



Control Number: 37464



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SOAH NO. 473-10-0710
PUC NO. 37464

APPLICATION OF ONCOR ELECTRIC
DELIVERY COMPANY, LLC TO AMEND
ITS CCN FOR THE BROWN-NEWTON
345 KV CREZ TRANSMISSION LINE IN
BROWN, MILLS, LAMPASAS,
MCCULLOCH AND SAN SABA
COUNTIES, TEXAS

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PUBLIC UTILITY COMMISSION

OF TEXAS

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RIVER CREEK LTD'S
THIRD REQUEST FOR INFORMATION
TO ONCOR

Pursuant to P.U.C. PROC. R. 22.144, River Creek Ltd requests that ONCOR fully respond to the requests for information (RFIs) attached as Exhibit A to this pleading, within ten (10) days of receipt, pursuant to Order No. 1 in this proceeding.

Responses to the attached requests shall conform in all respects to the Commission's rules, including the requirement in P.U.C. PROC. R. 22.144 that they be made under oath. Responses shall identify the preparer or person under whose direct supervision each response was prepared, and the sponsoring witness, if any. Each request shall be answered separately; responses shall be preceded by the request to which the answer pertains.

Any questions regarding these requests should be directed to the undersigned.

Respectfully submitted,

McGINNIS, LOCHRIDGE & KILGORE, L.L.P.
Shawn P. St. Clair
600 Congress Avenue #2100
Austin, Texas 78701
(512) 495-6071
(512) 505-6371 FAX
[sstclair@mcginnislaw.com](mailto:ssstclair@mcginnislaw.com)

By: _____

SP St. Clair

Shawn P. St. Clair
State Bar No. 19088800

ATTORNEYS FOR RIVER CREEK LTD

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the above and foregoing Request for Information has been served pursuant to Order No. 1 in this proceeding on this the ____ day of November, 2009.

SPB McIn

DEFINITIONS

The following definitions apply to each of the requests set forth herein and served subsequent hereto.

1. "You" or "your" includes, but is not limited to, ONCOR Electric Delivery Company, and employees, agents, consultants, attorneys, and all persons acting on behalf of the ONCOR.
2. "Documents" refers to all writings and records of every type in the possession, control, or custody of ONCOR, including, but not limited to, memoranda, correspondence, reports (including drafts, preliminary, intermediate and final reports), surveys, studies (including, but not limited to, load flow, engineering, general economic and market studies), comparisons, tabulations, charts, books, pamphlets, photographs, maps, bulletins, minutes, notes, diaries, newspaper clippings, log sheets, ledgers, transcripts, microfilm, computer data files, tapes, inputs, outputs, and print outs, vouchers, accounting statements, engineering diagrams (including "one-line" diagrams), mechanical and electric recordings, telephone and telegraphic communication, speeches, and all other records, written, electrical, mechanical or otherwise.

"Documents" shall also refer to copies of documents, even though the originals therefore are not in the possession, custody, or control of ONCOR, every copy of a document which contains handwritten or other notations or which otherwise does not duplicate the original or any other copy, and all attachments to any documents.

3. The term "communication" includes all verbal and written communications (including written records of verbal communications) of every kind, including but not limited to, telephone calls, conferences, letters and all memoranda or other documents concerning the requested item. Where communications are not in writing, provide copies of all memoranda and documents and describe in full the substance of the communication to the extent that substance is not reflected in the memoranda and documents provided and to the extent it is within the knowledge of ONCOR.
4. "Environmental Assessment and Alternative Route Analysis" means the Environmental Assessment and Alternative Route Analysis for Oncor Electric Delivery Company's Proposed Brown-Newton 345 kV CREZ Transmission Line Project in Brown, Mills, Lampasas, McCulloch and San Saba Counties, Texas, dated October, 2009, and prepared by URS Corporation, Inc.
5. "Identification" of a document includes stating (a) the nature of the document (e.g., letter, memorandum, corporate minutes), (b) the date, if any, appearing thereon, (c) the date, if known, on which the document was prepared, (d) the title of the document, (e) the general subject matter of the document, (f) the number of pages comprising the document, (g) the identity of each person who signed or initialed the document, (h) the identity of each person to whom the document was addressed, (i) the identity of each person who received the document or reviewed it, (j) the location of the document, and (k) the identity of each

person having custody of, or control over, the document. Identification of a document includes identifying all documents known or believed to exist, whether or not in your custody in the custody of your attorneys or other representatives or agents.

6. "Identification" of a person includes stating his or her full name, his or her most recent known business address and telephone number, his or her present position, and his or her prior connection or association with any party to this proceeding.
7. "Person" refers to, without limiting the generality of its meaning, every natural person, corporate entity, partnership, association (whether formally organized or ad hoc), joint venture, unit operation, cooperative, municipality, commission, governmental body or agency.
8. "Please provide copies of all documents . . ." or similar phrases shall include the identification (see Definition No. 4) of all such documents as well as the production of all such documents.
9. "Relating to" when used herein means a request for every document which comprises, reflects, discusses, underlies, comments upon, forms the basis for, analyzes or mentions in any way the subject of the request.
10. "Study Area" refers to the study area depicted on Figure 3-1 of the Environmental Assessment and Alternative Route Analysis.
11. "River Creek" refers to River Creek, Ltd.

GENERAL INSTRUCTIONS

The following General Instructions apply to each of the requests set forth herein and served subsequent hereto:

- a. Please provide a copy of each response at the same time and in the same manner that you effect filing of your responses with the Public Utility Commission of Texas to:

Shawn P. St. Clair
McGinnis, Lochridge & Kilgore, L.L.P.
600 Congress Avenue, Suite 2100
Austin, Texas 78701
(512) 495-6071
(512) 505-6371 FAX
ssclair@mcginnislaw.com

- b. Please indicate at the bottom of each answer the name and job title of the person responsible for the preparation of the answer, and also indicate the name of the witness who will sponsor the answer.
- c. Unless otherwise indicated, the documents for which production is sought shall include all documents dated, prepared, sent or received during the designated period.
- d. Where a request can be answered in whole or in part by reference to the response to a preceding or subsequent request of River Creek Ltd., it will be sufficient to so indicate by specifying the response to the preceding or subsequent request by number and specifying whether it is claimed that the response to the preceding or subsequent request is a full or partial response. If the latter, the response to the balance of the request shall be completed.
- e. As to any request consisting of a number of separate subdivisions, or related parts or portions, a complete response is required to each part or portion with the same effect as if it were propounded as a separate request. Should an objection to a request be interposed, it should clearly indicate to which part or portion of the request it is directed.
- f. For each document identified in a response which is computer generated, state separately (a) what types of data files or tapes are included in the input and the source thereof, (b) the form of the data which constitutes machine input (punch cards, tapes, etc.), (c) a description of the recordation system employed (including program descriptions, flow charts, etc.).
- g. Responses to requests referring to documents shall include all documents relating to the time period specified in each of said request, whether prepared before, during, or after said period.
- h. In all cases where a request is made for information by year or years, indicate whether the information is provided on a calendar or fiscal year basis. If provided on a fiscal year basis, state the dates on which each fiscal year begins and ends.
- i. In the event any document requested herein is unavailable, describe in detail the reasons therefor.

- j. In producing documents pursuant to these requests, designate the request or requests in response to which each document is produced.
- k. If, in answering any of these requests, there is any ambiguity in interpreting either the request or a definition or instruction applied thereto, please contact Shawn P. St. Clair at 512.495.6071.

If that is not possible, set forth the language deemed to be ambiguous and the interpretation chosen or used in responding to the request.

- l. The terms "and" and "or" shall be construed either disjunctively or conjunctively whenever appropriate in order to bring within the scope of these requests any information or documents which might otherwise be considered to be beyond their scope.
- m. The singular form of a word shall be interpreted as plural, the plural form of a word shall be interpreted as singular whenever appropriate in order to bring within the scope of these requests any information or documents which might otherwise be considered to be beyond their scope.
- n. Individual responses of more than one page should be stapled or bound, and each page consecutively numbered. Each response should begin on a new page.
- o. If any document covered by this request is withheld for whatever reason, please furnish a list identifying all withheld documents in the following manner:
 - (a) the reason for withholding;
 - (b) date of document;
 - (c) name of each author or preparer;
 - (d) name of each person who received the document; and
 - (e) statement constituting the basis for withholding the document.
- p. With reference to each item contained herein, the following general requests are made:
 - (a) where explanations are requested, please include all associated workpapers; and
 - (b) in response to each item, provide reference(s) to all supporting explanations (where applicable).
- q. Please consider these requests to be of a continuing nature. Accordingly, you are requested to provide updated information as circumstances change.
- r. Whenever these requests specifically request an answer rather than the identification of documents, an answer is required and the production of documents in lieu thereof will not substitute for an answer.

- s. When you are requested to "state the basis" for any analysis (including studies and workpapers), proposal, assertion, assumption, description, quantification or conclusion, you shall describe every fact, statistic, inference, supposition, estimate, consideration, conclusion, study and analysis known to you which you believe to support the analysis, proposal, assertion, assumption, description, quantification, or conclusion which you contend to be evidence of the truth or the accuracy of the analysis, proposal, assertion, assumption, description, quantification, or conclusion.
- t. Any objection to a data request or part thereof shall be made specifically in writing. The objection shall be served within the time specified by the presiding examiner in for this proceeding.
- u. If a data request of River Creek is withheld on the basis of privilege, the withholding shall be individually identified in writing. The identification shall be served within the time specified by the presiding examiner for this proceeding and in accordance with the Rules of the Public Utility Commission of Texas, and shall:
 - (a) specify the date of the document, its author(s) (with title and designation of an attorney), and recipients (with title and designation if an attorney);
 - (b) contain a brief summary of the subject matter of the document; and
 - (c) contain a brief statement of the reason that, in your opinion, the assertion of privilege is justified.

EXHIBIT A

SOAH NO. 473-10-0710
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DELIVERY COMPANY, LLC TO AMEND	§	
ITS CCN FOR THE BROWN-NEWTON	§	
345 KV CREZ TRANSMISSION LINE IN	§	
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**RIVER CREEK LTD'S
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TO ONCOR**

RC 3-1 What is the rated wind speed design criteria for the proposed transmission line (i.e., what sustained wind speed could the transmission line withstand)?

RC 3-2 The Environmental Assessment states that the typical right-of-way for the proposed 345 kV transmission line will be 160 feet, which is 80 feet on each side of the centerline. In areas where the proposed transmission line is paralleling an existing transmission line, could a portion of the proposed easement be shared with the adjacent existing transmission line (which in effect would lower the amount of needed easement from the landowners)? If a portion of the existing easement could be used for the proposed 345kV transmission line, how much would the proposed 160-foot easement be reduced along a typical 69kV, 138kV, <230kV, and 345kV?

RC 3-3 What are the vertical (elevation) and horizontal distance requirements for this size transmission line from the different class airports identified in the evaluation (i.e., heliports, runways equal to or less than 3200 feet, and runways greater than 3200 feet)? Will there be any airspace permits necessary to construct any of the 46 alternative routes, if so, which routes would require an airspace permit?

RC 3-4 What is the minimum distance a transmission line of this size (i.e., 345 kV) can be constructed from a communication tower before mitigation measures will have to be conducted? What are typical mitigation measures for a communication tower that is determined to be too close to the transmission line?

RC 3-5 What is the minimum distance a transmission line of this size (i.e., 345 kV) can be constructed from a microwave tower before mitigation measures will have to be conducted?
What are typical mitigation measures for a microwave tower that is determined to be too close to the transmission line?

RC 3-6 What is the minimum distance a transmission line of this size (i.e., 345 kV) can be constructed from an FM Radio tower before mitigation measures will have to be conducted?
What are typical mitigation measures for a FM Radio tower that is determined to be too close to the transmission line?

RC 3-7 What is the minimum distance a transmission line of this size (i.e., 345 kV) can be constructed from an AM Radio tower before mitigation measures will have to be conducted?
What are typical mitigation measures for a AM Radio tower that is determined to be too close to the transmission line?