



Control Number: 38290



Item Number: 320

Addendum StartPage: 0

SOAH DOCKET NO. 473-10-4790
PUC DOCKET NO. 38290

APPLICATION OF SHARYLAND § BEFORE THE STATE OFFICE
UTILITIES, L.P. TO AMEND ITS §
CERTIFICATE OF CONVENIENCE §
AND NECESSITY FOR THE §
PROPOSED HEREFORD TO WHITE § OF
DEER 345 KV CREZ TRANSMISSION §
LINE IN ARMSTRONG, CARSON, §
DEAF SMITH, OLDHAM, POTTER, §
AND RANDALL COUNTIES, TEXAS § ADMINISTRATIVE HEARINGS

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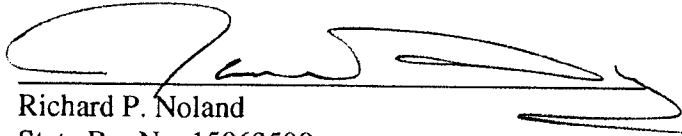
**SHARYLAND UTILITIES, L.P.'S
SECOND REQUEST FOR INFORMATION
TO ATTEBURY ELEVATORS, LLC AND ROCKROSE DEVELOPMENT LLC**

Sharyland Utilities, L.P. ("Sharyland") requests that Attebury Elevators, LLC and Rockrose Development LLC ("Attebury and Rockrose" or "AR") fully respond to the requests for information ("RFI") attached as Exhibit A to this pleading, within ten (10) days of receipt, pursuant to P.U.C. PROC. R. 22.144(c) and 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(c)(2)(F) 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 information responsive to and any questions regarding these requests should be directed to the undersigned.

Respectfully submitted,

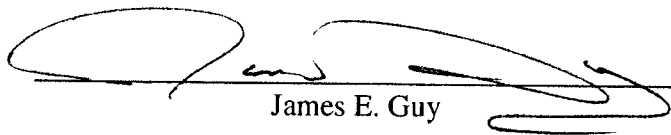


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August 31, 2010

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document was served on all parties of record on this 31st day of August 2010.



James E. Guy

**SHARYLAND UTILITIES, L.P.'S SECOND REQUEST
FOR INFORMATION TO ATTEBURY AND ROCKROSE**

General Instructions

1. In responding to each request, please provide information available from all corporate and individual files, as well as from all past and present employees, officers, and board members and all predecessors and affiliates, as defined below.
2. These requests are continuing in nature, and require supplemental responses in accordance with P.U.C. PROC. R. 22.144(i).
3. If any information is not available in the exact form requested, provide whatever information or documents that best respond to the information request.
4. If the requested information or data are available for only part of the period requested or are otherwise incomplete, please provide such data as are available.
5. If any request appears ambiguous, please contact counsel for Sharyland as soon as possible to obtain clarification.
6. Each document of more than one page should be stapled or otherwise bound, and the individual pages numbered consecutively.
7. If, in the case of any request seeking documents, there are no responsive documents, so state and provide a narrative answer to the request.
8. The terms "and" and "or" should be construed either disjunctively or conjunctively whenever appropriate in order to bring within the scope of each request information or documents which might otherwise be considered to be beyond its scope.
9. The singular form of a word should be interpreted as plural, and the plural form of a word should be interpreted as singular, whenever appropriate, in order to bring within the scope of each data request information or documents which might otherwise be considered to be beyond its scope.
10. When the recipient of the information request is requested to provide a study, schedule, or analysis, it should also provide the workpapers, underlying facts, inferences, suppositions, estimates, and conclusions necessary to support each study, schedule, or analysis.
11. If the actual data are unavailable, but estimates or approximations are available, provide the estimates or approximations that are the best available information and explain the procedure for developing the information supplied.

**SHARYLAND UTILITIES, L.P.'S SECOND REQUEST
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Definitions

1. Attebury Elevators, LLC and Rockrose Development LLC (“Attebury and Rockrose” or “AR”) refers to, for purposes of these requests, Attebury Elevators, LLC and Rockrose Development LLC, and any merged, consolidated, or acquired predecessors or predecessor in interest, its subsidiaries, past or present, and its employees, officers, directors, agents, consultants, and all persons acting under contractual arrangements with, or purporting to act on its behalf.
2. “Date” shall mean the exact day, month and year if ascertainable, or if not, the best approximation thereof in relation to other events.
3. To “describe,” “detail,” or “state” shall mean to relate as completely as possible each and every act, omission, incident, event, condition, circumstance, or thing relating directly or indirectly to the subject of the description, including all pertinent dates. These terms call for answers independent from any documents that are required in response to requests. Such answers should be in a form (*e.g.*, narrative, tabular, etc.) appropriate to a complete response to the request.
4. The terms “document” or “documents” are used in their broadest sense to include, by way of illustration and not limitation, all written or graphic matter of every kind and description whether printed, produced or reproduced by any process whether visually, magnetically, mechanically, electronically or by hand, whether final or draft, original or reproduction, whether or not claimed to be privileged or otherwise excludable from discovery, and whether or not in your actual or constructive possession, custody, or control. The terms include writings, correspondence, telegrams, memoranda, studies, reports, surveys, statistical compilations, notes, calendars, tapes, computer disks, data on computer drives, e-mail, cards, recordings, contracts, agreements, invoices, licenses, diaries, journals, accounts, pamphlets, books, ledgers, publications, microfilm, microfiche and any other data compilations from which information can be obtained and translated, by you if necessary, into reasonably usable form. “Document” or “documents” shall also include every copy of a document where the copy contains any commentary or notation of any kind that does not appear on the original or any other copy.
5. “Each” shall be construed to include the word “every” and “every” shall be construed to include the word “each.”
6. To “explain” means to make known in detail, to make clear the cause or reason of and account for each act, omission, incident, event, condition, circumstance, decision, and/or thing relating directly or indirectly to the subject of the explanation including all pertinent dates. This term calls for answers independent from any documents that are required in

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response to requests. Such answers should be in a form (*e.g.*, narrative, tabular, etc.) appropriate to a complete response to the request.

7. To “identify” a person means to include his or her full name, including middle name or initial, his or her employer or other organizational affiliation at the date of the relevant transaction or event and at the present, his or her title and duties in the company or other organization with which he or she was then affiliated and is now affiliated, and his or her last known business address and telephone number or if not available last known residence address and telephone number.
8. “Identification” of, or to “identify,” a document means to provide facts sufficient to establish the identity of the document or other thing(s) at issue, such as (a) the type or nature of the document (*e.g.*, letter, memorandum, corporate minutes), (b) the data, 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 wrote, dictated, or otherwise participated in the writing of the document, (h) the identity of each person who signed or initialed the document, (i) the identity of each person to whom the document was addressed, (j) the present location of the document; and (k) the identity of each person having custody of, or control over, the document. 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.
9. “Improvement” means any non-naturally occurring change made to the land and its natural state.
10. The term “including,” or one of its inflections, means and refers to “including but not limited to.”
11. “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, cooperative, municipality, commission, or governmental body or agency.
12. “Relating to” or “relates to” means comprising, embodying, addressing, presenting, discussing, concerning, referring to, pertaining to, regarding, containing, reflecting, evidencing, describing, showing, identifying, providing, disproving, consisting of, supporting, contradicting, commenting upon, analyzing, or mentioning in any way.

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13. "Structure" means any building, home, hut, barn, airstrip or other facility, including oil and/or natural gas producing facilities or associate pipelines, constructed, installed or placed upon the land.

**SHARYLAND UTILITIES, L.P.'S SECOND REQUEST
FOR INFORMATION TO ATTEBURY AND ROCKROSE**

Requests for Information

Direct Testimony of James R. Dauphinais.

SU-AR 2-1

Please provide a copy of any publications, speeches, or testimony prepared or presented by Mr. Dauphinais on or after January 1, 2000, which discuss, address, or relate to any of the issues addressed in his Direct Testimony.

SU-AR 2-2

Please provide copies of all workpapers utilized by Mr. Dauphinais in preparing his Direct Testimony.

SU-AR 2-3

Please provide copies of all documents on which Mr. Dauphinais relied in connection with preparing his Direct Testimony or which formed the basis for his opinions and recommendations set forth in that Testimony.

SU-AR 2-4

(Page 11, line 9, through Page 12, line 8) – Is the primary reason for Mr. Dauphinais' opposition to Alternative Routes 1, 2, 6, and 12 the costs associated with those routes as compared to the other Alternative Routes? Please explain Mr. Dauphinais' answer in detail.

SU-AR 2-5

If the Commission decided not to approve an Alternative Route that crossed the Palo Duro Canyon, which Route would Mr. Dauphinais recommend be selected?

Direct Testimony of Matthew Griffith

SU-AR 2-6

Please provide copies of all documents on which Mr. Griffith relied in connection with preparing his Direct Testimony or which formed the basis for his opinions and recommendations set forth in that Testimony.

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SU-AR 2-7

Please identify each area in which Mr. Griffith is proffered as an expert.

SU-AR 2-8

(Page 6, line 13, through Page 7, line 16) – Concerning the planned development, please answer the following:

- (a) When does Attebury and Rockrose plan to begin construction of this development?
- (b) Please identify any municipal or regulatory approvals required before you can begin construction.
- (c) Have all such approvals been obtained? If not, please identify any approvals that have not yet been obtained.

SU-AR 2-9

(Page 7, line 9) – Concerning the “area of growth” for Amarillo, please define specifically what you mean by “area of growth” and provide any documents that you have referred to making this statement.

SU-AR 2-10

Has Attebury and Rockrose communicated with the City of Amarillo concerning the proposed Sharyland transmission lines. If so, please describe the nature and date of each such communication and provide copies of any written communications.

SU-AR 2-11

(Page 7, line 6) – Please define the terms “buffer” and “highly restrictive interior” used in the referenced testimony.

SU-AR 2-12

(Page 7, lines 20 through 23) – Concerning Mr. Griffith’s discussion of bird contamination in the referenced testimony, what actions does Attebury currently take to reduce or mitigate contamination due to birds roosting on the existing distribution line on the property? If Attebury takes no actions to reduce or mitigate contamination, please explain why not. Provide all documents or communications that discuss, address, or relate to the problem of contamination at the referenced property.

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SU-AR 2-13

(Page 7, line 24, through Page 8, line 17) – concerning Mr. Griffith’s discussion of safety in the referenced testimony:

- (a) Please provide any documents or communications that relate to whether electrical transmission lines pose any safety hazard to grain elevator operations.
- (b) Please specifically identify the grass fires in Texas that were caused by electric transmission lines and provide all documents or communications related to those fires.
- (c) Please identify any specialized training or experience that Mr. Griffith possesses concerning the potential for electric transmission lines to attract lightning or cause fires.
- (d) Does the existing distribution line on the Attebury property pose any safety hazard to Attebury’s grain elevator operations? Please explain why or why not and provide all documents or communications that discuss, address, or relate to such safety hazards.

SU-AR 2-14

(Page 2, lines 17 through 21) – Concerning the 90 other grain storage facilities discussed in the referenced testimony, please state whether there are any such facilities with transmission or distribution lines crossing the road to the facility. If so, please explain what actions Attebury takes to reduce or mitigate the contamination and safety problems discussed in Mr. Griffith’s testimony. Provide all documents or communications that discuss, address, or relate to the problem of contamination or safety because of electrical transmission or distribution lines at such locations.

SU-AR 2-15

Please provide an accurate, legible map of any property you own or lease which is traversed by one or more of Sharyland’s Alternative Routes, indicating all property boundaries and the approximate location of the proposed Alternative Routes. Please provide the scale for the map and directional arrows.