



Control Number: 37448



Item Number: 279

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

<b>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, SANSABA, BURNET, AND LAMPASAS COUNTIES, TEXAS</b>	§ § § § § § § § § §	<b>BEFORE THE STATE OFFICE  OF  ADMINISTRATIVE HEARINGS</b>
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**COMMISSION STAFF'S MOTION TO COMPEL**

COMES NOW Staff of the Public Utility Commission of Texas (Staff) and files this motion to compel responses to its Request for Information filed in this docket on November 17, 2009.

On November 17, 2009, Staff filed and served RFIs on all parties that had been granted intervenor status as of that date. A copy of the RFIs, which were identical for each party, is attached to this motion as Attachment A. Pursuant to Order No. 1 and as instructed by Staff in its request, the intervenors were required to respond within 10 days of being served with the RFIs. As of the filing of this motion, Staff has not received a response from Shanna Adams, Robert and Staria Carroll, David Cleveland, Johna and Susan B. Colvin, Thomas and Marcia Dozier, Kaye Fischer-Hales, Jacob Haley, Marion F. Kirby III, Charles D. and Lynette J. Lawson, Malcolm Long, Carla Neilson, Paul Slagle, and Thomas & Kristi Slagle.

P.U.C. PROC. R. 22.144(c)(1) requires that parties served with discovery requests shall serve a full written response within 20 days or the time set by the presiding officer. P.U.C. PROC. R. 22.144(d) requires that objections to discovery requests be filed in writing, following diligent negotiations. In this case, none of the parties named above have filed objections or attempted to negotiate with Staff regarding the requests. In accordance with PROC. R. 22.144(e), Staff files this motion to compel. Because no written objections were filed to the RFIs, there is no deadline to file this motion, and it is thus timely filed. In the absence of the information requested, Staff cannot adequately respond to or incorporate the comments of intervenors in its case. As such, Staff requests that the ALJ compel the listed intervenors to respond to Staff's First

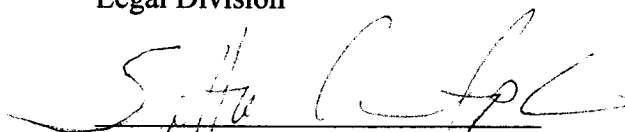
Request for Information within 5 days of the issuance of the order. If an intervenor chooses to not respond, Staff would request that the ALJ dismiss the party from the case or strike any testimony filed by that intervenor.

**Dated: December 10, 2009**

Respectfully Submitted,

Thomas S. Hunter  
Division Director  
Legal Division

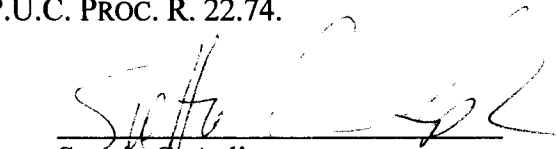
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### **CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on this 10th of December 2009, in accordance with P.U.C. PROC. R. 22.74.

  
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Scottie C. Aplin