



Control Number: 35665



Item Number: 328

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COMMISSION STAFF'S PETITION
FOR THE SELECTION OF
ENTITIES RESPONSIBLE FOR
TRANSMISSION IMPROVEMENTS
NECESSARY TO DELIVERY
RENEWABLE ENERGY FROM
COMPETITIVE RENEWABLE
ENERGY ZONES

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PUBLIC UTILITY COMMISSION
OF TEXAS

2008 SEP 30 PM 2:53
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**JOINT PARTIES'
THIRD SET OF REQUESTS FOR INFORMATION
TO TEJAS TRANSMISSION LLC**

COME NOW AEP Texas Central Company (TCC), AEP Texas North Company (TNC), Electric Transmission Texas, LLC (ETT), LCRA Transmission Services Corporation (LCRA TSC), Oncor Electric Delivery Company LLC (Oncor), Sharyland Utilities, LP (Sharyland), South Texas Electric Cooperative (STEC), and Texas-New Mexico Power Company (TNMP) (collectively, the Joint Parties), by and through their respective attorneys of record, and request that you provide the information and answer the attached questions under oath. It is further requested that the questions be answered in the order in which they are asked with as much detail so as to fully present all of the relevant facts.

Instructions

Please answer the attached questions on separate pages and copy the question immediately above the answer to each question. Following each answer, please identify the witness or witnesses who will sponsor each of your answers at the hearing in PUCT Docket No. 35665. These questions are continuing in nature and, should there be a change in circumstances which would modify or change any of your answers, then, in such case, please change or modify

such answer and submit such changed answer as a supplement to the original answer within five (5) working days of your discovery that such change or modification is appropriate.

In answering these requests for information, you are requested to furnish such information as is available to you, including information which you are able to obtain by due diligence from your present or former attorneys, accountants, investigators, consultants, employees, agents, and persons acting on your behalf.

If you are unable to answer any request fully and completely after exercising due diligence to make inquiry and to secure information, you are to answer such request as fully and completely as you can and to specify the portions which you are unable to answer in such request. In addition to specifying those portions, you are to state with regard to each portion:

1. The fact on which you base the contention that you are unable to answer that portion;
2. The knowledge, information, and belief you have concerning that portion; and
3. The acts done and inquiries made by you in attempting to answer such request.

The singular includes the plural and the plural includes the singular.

Masculine, feminine, or neuter pronouns do not exclude the other genders.

The words "document" and "documents" have the broadest meaning that can be ascribed to them pursuant to the Texas Rules of Civil Procedure. Among other things, the words "document" and "documents" mean the final form and all drafts and revisions of any kind of written or graphic matter, original or reproduced copy, however produced or reproduced, of any kind and of every kind, and all copies there from which are different in any way from the original regardless of whether designated "confidential," "privileged," or otherwise restricted. Without limiting the generality of the foregoing, the words "document" and "documents" also

include information stored or maintained on, or which could be reproduced from, film, microfilm, computer printout, disk or diskette, magnetic tape, cassette, phonographic disc, videotape, or similar means.

The words "and" and "or" shall be construed conjunctively or disjunctively as necessary to bring within each request all documents which might otherwise be construed as outside its scope.

The words "communication" and "communications" include, without limitation of their generality, both written and oral: statements, representations, discussions, conversations, speeches, meetings, remarks, questions, answers, panel discussions and symposia. These words include, without limitation of their generality, both communications and statements which are face-to-face and those which are transmitted by any writing or document or by media such as intercoms, telephones, email, television or radio.

The words "identify" and "identification", when used with respect to a natural person or persons, mean to state the name, address(es) and telephone number(s) of each such person. If any of the foregoing information is not available, state any other available means of identifying such person.

The words "identify" and "identification", when used in reference to a person other than a natural person, mean to set forth its:

1. full name or title;
2. nature or organization, including the state under which the same was organized or incorporated;
3. address and telephone number (with area code prefix); and
4. principal line of business.

If any of the foregoing information is not available, state any other available means of identifying such person.

The words "identify" and "describe", when used in reference to a fact, mean to state not only the fact itself, but also:

1. its date, time and place;
2. the name, address and telephone number of each person with knowledge of the fact;
3. whether the act is supported by an oral communication, a document, or other event; and
4. any other evidence which supports such fact.

The words "identify" and "identification", when used in reference to a document, mean to state:

1. its date;
2. its author;
3. its addressee;
4. the type of document (e.g., letter, memorandum, receipt, invoice, schedule, report, telegram, chart, photograph, etc.); and
5. its present location and identity of its custodian. If any document was, but is no longer, in your possession, custody, or control, or is no longer in existence, explain why.

If any of the foregoing information is not available, state any other available means of identifying such document. If a document is one of a series of pages contained in a book, pamphlet, binder, folder, microfilm (or other storage device), include in your identification of

such document(s) any available numerical reference (or other aid) to the pages and line or other portion thereof at which the information referred to can be found. A true and correct copy of any document may be produced and filed with your Answers hereto in lieu of the above information.

The words "identify" and "describe", when used with respect to an oral communication, mean:

1. to state the substance of each such oral communication;
2. to state the exact words used by each person participating in the oral communication;
3. to identify each speaker;
4. to identify each person present at the making or reception of such oral communication;
5. to specify the date, time and place of each oral communication;
6. to identify each person repeating such oral communication;
7. to identify every document which records, memorializes, or relates to all or part of such communication; and
8. to identify the mode of such communication (e.g., telephone, face-to-face, etc.).

The words "person" and "persons" as used herein, mean all individuals and entities, and shall be deemed to include natural persons, firms, partnerships, associations, organizations, joint ventures, corporations, and any other entities, including without limitation, any electric utility, cogenerator, independent power producer, qualifying facility, or any other entity which generates electricity.

The words "regarding", "relate", "related", "relates" and "relating", as used herein, mean involving, relating to, referring to, having any relationship to, pertaining to, evidencing or constituting evidence of, in whole or in part.

The term "Commission" refers to the Public Utility Commission of Texas.

If you have any question concerning the attached Questions or any of these instructions, please contact the undersigned.

Respectfully submitted,

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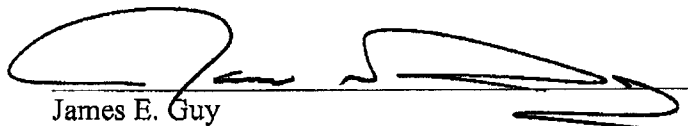
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**ATTORNEY FOR TEXAS-NEW
MEXICO POWER COMPANY**

Certificate of Service

I certify that a true and correct copy of the foregoing document was served on all parties of record on this 30th day of September, 2008.


James E. Guy

ADDITIONAL DEFINITIONS

1. The words “you” and “your” mean Tejas Transmission LLC and its affiliates, subsidiaries, and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees or other persons.
2. “Tejas Transmission” or “Tejas” refers to, for purposes of these RFIs, Tejas Transmission LLC, and any merged, consolidated, or acquired predecessors or predecessor in interest, its subsidiaries, past or present, and its employees, officers, directors, agents, consultants, attorneys, and all persons acting under contractual arrangements with, or purporting to act on its behalf.
3. “Babcock & Brown” refers to, for purposes of these RFIs, Babcock & Brown Limited, and any merged, consolidated, or acquired predecessors or predecessor in interest, its subsidiaries, past or present, its affiliates, its managed infrastructure and other funds, and its employees, officers, directors, agents, consultants, attorneys, and all persons acting under contractual arrangements with, or purporting to act on its behalf.
4. “Concerning” means constituting, arising out of, incident to, referring to, mentioning, bearing upon, reflecting, evidencing, affecting, concerning or relating in any manner to the transaction, communication, document, individual, entry, act, object, conference, activity or thing identified.

QUESTIONS

JP-TT 3-1

Please provide a true and correct copy of any and all communications, including but not limited to, agreements, between Tejas or Babcock & Brown and any other entity concerning the procurement of materials or equipment for the construction of CREZ facilities that may be awarded to Tejas in this proceeding.

JP-TT 3-2

Please identify all facilities, service centers, operations centers, maintenance centers, warehouses, or other related facilities that you believe will be necessary to allow Tejas to construct, operate, and maintain CREZ facilities that may be awarded to Tejas in this proceeding.

JP-TT 3-3

Please provide any and all documents concerning your consideration of the facilities, service centers, operations centers, maintenance centers, warehouses, or other related facilities identified in response to JP-TT 3-2.

JP-TT 3-4

Please produce any and all documents concerning efforts by Tejas or Babcock & Brown to acquire the facilities, service centers, operations centers, maintenance centers, warehouses, or other related facilities identified in response to JP-TT 3-2.

JP-TT 3-5

Please produce any and all documents concerning the cost or estimated cost for Tejas or Babcock & Brown to acquire any facilities, service centers, operations centers, maintenance centers, warehouses, or other related facilities identified in response to JP-TT 3-2.

JP-TT 3-6

Please identify all types of materials or equipment that you believe will be necessary to allow Tejas to construct, operate, and maintain CREZ facilities that may be awarded to Tejas in this proceeding.

JP-TT 3-7

Please provide any and all documents concerning your consideration of the materials or equipment that you believe may be necessary to allow Tejas to construct, operate, and maintain CREZ facilities that may be awarded to Tejas in this proceeding.

JP-TT 3-8

Please produce any and all documents concerning efforts by Tejas or Babcock & Brown to acquire the materials or equipment that you believe may be necessary to allow Tejas to construct, operate, and maintain CREZ facilities that may be awarded to Tejas in this proceeding.

JP-TT 3-9

Please produce any and all documents concerning the cost or estimated cost for Tejas to acquire the materials or equipment that you believe may be necessary to allow Tejas to construct, operate, and maintain CREZ facilities that may be awarded to Tejas in this proceeding.

JP-TT 3-10

Please provide the estimated direct cost in current dollars to construct representative tangent, 30-degree, and 90-degree structures for the type of conductor that Tejas would use to construct the facilities it has requested in this docket. For the purpose of this question please include all estimated construction cost relating to design, engineering,

materials, labor, transportation and other necessary expenses but excluding ROW and land acquisition.

JP-TT 3-11

Please provide the actual average O&M cost-per-mile by year and voltage type for the last five calendar years for all transmission owning affiliates of Tejas.

JP-TT 3-12

Provide all agreements between Tejas and Babcock & Brown or its affiliates concerning any CREZ facilities that may be awarded to Tejas in this proceeding.

JP-TT 3-13

Please provide a map showing the general location of Babcock & Brown's existing and publicly announced wind-powered generation resources in Texas.

JP-TT 3-14

Please provide Tejas's monthly and annual cost for office space, office personnel, equipment, supplies, utilities, insurance and other operating costs. Does Tejas plan to include these costs in its transmission cost of service that it plans to recoup from ERCOT load?

JP-TT 3-15

Please provide Babcock & Brown's monthly and annual cost for office space, office personnel, equipment, supplies, utilities, insurance and other operating costs that you intend to utilize in constructing, operating or maintaining any CREZ facilities awarded to Tejas in this proceeding. Does Tejas plan to include these costs in its transmission cost of service that it plans to recoup from ERCOT load?