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ATTEBURY AND ROCKROSE
AUGUST 11, 2010

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PUC DOCKET NO. 38290

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APPLICATION OF SHARYLAND	§	
UTILITIES, LP TO AMEND ITS	§	BEFORE THE STATE OFFICE
CERTIFICATE OF CONVENIENCE	§	
AND NECESSITY FOR THE	§	
HEREFORD TO WHITE DEER 345 kV	§	OF
CREZ TRANSMISSION LINE	§	
(FORMERLY PANHANDLE AB TO	§	
PANHANDLE BA) IN ARMSTRONG,	§	ADMINISTRATIVE HEARINGS
CARSON, DEAF SMITH, OLDHAM,	§	
POTTER, AND RANDALL COUNTIES	§	

**ATTEBURY ELEVATORS LLC AND ROCKROSE DEVELOPMENT, LLC'S
FIRST REQUESTS FOR INFORMATION TO SHARYLAND UTILITIES, LP**

COME NOW, Attebury Elevators LLC and Rockrose Development, LLC ("Attebury and Rockrose") and submit the following First Requests for Information ("RFI") pursuant to P.U.C. PROC. R. 22.141 and 22.144 to Sharyland Utilities, LP ("Sharyland") by and through its counsel of record:

Richard P. Noland
James M. Bushee
James E. Guy
SUTHERLAND ASBILL & BRENNAN LLP
701 Brazos Street, Ste. 970
Austin, Texas 78702-2559

Pursuant to Order No. 1 in this proceeding, Sharyland must fully respond to these Requests within ten calendar (10) days of receipt. If any RFI appears ambiguous, please contact counsel for Attebury and Rockrose as soon as possible to obtain clarification.

I. Instructions

1. These RFIs are continuing in nature, and, should there be a change or modification necessary in your answers, a supplement to your original answer should be filed in accordance with P.U.C. PROC. R. 22.144(i). Please identify at the end of each answer the person or persons most knowledgeable about such response, the person or persons responsible for the preparation of such response, and the sponsoring witness of the response, if any.

2. Sharyland must stipulate in writing that its RFI responses can be treated exactly as if the responses were filed under oath.

3. In producing documents pursuant to these RFIs, Sharyland should number each document and indicate the specific question(s) or request(s) in response to which the document is being produced. To the extent that any document falls within the scope of multiple requests, multiple productions are not contemplated; one production referencing the multiple requests will be sufficient.

4. When a request asks for the production of a study, report, or supporting inputs for assumptions, such data should be provided in useable PC-based electronic format when available.

5. With respect to any document that you deem privileged, please provide a statement, setting forth as to each:

- (a) The type of document involved;
- (b) The date appearing on the document, or if no date appears, the date on which the document was prepared;
- (c) The name of the person(s) to whom the document was addressed;
- (d) The name of the person(s) who signed the document or, if not signed, the name of the person(s) who prepared it; and
- (e) The specific ground(s) upon which the claim of privilege rests.

6. For any information that you claim is unavailable, state why it is unavailable. If you cannot respond to the request precisely as it is stated, provide any information that is available that would respond to the request at a level of detail different from that specified herein.

7. A request for "all documents" or "any documents" contemplates a complete production of materials relating to the referenced subject matter but is not intended to seek a

duplicative or cumulative production of documents. To the extent that the production of one set of documents is fully responsive to the information requested, Attebury and Rockrose do not seek (and Sharyland need not produce) duplicate sets of hard-copy documents that also address the same matters. This instruction does not excuse Sharyland of its obligation to produce documents in both written and electronic format where available, pursuant to Instruction # 4.

8. When the RFI requests a study, report, schedule, or analysis, the response should also provide the work papers, underlying facts, inferences, suppositions, estimates, and conclusions necessary to support each study, report, schedule, or analysis.

9. Please produce the requested documents for inspection and copying unaltered and/or unredacted as they are kept in the usual course of business, and organize and label them to correspond to the categories in this request. If any part of a document is responsive to any request, the whole document is to be produced. If there has been any alteration, modification or addition to a document, including any marginal notes, handwritten notes, underlining, date stamps, received stamps, attachments, distribution lists, drafts or revisions, each such alteration, modification or addition is to be considered as a separate document and it must be produced.

10. These requests are directed to all documents and information in your custody or control. A document is deemed to be in your custody or control if you have possession of the document or have the right to secure such document from another person having possession thereof. If you are unable to produce a document or information based on a claim that the document is not in your custody or control, state the whereabouts of such document or information when it was last in your possession, custody or control, and provide a detailed description of the reason the document is no longer in your possession, custody or control, and the manner in which it was removed from your possession, custody or control.

11. In responding to each Request, please provide information available from all of your corporate and individual files, as well as from past and present employees, officers, and board members.

12. The singular form of a word shall be interpreted to include the plural, and the plural form of a word shall be interpreted to include the singular whenever appropriate.

13. The past tense of a word shall be interpreted to include the present tense and vice versa.

14. Service on Attebury and Rockrose should be made electronically or in person to:

Bradford W. Bayliff
CASEY, GENTZ & MAGNESS, L.L.P.
98 San Jacinto Blvd., Suite 1400
Austin, Texas 78701
bbayliff@cgmllp.com

II. Definitions

For purposes of these discovery requests, the terms set forth below shall have the following meanings:

1. The terms “Sharyland Utilities, LP,” “Sharyland,” or “you” means the applicant in this proceeding, and its members, and any merged, consolidated, or acquired predecessors or predecessor in interest, its affiliates, past or present, its subsidiaries, past or present, if any, and all officers, agents, attorneys, employees, representatives, contractors, or consultants thereof, including PBS&J.

2. The terms “and” and “or” as used herein shall be construed as both conjunctive and disjunctive.

3. The term “any” shall be construed to include “all,” and “all” shall be construed to include “any.”

4. The term “communication” includes, but is not limited to, all forms of communication, whether written, printed, oral, pictorial, or otherwise, including, but not limited to, testimony or sworn statements, discussions, conversations, speeches, meetings, remarks, questions, answers, panel discussions, and symposia. The term includes, without limitation of its generality, both communications and statements which are face-to-face and those which are transmitted by documents or by media such as intercoms, telephones, television, radio or computer.

5. The terms “document” or “documents” are used herein in their broadest sense as set forth in Tex. R. Civ. P. 192.3(b) and specifically include electronic or magnetic data as described in Rule 196.4. These words mean and include any written, printed, typed, recorded or graphic matter of every kind or description, both original and copies, and all attachments and appendices. Without limiting the foregoing, the terms “Document” and “Documents” shall include all analyses, agreements, contracts, communications, correspondence, letters, opinion letters, telegrams, faxes, messages, e-mails, memoranda, records, reports, books, studies, summaries or other records of telephone conversations or interviews, summaries or other records

of personal conversations or interviews, minutes, summaries or other records of meetings or conferences, statements obtained from witnesses, summaries or other records of negotiations, other summaries, diaries, diary entries, calendars, appointment books, time records, instructions, work assignments, forecasts, progress reports, statistical data, statistical statements, financial statements, work sheets, work papers, drafts, graphs, charts, tables, accounts, analytical records, consultants' and expert reports, appraisals, bulletins, notes, notices, marginal notations, notebooks, telephone records, bills, statements, records of obligation and expenditure, invoices, lists, journals, printouts, compilations, tabulations, analyses, studies, surveys, expense reports, microfilm, microfiche, tape or disc recordings, sound recordings, video recordings, film, tape, photographs, programs and data compilations from which information can be obtained (including matter used in data processing), and other printed, written, handwritten, typewritten, recorded, stenographic, computer-generated, computer-stored, magnetically stored, optically-stored, or electronically stored matter, however produced, prepared, reproduced, disseminated, or made, on any medium of any description in your actual or constructive possession, custody or control, or of which you have knowledge, upon which intelligence or information is recorded from or from which intelligence or information can be retrieved; and every copy of such writing or record where the original is not in your possession, custody, or control. The words "Document" and Documents" also include all copies of documents by whatever means made, except that where a document is produced, identical copies of it that do not contain any markings, additions, or deletions that are different from the original do not have to be separately produced.

6. "Identify," when used in connection with an act, shall mean to state a description of the act, including the place, date, and time of its occurrence, and the identity of the person, persons, or entities that engaged in and/or witnessed the act.

7. "Identify," when used with reference to a "document," shall mean to state the type of document (e.g., book, magazine, article, circular, ledger, letter, memoranda, chart, computer run information, microfilm, etc.), its present location and custodian, a description of its form, title, author/addresser (including all persons who participated in the writing of the document), addressee, indicated or blind copies, subject matter, volume and page number or other means of general identification, approximate size and number of pages, any attachments or appendices, and the date on which it was made or prepared. Identification of the document includes identifying all documents known or believed to exist, whether or not in the custody of its

attorneys or other representatives. The final version and each draft of each document should be identified and produced separately. If a document is no longer in your possession or control, state what disposition was made of it. A document need not be identified if it is produced.

8. "Identify," when used with reference to a natural person shall mean to state the person's first and last names, title, employer and business address.

9. "Person" means any natural person, firm, corporation, association, partnership, or other organization or form of legal entity.

10. "PUC" and "Commission" refer to the Public Utility Commission of Texas.

11. "Relate, mention or pertain" means documents containing, showing, relating, mentioning, referring or pertaining in any way, directly, or indirectly to, or in legal, logical or factual way or connection with, a document request, and includes documents underlying, supporting, now or previously attached or appended to, or used in the preparation of any document called for by such request.

12. The terms "Attebury" "Rockrose" or "Attebury and Rockrose" mean Attebury Elevators LLC and Rockrose Development, LLC.

Respectfully submitted,

CASEY, GENTZ & MAGNESS, L.L.P.
98 San Jacinto Boulevard, Suite 1400
Austin, Texas 78701
(512) 480-9900
(512) 480-9200 (Fax)

By:

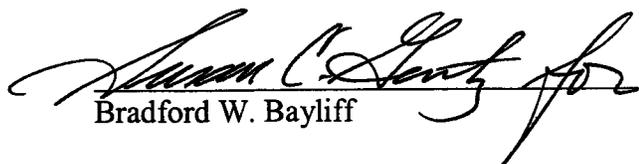

Bradford W. Bayliff
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Susan C. Gentz
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**ATTORNEYS FOR ATTEBURY ELEVATORS LLC
AND ROCKROSE DEVELOPMENT, LLC**

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document has been served in accordance with SOAH Order No. 6 this 11th day of August, 2010.


Bradford W. Bayliff

Requests for Information

Request No. 1-1

The following questions pertain to a route that modifies Alternative Route 5 by replacing Links II'-TT with Links HH-HH'-HH''-HH'''-QQ. For purposes of the questions below, this modified route shall be referred to as Route 5A.

- a. Does Sharyland agree that all of the links that would make up Route 5A have been properly noticed? If not, please explain why not and identify all links with respect to which affected landowners have not been properly noticed.
- b. Does Sharyland agree that the Commission could select Route 5A for the transmission line project proposed in this proceeding? If your answer is anything other than an unqualified "yes", please explain why not.
- c. Please provide an estimate of the Total Project Cost, as that term is used in Attachment 3 of the Application, for the transmission line project proposed in this proceeding if it were built on Route 5A.
- d. If Route 5A were selected by the Commission for the transmission line proposed in this proceeding, would Sharyland be willing to construct the proposed transmission line on Route 5A? If not, please provide a detailed description of why Sharyland would not be willing to construct the proposed transmission line on Route 5A.

Request No. 1-2

The following questions pertain to a route that modifies Alternative Route 5 by replacing Links FF-II-II'-TT-VV with Links EE-JJ-JJ'-LL-LL'-RR. For purposes of the questions below, this modified route shall be referred to as Route 5B.

- a. Does Sharyland agree that all of the links that would make up Route 5B have been properly noticed? If not, please explain why not and identify all links with respect to which affected landowners have not been properly noticed..
- b. Does Sharyland agree that the Commission could select Route 5B for the transmission line project proposed in this proceeding? If your answer is anything other than an unqualified "yes", please explain why not.
- c. Please provide an estimate of the Total Project Cost, as that term is used in Attachment 3 of the Application, for the transmission line project proposed in this proceeding if it were built on Route 5B.
- d. If Route 5B were selected by the Commission for the transmission line proposed in this proceeding, would Sharyland be willing to construct the proposed

transmission line on Route 5B? If not, please provide a detailed description of why Sharyland would not be willing to construct the proposed transmission line on Route 5B.

Request No. 1-3

The following questions pertain to a route that modifies Alternative Route 8 by replacing Links C-R-R' with Links B-D-Q. For purposes of the questions below, this modified route shall be referred to as Route 8A.

- a. Does Sharyland agree that (i) all of the links that would make up Route 8A have been properly noticed? If not, please explain why not and identify all links with respect to which affected landowners have not been properly noticed..
- b. Does Sharyland agree that the Commission could select Route 8A for the transmission line project proposed in this proceeding? If your answer is anything other than an unqualified "yes", please explain why not.
- c. Please provide an estimate of the Total Project Cost, as that term is used in Attachment 3 of the Application, for the transmission line project proposed in this proceeding if it were built on Route 8A.
- d. If Route 8A were selected by the Commission for the transmission line proposed in this proceeding, would Sharyland be willing to construct the proposed transmission line on Route 8A? If not, please provide a detailed description of why Sharyland would not be willing to construct the proposed transmission line on Route 8A.

Request No. 1-4

The following questions pertain to a route that modifies Alternative Route 9 by replacing Links C-R-R' with Links B-D-Q. For purposes of the questions below, this modified route shall be referred to as Route 9A.

- a. Does Sharyland agree that all of the links that would make up Route 9A have been properly noticed? If not, please explain why not and identify all links with respect to which affected landowners have not been properly noticed.
- b. Does Sharyland agree that the Commission could select Route 9A for the transmission line project proposed in this proceeding? If your answer is anything other than an unqualified "yes", please explain why not.
- c. Please provide an estimate of the Total Project Cost, as that term is used in Attachment 3 of the Application, for the transmission line project proposed in this proceeding if it were built on Route 9A.

- d. If Route 9A were selected by the Commission for the transmission line proposed in this proceeding, would Sharyland be willing to construct the proposed transmission line on Route 9A? If not, please provide a detailed description of why Sharyland would not be willing to construct the proposed transmission line on Route 9A.