



Control Number: 34611



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Addendum StartPage: 0

SOAH DOCKET NO. 473-08-3341  
PUC DOCKET NO. 34611

APPLICATION OF KELSON  
TRANSMISSION COMPANY, LLC  
FOR A CERTIFICATE OF  
CONVENIENCE AND NECESSITY  
FOR THE PROPOSED CANAL-TO-  
DEWEYVILLE 345 KV  
TRANSMISSION LINE WITHIN  
CHAMBERS, HARDIN, JASPER,  
JEFFERSON, LIBERTY, NEWTON  
AND ORANGE COUNTIES

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BEFORE THE

STATE OFFICE OF

ADMINISTRATIVE HEARINGS

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FILING CLERK

Contact: Terry Dodson

713.236.8344

713.236.8484

October 6, 2008

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**SOAH DOCKET NO. 473-08-3341  
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<b>APPLICATION OF KELSON TRANSMISSION COMPANY, LLC FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE PROPOSED CANAL-TO- DEWEYVILLE 345 KV TRANSMISSION LINE WITHIN CHAMBERS, HARDIN, JASPER, JEFFERSON, LIBERTY, NEWTON AND ORANGE COUNTIES</b>	§ § § § § § § § § §	<b>BEFORE THE           STATE OFFICE OF           ADMINISTRATIVE HEARINGS</b>
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**KELSON TRANSMISSION COMPANY, LLC'S FIRST SET OF REQUESTS FOR  
INFORMATION TO OCCIDENTAL CHEMICAL CORPORATION**

Pursuant to Sections 22.141-145 of the Procedural Rules of the Public Utility Commission of Texas, Kelson Transmission Company, LLC ("Kelson Transmission") request that Occidental Chemical Corporation ("Occidental"), by and through its attorney of record, provide the information requested on Attachment "A" in accordance with the definitions, explanatory notes, and instructions below within ten (10) days of receipt thereof. It is further requested that the answers to the requests for information be made under oath, and that each item of information be made available as it is completed, rather than upon compilation of all information requested. Each answer should identify the person responsible for preparing it (other than the purely clerical aspects of its preparation) and the name of the witness in this proceeding who will sponsor the answer and who can attest to its accuracy. These requests are continuing in nature, and should there be a change in circumstances which would modify or change an answer supplied, such changed answer should be submitted immediately as a supplement to the original answer.

## **DEFINITIONS, EXPLANATORY NOTES, AND INSTRUCTIONS**

1. The term "identify," "identity" or "identification" when used in reference to an individual person, means to state that person's full name and business address, including zip code, telephone number, and present or last-known business position and duties.
2. The term "identify," "identity" or "identification" when used in reference to a business organization, means to state the corporate, partnership or proprietorship name or names, and locations, full addresses and telephone numbers of its principal place of business and all other business locations that should be denoted for a full and complete response to an inquiry, interrogatory or request for information.
3. The term "identify," "identity" or "identification" when used in reference to a document or study, means to state the type of document or the study format (e.g. book, magazine article, circular, ledger, letter, memoranda, chart, computer run information, microfilm, etc.), its present location and custodian, a description of its form, title, author, volume and page number or other means of general identification, its approximate size and number of pages, and the date on which it was made, prepared, or taken. If any such document was, but is no longer in your possession or subject to its control, state what disposition was made of it.
4. The term "identify," "identity" or "identification" when used in reference to anything other than a person, business organization, document or study, means to state the nature and present location of the item, a description of its form, the name or title by which the item is commonly known, and the person or business organization that has custody of or responsibility to maintain the item.
5. The term "study" or "studies" means any analysis, investigation, summary of data, listing or report the results of which were made known, formally or informally, where the author thereof reached an objective or subjective conclusion or presented information upon which others could or did reach an objective or subjective conclusion.
6. The terms "document" and "documents" are used in their broadest sense and shall mean and include all written, printed, typed, recorded, or graphic matter of every kind and description, including drafts, originals and copies, and all attachments and appendices thereto. Without limiting the foregoing, the terms "document" and "documents" shall include all agreements, contracts, communications, correspondence, letters, telegrams, telexes, emails, messages, memoranda, records, reports, books, summaries, tape recordings or other records of telephone conversations or interviews, summaries or other records of personal conversations, minutes or summaries or other records of meetings and conferences, summaries or other records of negotiations, other summaries, diaries, diary entries, calendars, appointment books, time record, instructions, work assignments, forecasts, statistical data, statistical statements, financial statements, work sheets, work papers, drafts, graphs, maps, charts, tables, accounts, analytical records, consultants' reports, appraisals, bulletins, brochures, pamphlets, circulars, trade letters, press releases, notes, notices, marginal notations, notebooks, telephone records, bills statements, records of obligation and expenditure, invoices, lists, journals, advertising, recommendations,

printouts, compilations, tabulations, analysis, studies, surveys, transcripts of hearings, transcripts of testimony, affidavits, expense reports, microfilm, microfiche, articles, speeches, tape or disk recordings, sound recordings, video recordings, film, tape, photographs, punch cards, programs, data compilation from which information can be obtained (including matter used in data processing), and other printed, written, handwritten, type-written, recorded, stenographic, computer-generated, computer-stored, or electronically-stored matter, however, and by whomever produced, prepared, reproduced, disseminated, or made. The terms "document" and "documents" also include all copies of documents by whatever means made, except that where a document is identified or produced, identical copies thereof which do not contain any markings, additions, or deletions different from the original need not be separately produced.

7. If a copy of the information requested is available in machine-readable form (such as punch cards, paper or magnetic tapes, drums, disks or core storage), state the form in which it is available and describe the type of computer or other machinery required to read the information.
8. When a request calls for the identification of a "document" or "documents," the identification should include the following:
  - (a) the full name and address of the author(s) by whom the document was written, prepared, recorded or made;
  - (b) the date of the document;
  - (c) the title and/or "re" of the document;
  - (d) the subject matter of the document;
  - (e) the full name and address of the recipient and every person who received copies of the document;
  - (f) the full name and address of the person who has possession, custody or control of the document, or who is in charge of maintaining the document; and
  - (g) if the document has been lost, shredded or destroyed (whether intentionally or unintentionally) an explanation of the reasons for and causes of such loss, shredding or destruction.
9. If any requested information or document cannot be provided in its entirety, it shall be provided to the greatest extent possible, with an indication of the portion of the information or document that cannot be provided and the reason why it can not be provided.
10. The respondent to requests for information must provide not only the information or documents in its physical possession, custody, or control, but all information and documents in the physical possession, custody, or control of any other person acting or

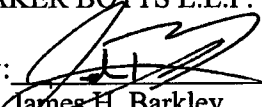

purporting to act on behalf of the respondent, including, but not limited to, contractors, attorneys, consultants, and witnesses.

11. The term "communication" shall mean any transaction of information by oral, graphic, written, pictorial, or other means, including, but not limited to, telephone, conversations, letters, telegrams, emails, and personal conversations.
12. "To each" means to identify separately information, facts, data and documents for each of the individual items or things designated as the subject of the specific inquiry or request.
13. Terms expressed in the masculine gender shall be regarded as including the feminine or neuter; terms expressed in the singular shall be regarded as being expressed in the plural, and vice versa; terms expressed in the past tense be regarded as being expressed in the present tense, and vice versa; and the term "and" shall be regarded as the term "or," and vice versa, so as to not limit the scope of any request.
14. The terms "Commission" and "PUC" refer to the Public Utility Commission of Texas.
15. In answering each request, please restate the request prior to providing the response. Each request and its response should begin on a separate page. Where there are subparts to a request, the answer to each subpart should be separately labeled.
16. If any of the information requested is claimed to be privileged or proprietary, then the response should identify such information, identify all persons who participated in the preparation of the information or who received a copy, read, or examined the information or knows of its substance, state the present location of the information and all copies of it, and identify each person having custody or control of the information or any of the copies.
17. If any requested information is not available in the form requested, provide the information in the form that it currently exists, explain why the data cannot be provided in the form requested, and describe the work or process needed to provide the information in the form requested.

Date: October 6, 2008

Respectfully submitted,

BAKER BOTTS L.L.P.

By:   
For  James H. Barkley  
Texas Bar No. 00787037  
Baker Botts LLP  
910 Louisiana Street  
Houston, Texas 77002  
713.229.1234  
713.229.1522 (fax)

COUNSEL FOR KELSON TRANSMISSION  
COMPANY, LLC

**KELSON TRANSMISSION COMPANY, LLC'S FIRST SET OF REQUESTS FOR  
INFORMATION TO OCCIDENTAL CHEMICAL CORPORATION**

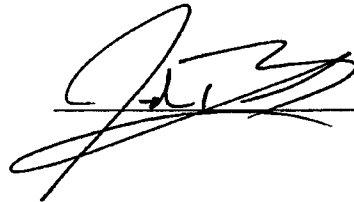
1. For each of your witnesses who will file or who have filed an affidavit or testimony in this proceeding, please:
  - (a) Provide a complete copy of the work papers supporting the testimony of the witness in this docket;
  - (b) Provide all documents and tangible things which in any way relate to or form the basis of the mental impressions and opinions held by the deponent with regard to his/her testimony in this docket;
  - (c) Provide all documents and tangible things recording constituting, or in any way reflecting the factual observations, tests, supporting data, calculations, photographs or opinions of the witness with regard to this docket;
  - (d) Provide all documents and other tangible things in the witness's file in any way relating to this docket;
  - (e) Identify all documents, including reports, models, data, or publications provided to or obtained by the witness in the course of preparing his/her testimony;
  - (f) Identify any expert, other than Kelson Transmission's experts, whose testimony, publications, or work the witness reviewed, in whole or in part, in the course of preparing his/her testimony regardless of whether the witness relied on that expert's testimony, publications, or work to support the testimony filed;
  - (g) Provide the witness' complete current resume and bibliography;
  - (h) Identify and provide copies of all testimony or reports the witness has presented before, or had filed with, any court or other governmental body since January 1, 2003 (you do not need to provide copies of testimony or reports filed with the Public Utility Commission of Texas, but please identify such testimony and provide the name or style of the proceeding, the docket or project number, and the date filed); and
  - (i) Identify and provide copies of all articles, commentaries, editorials, or written work that the witness has had published since January 1, 2003, in any journal, newspaper, magazine, or other publication.
2. Identify any consulting expert whose work has been relied upon by any of your witnesses in this proceeding and for each such consulting expert, please:



- (a) Provide the expert's name and employer, and the address and telephone number by which the expert can be contacted;
- (b) Identify the subject matter for which the expert was consulted;
- (c) Identify all documents and facts provided to, or obtained by, the consulting expert or which formed the basis on which the consulting expert derived his/her opinions and mental impressions that are related to this proceeding;
- (d) Provide the opinions and mental impressions of the consulting expert that are related to this proceeding and identify the techniques and methods the consulting expert used to reach those opinions and mental impressions;
- (e) Provide the consulting expert's complete current resume and bibliography;
- (f) Identify and provide copies of all testimony or reports the consulting expert has presented before, or had filed with, any court or other governmental body since January 1, 2003, (you do not need to provide copies of testimony or reports filed with the Public Utility Commission of Texas, but please identify such testimony and provide the name or style of the proceeding, the docket or project number, and the date filed); and
- (g) Identify and provide copies of all articles, commentaries, editorials, or written work that the consulting expert has had published since January 1 2003, in any journal, newspaper, magazine, or other publication.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on all parties of record by email, facsimile transmission, or United States First Class Mail on this 6th day of October, 2008.

A handwritten signature in black ink, appearing to be "J. J. [unclear]", is written over a horizontal line.