before commencing construction, Entergy Texas must obtain a general permit to discharge under the Texas pollutant discharge elimination system for stormwater discharges associated with construction activities as required by TCEQ. In addition, because more than five acres will be disturbed during construction of the transmission line and associated facilities, Entergy Texas must, before commencing construction, prepare the necessary stormwater pollution prevention plan, submit a notice of intent to the TCEQ, and comply with all other applicable requirements of the general permit.

8. If Entergy Texas encounters any archeological artifacts or other cultural resources during construction, work must cease immediately in the vicinity of the artifact or resource, and Entergy Texas must report the discovery to, and act as directed by, the Texas Historical Commission.

9. Before beginning construction, Entergy Texas must undertake appropriate measures to identify whether a potential habitat for endangered or threatened species exists and must respond as required.

10. Entergy Texas must use best management practices to minimize the potential harm to migratory birds and threatened or endangered species that is presented by the route approved by this Order.

11. Entergy Texas must follow the procedures to protect raptors and migratory birds as 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 the California Energy Commission, Washington, D.C. and Sacramento, CA (2006); and the *Avian Protection Plan Guidelines*, Avian Power Line Interaction Committee and the United States Fish and Wildlife Service (April 2005).

12. Entergy Texas must take precautions to avoid disturbing occupied nests and take steps to minimize the burden of the construction of the transmission facilities on migratory birds during the nesting season of the migratory bird species identified in the area of construction.

13. Entergy Texas 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.

14. Entergy Texas 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, Entergy Texas must re-vegetate using native species and must consider landowner preferences and wildlife needs in doing so. Furthermore, to the maximum extent practicable, Entergy Texas must avoid 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.

15. Entergy Texas 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, Entergy Texas 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 Entergy Texas 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.

16. Entergy Texas must cooperate with directly affected landowners to implement minor deviations in the approved route to minimize the disruptive effect of the transmission line approved by this Order. Any minor deviations from 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.

17. The Commission does not permit Entergy Texas 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.

18. If possible, and subject to the other provisions of this Order, Entergy Texas must prudently implement an appropriate final design for the transmission line to avoid being subject to the Federal Aviation Administration's notification requirements. If required by federal law, Entergy Texas must notify and work with the Federal Aviation Administration to ensure compliance with applicable federal laws and regulations. The Commission does not authorize Entergy Texas 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 Entergy Texas must file an application to amend its CCN as necessary.

19. Entergy Texas must include the transmission facilities approved by this Order on its monthly construction progress reports before the start of construction to reflect the final estimated cost and schedule in accordance with 16 TAC § 25.83(b). In addition, Entergy Texas must provide final construction costs, with any necessary explanation for cost variance, after completion of construction when Entergy Texas identifies all costs.

20. The Commission limits the authority granted by the Order to a period of seven years from the date the Order is signed unless, before that time, the transmission line is commercially energized.

21. The Commission denies all other motions and any other requests for general or specific relief that the Commission has not expressly granted.

Signed at Austin, Texas the 12th **day of** December **2025.**

PUBLIC UTILITY COMMISSION OF TEXAS

THOMAS J. GLEESON, CHAIRMAN

KATHLEEN JACKSON, COMMISSIONER

COURTNEY K. HJALTMAN, COMMISSIONER

[Recused from docket]

MORGAN JOHNSON, COMMISSIONER

q:\cadm\orders\final\57000\57648 orh.docx