



Control Number: 37448



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**SOAH DOCKET NO. 473-10-1097
PUC DOCKET NO. 37448**

APPLICATION OF LCRA TRANSMISSION SERVICES CORPORATION TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE GILLESPIE TO NEWTON 345-KV CREZ TRANSMISSION LINE IN GILLESPIE, LLANO, SAN SABA, BURNET, AND LAMPASAS COUNTIES, TEXAS	§ § § § § § § § § §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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**WILLIAM R. HINCKLEY'S COMMENTS ON COMMISSION STAFF'S PROPOSED
PROCEDURAL SCHEDULE**

On November 16, 2009, Staff of the Public Utility Commission of Texas (Staff) filed its proposed procedural schedule in the above-referenced proceeding. In its pleading, Staff stated that its proposal adjusted the schedule proposed by LCRA Transmission Services Corporation (LCRA TSC of Applicant) to provide additional time for the preparation of intervenor testimony and subsequent deadlines. Staff proposes Monday, January 4, 2010 as the deadline for intervenor testimony. Staff's proposed schedule also limited discovery on Applicant's rebuttal testimony to depositions and allotted only four business days for such discovery. For the reasons discussed below, landowner William R. Hinckley (Mr. Hinckley) proposes a different date for the filing of intervenor testimony and requests that additional time and means for discovery on Applicant's rebuttal testimony. Further, Mr. Hinckley is proposing a revised schedule that reflects these adjustments on subsequent deadlines. Finally, Mr. Hinckley notes that Staff inadvertently referenced dates in 2010 as 2009 and corrects this in his revised proposed schedule.

Intervenor Testimony

As proposed by Staff, intervenor testimony would be due on Monday, January 4, 2010 – the first business day after the New Year holiday. This date prejudices Mr. Hinckley and other intervenors as it requires them to consult with their experts and attorneys, if represented by counsel, and finalize their testimonies prior to the New Year holiday in order to timely file

testimony. In turn, the time that intervenors have to prepare testimony is shortened. Further, with a November 30, 2009 intervention deadline, some intervenors would only have one month to hire an expert, review the Applicant's testimony and prepare written testimony. Mr. Hinckley respectfully requests that a few additional days be provided to intervenors to account for the New Year's holiday and the time constraints a Monday filing creates.

Discovery on Rebuttal Testimony

Mr. Hinckley appreciates the scheduling constraints that the April 26, 2010 statutory deadline imposes. However, four days for discovery on Applicant's rebuttal testimony, as proposed by Staff, is not sufficient time to address questions that may arise. Further, limiting the form of discovery to depositions is prejudicial to landowners participating in this proceeding with limited resources. Thus, Mr. Hinckley requests that discovery on rebuttal be extended by a few days, that it not be limited to depositions but instead suggests that a five-day response time to discovery requests on the rebuttal testimony be employed.

Revised Proposed Procedural Schedule

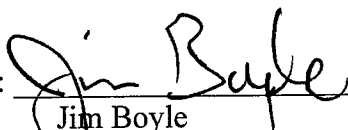
Beginning with the date of Intervenor Testimony, Mr. Hinckley proposes to following revised deadlines to Staff's proposed schedule:

Intervention, per 22.52(a)(1)(A)	November 30, 2009
Prehearing conference	December 3, 2009 AM
Technical conference	December 3, 2009 PM
Objections to Applicant's direct testimony	December 14, 2009
Replies to objections to Applicant's direct testimony	December 23, 2009
Intervenor direct testimony and/or statements of position	January 8, 2010
Discovery on Applicant's direct case ends	January 8, 2010
Objections to Intervenor direct testimony	January 14, 2010
Staff direct testimony	January 14, 2010
Responses to objections to Intervenor direct testimony	January 20, 2010
Objections to Staff direct testimony	January 20, 2010
Discovery on Intervenor's and Staff's direct cases ends	January 21, 2010

Applicant rebuttal testimony	January 22, 2010
Responses to objections to Staff direct testimony	January 26, 2010
Objections to applicant rebuttal testimony	January 29, 2010
Discovery on applicant's rebuttal case ends (5-day response time)	February 5, 2010
Prehearing conference to resolve outstanding discovery and other issues	February 8, 2010
Settlement conference	February 8, 2010
Hearing on the Merits	February 9-11, 2010
Replies to objections to applicant's rebuttal testimony	At Hearing on Merits
Initial briefs	February 24, 2010
Reply briefs	March 6, 2010
PFD	March 26, 2010
Exceptions to PFD	April 1, 2010
Replies to exceptions	April 8, 2010
Final order issued per 39.203(e)	April 26, 2010

Respectfully submitted:

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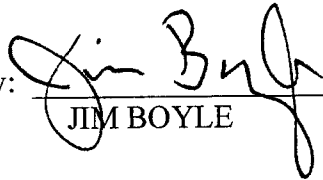
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ATTORNEYS FOR
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CERTIFICATE OF SERVICE

I hereby certify that on this the 20th day of November 2009, a true and correct copy of the foregoing document was served upon all parties of record by facsimile and/or First-class mail United States mail, postage paid.

By: _____
JIM BOYLE