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SOAH DOCKET NO. 473-19-6862
PUC DOCKET NO. 49737

APPLICATION OF SOUTHWESTERN §
ELECTRIC POWER COMPANY FOR §
CERTIFICATE OF CONVENIENCE §
AND NECESSITY AUTHORIZATION §
AND RELATED RELIEF FOR THE §
ACQUISITION OF WIND §
GENERATION FACILITIES §

BEFORE THE STATE OFFICE

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OF PUBLIC UTILITY COMMISSION
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ADMINISTRATIVE HEARINGS

**ORDER NO. 2
GRANTING MOTIONS TO INTERVENE, ADOPTING PROCEDURAL SCHEDULE,
AND SETTING HEARING ON THE MERITS**

On September 12, 2019, Administrative Law Judges (ALJ) Christiaan Siano held an initial prehearing conference at the State Office of Administrative Hearings (SOAH) in Austin, Texas. Several parties appeared and those appearances will be reflected in the official transcript.

I. INTERVENORS

In addition to the parties admitted by the Public Utility Commission of Texas (Commission), the ALJ granted the motions to intervene filed by Golden Spread Electric Cooperative, Inc., Cities Advocating Reasonable Deregulation, and Walmart Inc.

II. ADOPTING PROCEDURAL SCHEDULE

The parties were unable to agree on a procedural schedule at the prehearing conference. Therefore, on September 16, 2019, Commission Staff (Staff) on behalf of itself, Texas Industrial Energy Consumers, Office of Public Utility Council, Cities Advocating Reasonable Deregulation, East Texas Electric Cooperative, Inc., and Northeast Texas Electric Cooperative, Inc. (Intervenors) filed a proposed procedural schedule. SWEPCO also filed a proposed procedural schedule. After reviewing the proposed procedural schedules, the ALJs adopt Staff's and Intervenors' schedule as follows:

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EVENT	DEADLINE
Intervention Deadline	September 30, 2019
Proof of Notice	October 15, 2019
Objections to SWEPCO's Direct Testimony	December 18, 2019
Intervenor Direct testimony	January 14, 2020
Deadline for serving written discovery on SWEPCO's Direct Testimony	January 15, 2020
Responses to objections to SWEPCO's Direct	January 18, 2020
Objections to Intervenor Direct Testimony	January 22, 2020
Hiatus on Discovery and Pleadings for Intervening Holidays: Discovery will not be served on any party and the days will not be counted for any discovery related deadlines; additionally no pleading will be filed by any party and no party will be required to respond to any pleading	December 20, 2019 – January 3, 2020
Staff Direct Testimony	January 22, 2020
Responses to objections to Intervenor Direct	January 29, 2020
Objections to Staff Direct Testimony	January 29, 2020
Responses to objections to Staff Direct	February 5, 2020
SWEPCO's Rebuttal and Staff and Intervenor Cross-Rebuttal Testimony	February 12, 2020
Deadline for serving written discovery on Intervenor and Staff direct and SWEPCO rebuttal	February 18, 2020
Objections to SWEPCO's Rebuttal Testimony	February 18, 2020
Responses to objections to SWEPCO's Rebuttal; Deadline for depositions	February 20, 2020
Hearing on the Merits	February 24 – February 28, 2020
Initial Brief	March 9, 2020
Reply Brief	March 17, 2020

III. NOTICE OF HEARING ON THE MERITS

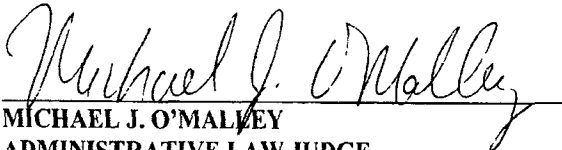
The hearing on the merits will begin at **9:00 a.m., February 24, 2020, at SOAH, William P. Clements Building, 300 West 15th Street, Fourth Floor, Austin, Texas.** The hearing is expected to last five days. The parties are advised that they must clear security at the front desk of the Clements Building, and should allow sufficient time to complete the process.


IV. ADDITIONAL REQUIREMENTS

The following additional requirements apply to this proceeding:

- (i) drafts of testimony are not discoverable;
- (ii) email service is a valid method of service;
- (iii) any party serving electronically must include the Commission docket number and a description of the document in the subject line of the transmitting email;
- (iv) workpapers are due one (1) working day after the testimony is filed. Workpapers may be provided to the parties on CDs or USB flash drives, but hard copies will be provided to the ALJs;
- (v) For written discovery on SWEPCO, Staff, and Intervenor direct and cross-rebuttal testimony
 - a. responses are due within 10 calendar days of the discovery request;
 - b. objections are due within 5 calendar days of the discovery request;
 - c. motions to compel are due within 5 calendar days of an objection; and
 - d. responses to motions to compel are due within 3 calendar days of the motion to compel.
- (vi) For written discovery on SWEPCO's rebuttal testimony
 - a. responses are due within four working days of the discovery request;
 - b. objections are due within four working days of the discovery request;
 - c. motions to compel are due within 2 working days of the objection; and
 - d. responses to a motion to compel is due within 2 working days of the motion to compel.

SIGNED September 18, 2019.


MICHAEL J. O'MALLEY
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARING


CHRISTIAAN SIANO
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS