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**PUC DOCKET NO. 33734**

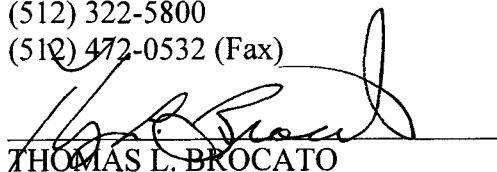
<b>APPLICATION OF ELECTRIC TRANSMISSION TEXAS, LLC FOR REGULATORY APPROVALS AND INITIAL RATES</b>	<b>§ § § §</b>	<b>BEFORE THE PUBLIC UTILITY COMMISSION OF TEXAS</b>
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**CITIES' FIRST SUPPLEMENTAL RESPONSE TO ELECTRIC TRANSMISSION  
TEXAS, LLC's FIRST REQUEST FOR INFORMATION TO CITIES**

Comes now, the Intervening Cities ("Cities") and file the following supplemental response to the First Request for Information ("RFI") to Cities filed by Electric Transmission Texas ("ETT"). Pursuant to P.U.C. PROC. R. 22.144(c)(2)(F), these responses may be treated as if they were filed under oath.

Respectfully submitted,

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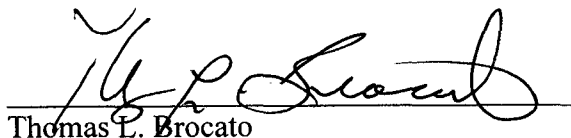
  
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ATTORNEYS FOR CITIES

**CERTIFICATE OF SERVICE**

I, Thomas Brocato, attorney, certify that a copy of this document was served on all parties of record in this proceeding on this the 26<sup>th</sup> day of June, 2007, in the following manner: hand delivered, sent via e-mail, facsimile or mailed by First Class Mail.

  
Thomas L. Brocato

QUESTION:

- 1-1 Does the Cities contend that PURA and/or the Commission's rules require that a certificate of convenience and necessity (CCN) for a transmission-only utility (such as ETT) designate a specific service area? If the Cities' answer is anything other than an unequivocal "no," please provide specific citations to provisions of PURA and/or the Commission's rules that support the Cities' response and explain in detail how those PURA provisions and/or Commission rules support the Cities' response.

SUPPLEMENTAL RESPONSE:

Cities have not developed a position on this issue and as such cannot answer yes or no at this time. Cities will supplement this answer at the appropriate time.

QUESTION:

- 1-2 Does the Cities contend that a transmission-only utility (such as ETT) has an obligation to serve under PURA and/or the Commission's rules? If the Cities' answer is anything other than an unequivocal "no," please describe in detail the nature of a transmission-only utility's obligation to serve, including identifying the entities or customers to which that obligation is owed. Provide specific citations to provisions of PURA and/or the Commission's rules that support the Cities' response and explain in detail how those PURA provisions and/or Commission rules support the Cities' response.

SUPPLEMENTAL RESPONSE:

Cities have not developed a position on this issue and as such cannot answer yes or no at this time. Cities will supplement this answer at the appropriate time.

QUESTION:

- 1-3 Specifically explain the Cities' position concerning the obligations of a transmission-only utility (such as ETT) under PURA and/or the Commission's rules. Please provide specific citations to provisions of PURA and/or the Commission's rules that support the Cities' response and explain in detail how those PURA provisions and/or Commission rules support the Cities' response.

SUPPLEMENTAL RESPONSE:

In accordance with Order No. 11, Cities are not required to provide an answer to Question 1-3.

QUESTION:

- 1-4 Does the Cities contend that the method proposed by ETT whereby AEP or MidAmerican can offer transmission projects to ETT and ETT can accept or reject those projects (as set out at page 16, lines 3-13 of Mr. Heyeck's testimony and in Section 13.1.2 of the Amended and Restated Limited Liability Company Agreement contained in Exhibit JCC-2) is inconsistent with PURA or the Commission's rules? If the Cities' answer is anything other than an unequivocal "no," please provide specific citations to provisions of PURA and/or the Commission's rules that support the Cities' response and explain in detail how those PURA provisions and/or Commission rules support the Cities' response.

SUPPLEMENTAL RESPONSE:

In accordance with Order No. 11, Cities provide the following answer to Question 1-4. Cities contend that the Commission does not have sufficient rules to regulate the scenario proposed by ETT. Cities believe a rulemaking is necessary should the Commission decide that transmission only utilities, such as ETT, are necessary. Please see the direct testimony of Scott Norwood for further explanation.

QUESTION:

- 1-5 Does the Cities contend that the Commission's ability to select companies to build transmission lines is constrained by the existing service areas of transmission and distribution utilities in Texas? If the Cities' answer is anything other than an unequivocal "no," please provide specific citations to provisions of PURA and/or the Commission's rules that support the Cities' response and explain in detail how those PURA provisions and/or Commission rules support the Cities' response.

SUPPLEMENTAL RESPONSE:

Cities have not developed a position on this issue and as such cannot answer yes or no at this time. Cities will supplement this answer at the appropriate time.