

Control Number: 38140



Item Number: 1001

Addendum StartPage: 0

SOAH DOCKET NO. 473-10-4109 TD
P.U.C. DOCKET NO. 38140

21 MAR 2012: 53

FILED
CLERK

APPLICATION OF ONCOR
ELECTRIC DELIVERY
COMPANY, LLC TO AMEND A
CERTIFICATE OF CONVENIENCE
AND NECESSITY FOR THE RILEY
- KRUM WEST 345- KV CREZ
TRANSMISSION LINE
(FORMERLY OKLAUNION TO
WEST KRUM) IN ARCHER, CLAY,
COOKE, DENTON, JACK,
MONTAGUE, WICHITA,
WILBARGER, AND WISE
COUNTIES, TEXAS

§
§
§
§
§
§
§
§
§
§
§
§

BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

**ONCOR ELECTRIC DELIVERY SECOND REQUESTS FOR INFORMATION
FROM W.T. WAGGONER ESTATE**

COMES NOW Oncor Electric Delivery LLC ("Oncor") by and through its attorneys of record, and requests 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 in accordance with the Procedural Schedule, Order No. 1, the Commission's Procedural Rules, and the Texas Rules of Civil Procedure. The Commission's Procedural Rules require that you identify the witness or witnesses who will sponsor each of your answers at the hearing in PUCT Docket No. 38140. The Commission's Procedural Rules also provide that 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.

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. 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 "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.

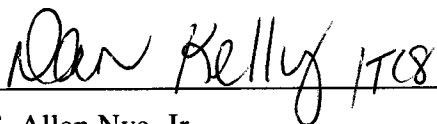
The words "regarding," "relate," "related," "relates" and "relating," as used herein, mean involving, relating to, referring to, having any relationship to, pertaining to, evidencing or constituting evidence of, in whole or in part.

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,

VINSON & ELKINS LLP

By:  1708

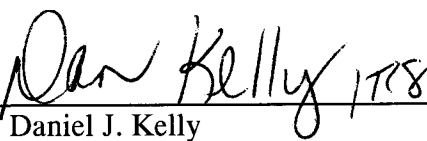
E. Allen Nye, Jr.
State Bar No. 00788134
Daniel J. Kelly
State Bar No. 24041229
Jaren A. Taylor
State Bar No. 24059069

2001 Ross Avenue
Suite 3700
Dallas, Texas 75201-2975
Telephone: 214.220.7700
Facsimile: 214.999.7736

**ATTORNEYS FOR ONCOR ELECTRIC
DELIVERY COMPANY LLC**

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing has been emailed or sent via overnight delivery or first class United States mail, postage prepaid, to all parties of record in this proceeding on this the 20th day of July, 2010.

 1708
Daniel J. Kelly

Additional Definitions

“Structure” means any building, home, hut, barn, or other facility constructed, installed or placed upon the land.

“Route” means any route filed by Oncor in its application in Docket 38140.

“Link” means any line segment contained in Oncor’s Environmental Assessment and Routing Study filed as part of Oncor’s application.

“Improvement” means any non-naturally occurring change made to the land and its natural state.

“Intervenor” has the same meaning ascribed to it pursuant to P.U.C. PROC. R. 22.2(25).

REQUESTS FOR INFORMATION

- 2-1 Please identify and produce any and all communications with PUC Staff.
- 2-2 Please identify and produce any and all communications with Texas Parks & Wildlife Department.
- 2-3 To your knowledge, has the weighted category technique discussed in, among other places, the answer to Question 14, page 9, of Dr. Romancheck's testimony and further described in Exhibit A ever been used by the Public Utility Commission of Texas to determine a preferred route?
- 2-4 Please identify (a) the number of times Mr. Reinecke visited the study area in advance of the filing of his testimony, (b) the specific locations of each visit, (c) the amount of time spent at each location; and (d) please produce any and all notes taken during such visits.
- 2-5 Please identify any other PUC CCN proceedings in which Mr. Reinecke has presented testimony. Please produce a true and correct copy of any and all such testimony.
- 2-6 Please identify (a) the number of times Dr. Robert Romancheck visited the study area in advance of the filing of his testimony, (b) the specific locations of each visit, (c) the amount of time spent at each location; and (d) please produce any and all notes taken during such visits.
- 2-7 Please identify any other PUC CCN proceedings in which Dr. Robert Romancheck has presented testimony. Please produce a true and correct copy of any and all such testimony.
- 2-8 Please produce any and all analysis, studies, models review or performed by Dr. Romancheck concerning his testimony in response to Questions 19-21 concerning "reliability" and "paralleling lines" issues.
- 2-9 Are your property boundaries represented accurately on the maps provided by Oncor in Attachment 1 to Oncor's Application for a Certificate of

Convenience and Necessity for a Proposed Transmission Line from Riley-West Krum? If not, please explain any discrepancies.

- 2-10 What is the primary use for the property you own that you claim will be impacted by the proposed transmission line?
- 2-11 In your opinion, is there any existing feature on your land that you believe would impact the development of a transmission line on your property? If so, please explain.
- 2-12 If you object to any route Oncor has proposed based on a possible adverse effect it would have on your property, please provide the following information:
- a. List each of those adverse effects.
 - b. Describe in detail exactly how your property will be affected.
 - c. If the adverse effect is primarily economic, please explain how.
 - d. Please provide any documents that support your response to this request for information. If you include photographs in your response, please: (1) state the location of the subject matter of the photograph, (2) the time and date it was taken, (3) the name of the person who took it and his or her relationship to you, and (4) what you believe the photograph illustrates concerning your objection to the proposed route.
- 2-13 If you object to any route Oncor has proposed based on a possible negative effect on the community in general (as opposed to your own property), please provide the following information:
- a. List each of those adverse effects.
 - b. Describe in detail exactly how the community will be adversely affected.
 - c. Please provide any documents that support or that you relied on in your response to this request for information.
- 2-14 Aside from the suggestion in the direct testimony of J. Todd Thomas on page 13, question 18, that “only 1 single route for these CREZ transmission projects (Docket #38408 and Docket #38140)” be used, what specifically do you propose as a solution to your concerns in this docket? If a solution would be routing the transmission line along another part of your property, please

describe as closely as possible where you propose the route should run. Please provide a map showing the same.

- 2-15 If you believe Oncor has shown any preference to any directly affected landowner in this proceeding, please describe the basis for that belief and provide all documents supporting the same.
- 2-16 Please provide a copy of all documents pertaining to communications you had with Oncor personnel and/or Oncor representatives, including attorneys representing Oncor, regarding the proposed transmission line project, including, but not limited, to notes of those conversations, recordings of those conversations, memos, correspondence, emails, maps and any other written documentation related or pertaining to communications between the Waggoner Estate and Oncor and/or Oncor representatives that have not been previously produced by Oncor in response to Waggoner Estate set of RFIs.
- 2-17 Please identify all landowners in the project area and other individuals or officials that you had communications with regarding the proposed transmission line project.
- 2-18 Please provide a copy of all documents pertaining to any communications you had with any landowners in the project area and other individuals or officials regarding the proposed transmission line project, including, but not limited, to notes of those conversations, memos, correspondence, emails, maps and any other written documentation related or pertaining to communications between you and those landowners.
- 2-19 In J. Todd Thomas' direct testimony on page 9, question 12, he describes that Oncor's proposed transmission line will have "a negative impact on the drilling operations and seismic acquisition of the property." Please describe the basis for that belief, including identifying any individuals you had communications with, and provide all documents supporting the same.
- 2-20 In J. Todd Thomas' direct testimony on page 13, question 18, he states that "W.T. Waggoner Estate may request monopoles be used for specific sections of the approved links." Please identify what specific sections and links on

W.T. Waggoner Estate property this request would be made for and the basis for your request for monopoles in those locations.