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**SOAH DOCKET NO. 473-26-14355
PUC DOCKET NO. 59336**

JOINT APPLICATION OF AEP TEXAS	§	BEFORE THE STATE OFFICE
INC. AND CITY OF SAN ANTONIO,	§	
ACTING BY AND THROUGH THE CITY	§	
PUBLIC SERVICE BOARD (CPS	§	
ENERGY) TO AMEND THEIR	§	
CERTIFICATES OF CONVENIENCE	§	
AND NECESSITY FOR THE HOWARD	§	OF
TO SOLSTICE 765-KV SINGLE-CIRCUIT	§	
TRANSMISSION LINE IN ATASCOSA,	§	
BANDERA, BEXAR, CROCKETT,	§	
EDWARDS, KERR, KINNEY, MEDINA,	§	
PECOS, REAL, SUTTON, TERRELL,	§	
UVALDE, AND VAL VERDE COUNTIES	§	ADMINISTRATIVE HEARINGS

**OFFICE OF PUBLIC UTILITY COUNSEL'S
SUPPLEMENTAL STATEMENT OF POSITION**

The Office of Public Utility Counsel (OPUC), representing the interests of residential and small commercial consumers in Texas, respectfully submits this Supplemental Statement of Position pursuant to 16 Tex. Admin. Code (TAC) § 22.124.¹

As identified by American Electric Power Texas Inc. (AEP) and the City of San Antonio, acting by and through the City Public Service Board (CPS Energy or CPS) (together, the Applicants), there were several hundred Texans who filed comments but were not able to meet the burdens necessary to maintain formal intervenor status which, at a minimum, requires ongoing participation in the proceeding in the form of filing required statements of position or testimony.²

¹ See OPUC's Statement of Position (Apr. 17, 2026).

² Applicants' Response to SOAH Order No. 4 Regarding Intervenors Who Did Not File Testimony or a Statement of Position at 2-6 (Apr. 22, 2026).

Due to various procedural rules, which may be perceived as obscure or a bureaucratic technicality by those affected, these residents were excluded from the proceeding going forward.³ With their opinions having been expressed but now excluded, OPUC maintains that these residents still matter in determining the public interest, here and in subsequent proceedings.

OPUC's position is not merely abstract but rather based on practical implications. As OPUC noted in its initial Statement of Position, this application is subject to the statutory requirements set forth in PURA § 37.056 and as such OPUC recommends that the Commission should heavily weigh section 37.056(a)(4)(E). The Commission is required to consider the probable improvement of service or lowering of costs when approving or denying a CCN request.⁴ Furthermore, the factors in PURA § 37.056 "are stated in the broadest possible terms and are intended as legislative standards to guide the Commission in its administration of the certification process."⁵ The residential and small commercial customers are not the cause requiring the construction of this transmission project.⁶ In line with the Public Utility Commission of Texas's (Commission) longstanding adherence to the cost-causation principle, it is imperative that the interest of affected Texans, especially those now excluded from this proceeding, are not ignored and unjustly affected.

OPUC's review of the hundreds of Texans' excluded comments showed overall opposition to the construction of the Howard – Solstice line. Their objections varied, but they generally expressed concerns about the impact to agriculture and land use, property values, safety, the

³ SOAH Order No. 10 Ruling on Late Intervention Requests, ruling on Intervenor Motions to Make Late Filings, Dismissing Intervenor, and Notice to Parties (Apr. 30, 2026).

⁴ PURA § 37.056(c)(4)(E).

⁵ *Hammock*, 131 S.W.3d at 723; *Public Util. Comm'n v. Texland Elec. Co.*, 701 S.W.2d 261, 266 (Tex. App.-Austin 1985).

⁶ OPUC's Statement of Position at 4 (Apr. 17, 2026).

environment, cultural resources, and community values. The table below is a sample of the many comments filed with the Commission, echoed by many other intervenors:

This transmission project will have longer-term impacts on important aspects of their lives, both financial and social: property values, local culture, the natural environment, and human health. Yet those impacts will not be quantified here. As such, these impacts and opinions stand to be ignored in subsequent cost of service and ratemaking proceedings. But they shouldn't be. It is for this reason that OPUC emphatically raises the issue of the excluded Texans here.

While this proceeding is not one in which a full accounting of these costs is appropriate or even possible, the record evidence established here should carry over in subsequent proceedings. Again, given that the commentors here are not the cost-causers of the Howard – Solstice line but are demonstrably negatively affected by its construction, their losses should be considered when the Commission determines how the costs of the line are to be apportioned and borne by the ratepayers of Texas. Finally, OPUC requests the State Office of Administrative Hearings Administrative Law Judges and the Commission evaluate the proposed transmission line project complies with the Lone Star Infrastructure Protection Act.

OPUC reserves the right to further supplement its statement of position, participate in the hearing on the merits, and to take additional positions based on the evidence as necessary to protect the interests of residential and small commercial ratepayers.

Date: May 13, 2026

Respectfully submitted,

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**ATTORNEYS FOR THE
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CERTIFICATE OF SERVICE
SOAH DOCKET NO. 473-26-14355
PUC DOCKET NO. 59336

I hereby certify that a copy of the foregoing document was served on all parties of record in this proceeding on this 13th day of May 2026 by facsimile, electronic mail, and/or first class, U.S. mail.



Kourtnee Jinks