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Addendum StartPage: 0

SOAH DOCKET NO. 473-21-0247  
PUC DOCKET NO. 51023

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APPLICATION OF THE CITY OF SAN ANTONIO TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE SCENIC LOOP 138-KV TRANSMISSION LINE IN BEXAR COUNTY	§ § § § § §	BEFORE THE STATE OFFICE OF PUBLIC UTILITIES ADMINISTRATIVE HEARINGS
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**SOAH ORDER NO. 12  
REQUIRING RESPONSE TO MOTION FOR CONTINUANCE;  
SETTING ZOOM PREHEARING AND HEARING ON THE MERITS;  
RULING ON OBJECTIONS; AND ADDRESSING IMPEACHMENT EXHIBITS**

**Motion for Continuance/PUC Open Meeting**

On April 27, 2021, Steve Cichowski and Anaqua Springs Homeowners' Association (Anaqua), Brad Jauer and BVJ Properties LLC (Jauer), and The San Antonio Rose Palace Inc. and Strait Promotions, Inc. (Rose Palace/Strait) filed a Motion for Continuance and Other Relief and Notice of Issue at Open Meeting (Motion). It is **ORDERED** that the City of San Antonio, acting by and through the City Public Service Board (Applicant) shall, and any other party may, respond to the Motion in writing by **noon on Thursday, April 29, 2021**.

In Order No. 10, the Administrative Law Judges (ALJs) denied Mr. Cichowski's request to certify questions to the Public Utility Commission (PUC) concerning agreements between a CCN applicant and a landowner and whether certain provisions should be void or voidable as a matter of public policy. Mr. Cichowski appealed, and the PUC is scheduled to consider the appeal at its open meeting on May 6, 2021, which is a day on which the hearing in the merits was expected to convene. In the Motion, Mr. Cichowski requests that the hearing be recessed in order that he and other interested parties may attend the open meeting and report back to the ALJs. The Motion requests a recess of, at a minimum, the morning of May 6, 2021. The ALJs advise the parties that they **anticipate recessing the hearing for the morning and potentially the full day on May 6, 2021**.

**Zoom Prehearing and Hearing on the Merits**

The prehearing conference set to begin at **10:00 a.m. on April 30, 2021**, and the hearing on the merits set to convene **May 3-7 and 10-11, 2021** (as needed) shall be conducted on the Zoom Government videoconference platform. The **log-in information below applies to both the prehearing and the hearing on the merits**. Participants may join by going to <https://soah-texas.zoomgov.com/> or the Zoom application on a computer or mobile device, selecting “Join a Meeting,” and entering the following information when prompted:

**Meeting ID:** 161 567 8433  
**Passcode:** n4E6uG

If you do not have access to a device that would allow videoconferencing capabilities, you may join by telephone by calling either number below and entering the following Meeting ID and passcode. Note that the passcode to join by telephone is different than the passcode to join via a computer or smart device.

(669) 254-5252  
(646) 828-7666

**Meeting ID:** 161 567 8433  
**Passcode:** 728421

You may access information for participating in a zoom meeting at [www.zoom.us](http://www.zoom.us) under the “support” tab.

**Rulings on Objections**

Clearwater Ranch POA (Clearwater) filed an objection to Mr. Cichowski’s errata to his direct testimony on behalf of Anaqua. Clearwater asserts the errata goes beyond correction of a clerical error and constitutes substantive change to direct testimony, which should have been filed as cross-rebuttal testimony. The objection is **OVERRULED**.

Patrick Cleveland filed an objection to the rebuttal testimony of Applicant's witness Lisa Meaux. Mr. Cleveland contends that Ms. Meaux is not qualified to opine on certain matters regarding hunting activities and the compatibility of hunting activities and wildlife management with transmission lines. The objection is **OVERRULED**.

**Impeachment Exhibits**

Mr. Cleveland filed a request for clarification regarding the pre-filing of exhibits. The ALJs note that exhibits to be used solely as impeachment do not need to be pre-filed; however, the ALJs expect counsel and parties to be prepared to effectively use the screen sharing tool in Zoom when using such exhibits.

**SIGNED April 28, 2021.**



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**HOLLY VANDROVEC**  
**ADMINISTRATIVE LAW JUDGE**  
**STATE OFFICE OF ADMINISTRATIVE HEARINGS**



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**PRATIBHA J. SHENOY**  
**ADMINISTRATIVE LAW JUDGE**  
**STATE OFFICE OF ADMINISTRATIVE HEARINGS**