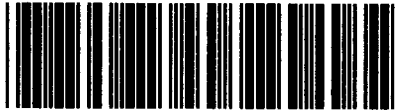


Control Number: 37448



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Addendum StartPage: 0

**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, SAN SABA, BURNET, AND LAMPASAS COUNTIES</b>	§ § § § § § § § §	<b>BEFORE THE STATE OFFICE</b>     <b>OF</b>     <b>ADMINISTRATIVE HEARINGS</b>
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FILED  
10 JAN 21 PM 2:49  
CLERK

**LCRA TRANSMISSION SERVICES CORPORATION'S MOTION  
TO STRIKE THE INTERVENTIONS OF WAYNE DAVIS AND LINDA DAVIS**

COMES NOW LCRA Transmission Services Corporation (LCRA TSC) and files this, its Motion to Strike the Interventions of Wayne Davis and Linda Davis (Motion to Strike), and in support thereof would respectfully show the following:

**I. Introduction**

Mr. Wayne Davis and Ms. Linda Davis each filed identical intervention forms on January 19, 2010. A response is due under Order No. 1 n§o later than January 22, 2010. This response is timely filed.

**II. The Motion to Intervene is not timely**

The Davises filed their requests to intervene on January 19, 2010, over six weeks past the assigned intervention deadline. The Motion fails to meet the requirements of P.U.C. PROC. R. § 22.104(d)(1), as no good cause for the late filing has been specified. Additionally, the Davises filed their requests to intervene over a week past the January 7 deadline for intervenor testimony or statements of position to be filed and approximately two weeks before the start of the hearing. Hence, even if the Davises were allowed to intervene, they would not be able to propound discovery questions, file testimony, cross examine, or take any part in the hearing on the merits. In addition, LCRA TSC is currently engaged in preparing rebuttal testimony to the other parties who properly intervened and who properly filed testimony. LCRA TSC should not have to contend with another intervenor, any additional prospective discovery, or another prospective party

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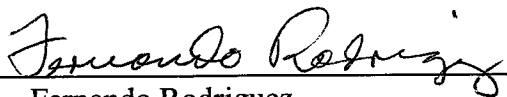
on cross examination when the requested late intervention has so greatly exceeded the bounds of the docket control orders issued by the ALJ.

**WHEREFORE, PREMISES CONSIDERED,** LCRA TSC would respectfully request that the Requests to Intervene of Wayne Davis and Linda Davis be denied. LCRA TSC would also request all other relief to which it may show itself entitled.

Respectfully submitted,

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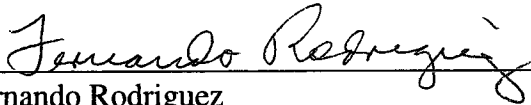
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By:   
Fernando Rodriguez

ATTORNEYS FOR LCRA TRANSMISSION  
SERVICES CORPORATION

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was served on all parties of record in this proceeding on this the 21<sup>st</sup> day of January 2010, by e-mail, facsimile, First-Class U.S. mail, or by hand delivery.

  
\_\_\_\_\_  
Fernando Rodriguez