



Control Number: 38324



Item Number: 106

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**SOAH DOCKET NO. 473-10-4789
DOCKET NO. 38324**

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**APPLICATION OF ONCOR
ELECTRIC DELIVERY COMPANY,
LLC, TO AMEND ITS CERTIFICATE
OF CONVENIENCE AND NECESSITY
FOR THE WILLOW CREEK TO
HICKS 345-KV CREZ
TRANSMISSION LINE IN DENTON,
PARKER, TARRANT, AND WISE
COUNTIES, TEXAS**

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**BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS**

**DAVID NANCE, DAN NANCE, AND HALL-NANCE RANCHES, LTD. 1ST REQUEST
FOR INFORMATION FROM ONCOR:**

ROUTE ADEQUACY

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

**TO: ONCOR ELECTRIC DELIVERY COMPANY, LLC, by and through its attorneys of
record, E. Allen Nye, Jr., Vinson & Elkins, LLP, Trammell Crow Center, 2001 Ross
Avenue, Suite 3700, Dallas, TX 75201-2975, (214) 220-7736 (Telephone), (214) 999-
7736 (Facsimile), anye@velaw.com.**

COME NOW David Nance, Dan Nance, and Hall-Nance Ranches, Ltd. ("Nances") and
submit these their requests for information and requests for admission from ONCOR ELECTRIC
DELIVERY COMPANY, LLC, pursuant to Order No. 1, PUC Proc. R. 22.144, and all other
applicable Commission rules. Please serve full written responses under oath to the question(s)
included in Exhibit A (attached and incorporated by reference) on James Z. Brazell, Law Office
of James Z. Brazell, at 100 Congress Avenue, Suite 2000, Austin, Texas 78701, within 10
calendar days or within any other specific time limit provided by the Presiding Officer.

Respectfully submitted,

LAW OFFICE OF JAMES Z. BRAZELL
100 Congress Avenue, Suite 2000
Austin, Texas 78701
(512) 370-5222 Direct
(512) 370-5223 FAX

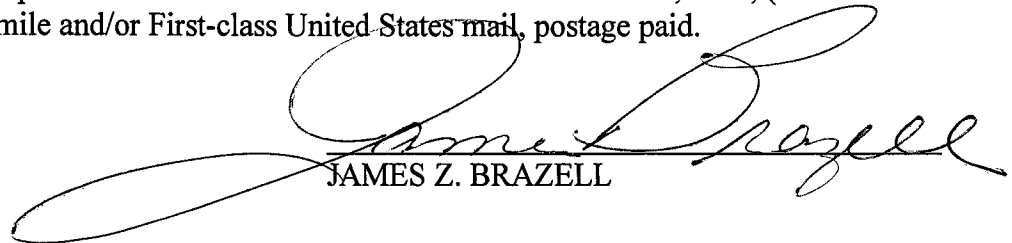


JAMES Z. BRAZELL
State Bar No. 02930100

**ATTORNEY FOR DAVID NANCE, DAN
NANCE, AND HALL-NANCE RANCHES,
LTD.**

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of July 2010 a true and correct copy of the foregoing document was served upon ONCOR ELECTRIC DELIVERY COMPANY, LLC, (see Order No. 1, Sec. V.A.) by facsimile and/or First-class United States mail, postage paid.



JAMES Z. BRAZELL

DEFINITIONS

As used in these Requests for Information, the terms listed below have the following meanings:

1. The terms "you," "yours," "Applicant," "Utility," "Oncor" mean the Oncor Electric Delivery Company, LLC, including without limitation, its attorneys, agents, advisors, investigators, representatives, employees or other persons. The terms "you" and "yours" further refer to (but are not limited to) the person or persons to whom this request for information is directed; and, any other member of the group, entity, association, trust, etc. of which the person is a part.
2. The term "Power" and "Consultant" means Power Engineers, Inc.; the term "EA" means the Environmental Assessment in this proceeding; the term "Application" means Oncor's Application filed in this proceeding; the term "Line" means the 345 kV transmission line that is the subject of the Application; the term "ROW" means right of way or rights of way; the term "lines" (lowercase) means transmission lines, generally.
3. The terms "Nances" shall mean intervenors David Nance, Dan Nance, and Hall-Nance Ranches.
4. The terms "person" and "persons" refer to and include, without limiting the generality of the meaning of the terms, natural persons, corporations, holding companies, partnerships, proprietorships, joint ventures, unincorporated associations, trusts, estates, governments (and agencies thereof), municipalities, cooperatives, unit operations, joint defense associations, industry associations, clubs, quasi-public entities, and all other forms of associations (whether formally organized or ad hoc) and specifically identifiable legal entities.
5. The terms "concern" or "concerning" include referring to, alluding to, responding to, relating to, connected with, commenting on, in respect of, about, regarding, discussing, showing, recording, describing, mentioning, reflecting, analyzing, constituting, evidencing, or pertaining to.
6. The terms "document" and "documents" are used in their broadest sense and include, among other things, all written, printed, typed, recorded, filmed, or graphic matter of every kind and description, including drafts, originals and copies, and all attachments and appendices thereto, as here further described:
 - a. Without limiting the foregoing, the terms "documents" shall include all agreements, contracts, communications, correspondence, letters, telegrams, facsimiles, messages, memoranda, records, reports, books, summaries, tape recordings or other records of personal conversations, minutes or summaries or other records of meetings and conferences, summaries or other records of negotiations, other summaries, diaries, diary entries, calendars, appointment books, time records, instructions, work assignments, forecasts, statistical data, statistical statements, financial statements, work sheets, work papers, drafts, graphs, maps, charts, tables, accounts, analytical records, consultants' reports appraisals, bulletins, brochures, pamphlets, circulars, trade letters, press releases, notes, notices, marginal notations, notebooks, telephone records, bills, statements, records of obligation and expenditure, invoices, lists, journals, advertising, recommendations, printouts, compilations, tabulations, analyses, studies, surveys, transcripts of hearings, transcripts of testimony affidavits, expense reports, microfilm, microfiches, articles, speeches, tape or disk recordings,

sound recordings, video recordings, film, tape, photographs, punch cards, programs, data compilations from which information can be obtained (including matter used in data processing) and other printed, written, handwritten, type-written, recorded, stenographic, computer-generated, computer-stored or electronically-stored matter, however, and by whomever produced, prepared, reproduced, disseminated or made; and

- b. If any of the documents provided pursuant to these requests is in machine-readable form (such as punch cards, paper or magnetic tapes, drums, diskettes, or core storage), for each such document state the type of computer and software program(s) or other machinery or equipment required to read the information.
7. The term "communication" includes all verbal and written communications (including written records of verbal communications) of every kind, including but not limited to, conversations, meetings, conference, telephone calls, e-mails, video or telephone conferences, letters, and all memoranda or other exchange of information concerning the requested item. Where communications are not in writing, provide copies of all memoranda and documents relating to the communication 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 your knowledge.
8. The term "identify" when used with a natural person means to provide his or her full name, business address, business telephone number, e-mail address, position, job title, name of employer, and current and prior connection or association with any party to this proceeding. If the above information is unavailable, "identify" means to provide some other means of identifying the person and his or her present address, telephone number, e-mail address, position, title, employer, and connection to any party to this proceeding.
9. The term "identify" when used with a person other than a natural person means to provide its name, business form, structure, or nature (e.g. corporation, partnership, etc.), street and mailing addresses, telephone number, e-mail contact address, and website address.
10. The term "identify" when used in reference to a document means to provide the following:
 - a. the full name and address of the author(s) by whom the document was written, prepared recorded, or made;
 - b. the date the document was prepared;
 - c. the title and "re" of the document;
 - d. the subject matter of the document;
 - e. the full name and address of the person who has possession, custody, or control of the document or who is in charge of maintaining the document; and
 - f. if the document has been lost, shredded, or destroyed (whether intentionally or unintentionally), a statement that the document has been lost, shredded, or destroyed, the estimated date of such loss, shredding, or destruction, and the reason(s) or cause of such loss, shredding, or destruction.
11. The term "identify" when used in reference to any other thing or matter means to provide as detailed a description as is necessary to permit Intervenor to identify it and to determine its present location. The term "identify" when used in reference to a house, building, structure, facility, oil and gas well, plant, street, highway, or property, means to provide the street address, physical location, map coordinates, directions, name, and owner. You may

identify such a house, building, structure, facility, oil and gas well, plant, street, highway, or property, by including a legible map or diagram depicting its location.

12. Miscellaneous definitions:

- a. Words used in the plural shall also be taken to mean and include the singular.
- b. Words used in the singular shall also be taken to mean and include the plural.
- c. The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.
- d. "Each" shall be construed to include the word "every" and "every" shall be construed to include the word "each."
- e. The term "including" means "including but not limited to."

INSTRUCTIONS

1. Please provide your responses to these requests as governed by the requirements of Order No. 1, PUC Proc. R. 22.144, the remainder of Subchapter H, and other applicable provisions of the Commission's rules.
2. Please provide your responses in sufficient detail to fully present all relevant facts.
3. If you do not understand any request or if any request appears confusing, please call the undersigned to request clarification.
4. If your responses become available at different times, please provide each individual response as it becomes available.
5. If you consider any request to be unduly burdensome or if any response would require the production of voluminous material, please call the undersigned to discuss arrangements to make the material available.
6. If you object to any request on the grounds that the request seeks proprietary information or on any other ground, please call the undersigned as soon as possible to discuss the objection and/or arrangements to make the material available.
7. These requests are continuing. Please supplement your responses pursuant to Order No. 1, R. 22.144(i), the remainder of Subchapter H, and any other applicable Commission rules.
8. Please provide each response starting on a separate page and as otherwise required by PUC Proc. R. 22.144(c)(2). Please state the docket numbers, style, and request number to which you are responding on the first page of each response.
9. If any document is withheld under any claim of privilege, please furnish a list identifying each document for which a privilege is claimed, together with the following information: date, sender, recipients or copies, subject matter of the document, and the basis upon which

such privilege is claimed.

10. Pursuant to P.U.C. PROC. R. 22.144(g)(4), if your response to any request is voluminous, please provide a detailed index of the voluminous material.
11. If the information requested is included in previously furnished exhibits, work papers, response to other discovery inquiries or otherwise, in hard copy or electronic format, please furnish specific references thereto, including Bates Stamp page citations and detailed cross references.
12. If you cannot admit or deny any request for admission, please explain.

EXHIBIT A

PUC DOCKET NO. 38324 SOAH DOCKET NO. 473-10-4789

DAVID NANCE, DAN NANCE, AND HALL-NANCE RANCHES, LTD. 1ST REQUEST FOR INFORMATION FROM ONCOR:

ROUTE ADEQUACY

The following requests refer to Oncor's July 7, 2010, "Response to Bonds Ranch's Motion to Find Oncor's Application Materially Deficient and to the Comments of David Nance, Dan Nance, and Hall-Nance Ranches, Ltd. in Response to Order No 1 on Sufficiency of Application and Route Adequacy" (the "Response") and the attached Affidavit of Lisa Barko Meaux.

1-1. In its Response, Oncor states: "This project is the first CREZ project to be located in what could arguably be classified as an urban or suburban area. The increased urban nature of the study area for the Proposed Project naturally leads to an increased number of constraints that required avoidance during the routing process."

- a. Admit that the fact that this project includes the first CREZ project located in an urban or suburban area means that the need for routes is

1-2. In its Response, Oncor states: "As the ALJ stated in that docket, 'the demonstrated existence of a readily identifiable and likely superior option to an applicant's array of alternatives [can] persuade the ALJ to require inclusion of that option ... *unless* the Applicant can demonstrate that the route has been assessed and rejected for appropriate reasons.' *Id.* at p. 3 (emphasis added); *see also* Docket No. 33844, Order on Appeal of Order No. 10 at 2-3 (Oct. 9 2007) (denying the appeal of Order No. 10 and noting that the route proposed by the intervenor need not be added to those included in the original application).

- a. Admit that the determination of whether routes are readily identifiable and likely superior is a mixed question of fact and law;
- b. Admit that the issue of whether there are appropriate reasons to reject optional routes is a mixed question of fact and law;
- c. Admit that under PURA and the APA, mixed questions of fact and law are decided by the ALJ and/or the Commission after the presentation of evidence at a hearing.

1-3. In its Response, Oncor states: "Drawbacks and unanswered questions associated with a route developed by another party are adequate reasons for rejecting the route. *See* Docket No. 33844, Order No. 10, p. 11 (noting "LCRA TSC was not obliged to disprove the viability of every conceivable routing permutation developed by other parties").

- a. Admit that the determination of whether there are drawbacks and unanswered questions associated with a route developed by another party is a mixed question of fact and law;
- b. Admit that under PURA and the APA, mixed questions of fact and law are decided by the ALJ and/or the Commission after the presentation of evidence at a hearing.

1-4. In its Response, Oncor states: "Additionally, given that there are an infinite number of potential routes in any given study area, there must be an end to the process. As determined by the ALJ in Docket No. 34440, "[a]t some point, a line must be drawn between having significant and real choices for the Commission to consider on the one hand, and requiring a never ending potential for alternative routes to be considered on the other."

- a. Admit that intervenors are not proposing a "never ending number of alternative routes," but the limited number of additional and/or alternative routes proposed by Bonds and Nance.

1-5. In its Response, Oncor states: "The issue before Your Honor at this stage is simply this: Does the Application present an adequate number of reasonably differentiated alternative routes for the Commission to conduct a proper evaluation, considering circumstances specific to this geographic area and the analysis and reasoned justification presented by the applicant?"

- a. Admit that in Docket No. 37448, the Commission found after hearing that LCRA did not provide an adequate routes;
- b. Admit that the basis of the Commission's ruling in Docket No. 37448 was that LCRA had included too many instances of crossing over landowner properties and had failed to include routes that maximized the use of existing rights of way, property lines, and streets and highways; and
- c. Admit that to avoid the kind of ruling in 37448, it is necessary to include routes that comply with the Commission's directive to minimize the crossing over landowner properties and that maximize the use of existing rights of way, property lines, and streets and highways.

1-6. In its Response, Oncor states: "Consistent with Commission precedent, Oncor has clearly provided a reasoned justification for not including each of the links proposed by the intervening parties and demonstrated that its Application is adequate. Therefore, there is no need for a route adequacy hearing."

- a. Admit that a route adequacy hearing was ordered by the Commission in Docket No. 38140.

- b. Admit that the Commission rejected LCRA's application in Docket No. 37448 because none of the routes was adequate.
- c. Admit that if route in adequacy is the basis of Commission rejection of an application after hearing and issuance of the PFD, the Commission's, the Applicant's, and the parties' time and resources will have been expended without a decision.
- d. Admit that if route in adequacy is the basis of Commission rejection of an application after hearing and issuance of a PFD, the likely result is re-filing of the application, resulting in greater demands on the Commission's, the Applicant's, and the parties' time and resources.

Bonds Link GGGG (Nance Proposed Modified GGG)

1-7. In its Response, Oncor states: "During the routing process, POWER studied this corridor as a possibility, and rejected it due to routing constraints, independent of the operation of the Eagle Mountain Lake power plant or the sale of the property on which the power plant sits. POWER did not include a route paralleling the Eagle Mountain Lake Corridor on the southern side in large part because of the La Frontera residential development, which is located adjacent to the corridor, and is clearly visible on Figure 6-97, Sheet 3 of 3 of Oncor's Application.

Request:

- a. Describe POWER's study of the corridor to which you refer;
- b. Provide all communications and documents from and related to Power's study of the Eagle Mountain Lake Corridor;
- c. Fully explain POWER's determination not to include a route paralleling the Eagle Mountain Lake Corridor on the southern side in large part because of the La Frontera residential development.

1-8. In its Response, Oncor states: "As is clear from Figure 6-97, Sheet 3 of 3 of the Application, this divergence from the 138 kV corridor was necessary to avoid two residential developments: Eagle Vista Estates and the Hills of Gilmore Creek.

Request:

- a. Describe why the two residential developments required divergence from the 138 kV corridor
- b. Does Oncor claim that transmission lines may not be routed within residential developments even if existing transmission rights of way pass through such developments?

- c. Has Oncor ever routed transmission lines within residential developments? Identify, describe, and provide a citation to each such instance.
- d. Is Oncor aware of any other Texas utility that has routed transmission lines within residential developments? Identify, describe, and provide a citation to each such instance.

1-9. In its Response, Oncor states: "Oncor considered and rejected paralleling the Eagle Mountain Lake Corridor for a number of reasons.

Request:

- a. Please fully describe Oncor's consideration of paralleling the Eagle Mountain Lake Corridor.

1-10. In its Response, Oncor states: "Additionally, Bonds Link GGGG was considered and rejected because it eliminates the needed diversion away from Link GGG, as described above, to avoid two residential developments that abut the transmission line corridor.

- a. Provide the provisions of PURA, Commission precedent, and Commission rules that require Oncor to avoid the two residential developments that abut an existing transmission line corridor;
- b. Does Oncor claim that transmission lines may not be routed in or parallel to existing transmission rights of way where those rights of way pass through existing residential developments?

1-11. The Affidavit of Lisa Barko Meaux, Paragraph 3 states: "A link paralleling the south side of the existing Eagle Mountain Lake Corridor, which runs from the Eagle Mountain Lake power plant to the new Hicks Switching Station, would be within 500 feet of 33 habitable structures, including 10 that would be located within the right-of-way."

Request:

- a. Identify with specificity each of the 33 habitable structures within 500 feet to which Ms. Meaux refers and provide all maps, plats, drawings, sketches, diagrams, photographs, aerial photos, notes, calculations, or measurements that show each in relation to the centerline and 500 foot zone;
- b. Identify with specificity each of the 10 habitable structures within the right of way to which Ms. Meaux refers and provide all maps, plats, drawings, sketches, diagrams, photographs, aerial photos, notes, calculations, or measurements that show it in relation to the centerline and the right of way;

- c. Fully describe Oncor's or Power's evaluation of Bonds Link GGGG (Nance Link GGG) that resulted in Ms. Meaux's conclusions; and
- d. Provide all communications and documents from and related to Oncor's or Power's evaluation of Bonds Link GGGG (Nance Link GGG) that resulted in Ms. Meaux's conclusions.

1-12. The Affidavit of Lisa Barko Meaux, Paragraph 4 states: "Two oil and gas wells would be located within the right-of-way of a link that paralleled the south side of the Eagle Mountain Lake Corridor.

Request:

- a. Identify with specificity each of the two oil and gas wells within the right of way to which Ms. Meaux refers and provide all maps, plats, drawings, sketches, diagrams, photographs, aerial photos, notes, calculations, or measurements that show each in relation to the centerline and the right of way.

1-13. The Affidavit of Lisa Barko Meaux, Paragraph 5 states: "A link paralleling the Eagle Mountain Lake Corridor on the north side would have 3 habitable structures within 500 feet of the centerline, 2 of which would be located within the right-of-way."

Request:

- a. Identify with specificity each of the 3 habitable structures within 500 feet to which Ms. Meaux refers and provide all maps, plats, drawings, sketches, diagrams, photographs, aerial photos, notes, calculations, or measurements that show each in relation to the centerline and 500 foot zone;
- b. Identify with specificity each of the 2 habitable structures within the right of way to which Ms. Meaux refers and provide all maps, plats, drawings, sketches, diagrams, photographs, aerial photos, notes, calculations, or measurements that show it in relation to the centerline and the right of way;
- c. Fully describe Oncor's or Power's evaluation of Bonds Link GGGG (Nance Link GGG) that resulted in Ms. Meaux's conclusions; and
- d. Provide all communications and documents from and related to Oncor's or Power's evaluation of Bonds Link GGGG (Nance Link GGG) that resulted in Ms. Meaux's conclusions.

1-14. The Affidavit of Lisa Barko Meaux, Paragraph 6 states: "4 oil and gas wells would present routing constraints on a link paralleling the Eagle Mountain Lake Corridor on the north, 3 of which would be located within the right-of-way."

Request:

- a. Identify with specificity each of the 4 oil and gas wells that would present routing constraints to which Ms. Meaux refers and provide all maps, plats, drawings, sketches, diagrams, photographs, aerial photos, notes, calculations, or measurements that show each in relation to the centerline and 500 foot zone;
- b. Identify the routing constraints to which Ms. Meaux refers;
- c. Identify with specificity each of the 3 oil and gas wells within the right of way to which Ms. Meaux refers and provide all maps, plats, drawings, sketches, diagrams, photographs, aerial photos, notes, calculations, or measurements that show it in relation to the centerline and the right of way;
- d. Fully describe Oncor's or Power's evaluation of Bonds Link GGGG (Nance Link GGG) that resulted in Ms. Meaux's conclusions; and
- e. Provide all communications and documents from and related to Oncor's or Power's evaluation of Bonds Link GGGG (Nance Link GGG) that resulted in Ms. Meaux's conclusions.

1-15. The Affidavit of Lisa Barko Meaux, Paragraph 7 states: "At the point where Link GGG diverges from an existing 138 kV transmission line corridor, it runs cross country for 7,165 feet before crossing and paralleling Peden Road.

- a. Admit that in PUC Docket No. 37448, the Commission rejected LCRA's application in part because LCRA's links and routes crossed private landowner properties and did not maximize use of existing right of way, property lines, and streets and highways.
- b. Does Oncor recognize that Link GGG's 7,165 cross country crossing fails to use existing right of way;
- c. Does Oncor recognize that, aside from Oncor's claimed routing constraints, existing right of way is available for Link GGG within or parallel to the 138 kV Corridor and the Eagle Mountain Corridor

1-16. The Affidavit of Lisa Barko Meaux, Paragraph 8. Link GGG parallels compatible corridors for 63.9% of its length, including the existing 138 kV corridor.

- a. Admit that if Bonds Link GGGG (Nance proposed GGG) were adopted, link GGGG (Nance GGG) would parallel compatible right along the existing 138 kV corridor for its north-south part of its length and would parallel the Eagle Mountain Lake Corridor for the east-west part of its length;

- b. Admit that if Bonds Link GGGG (Nance proposed GGG) were adopted, link GGGG (Nance GGG) would parallel compatible right of way for 100 percent of its length.

1-17. The Affidavit of Lisa Barko Meaux, Paragraph 9 states: "The portion of Bonds Link GGGG that would follow the 138 kV Corridor on the west side would have 21 structures within 500 feet, including one within the right-of-way, as well as 5 oil and gas wells within the right-of-way.

Request:

- a. Identify with specificity each of the 21 habitable structures within 500 feet to which Ms. Meaux refers and provide all maps, plats, drawings, sketches, diagrams, photographs, aerial photos, notes, calculations, or measurements that show each in relation to the centerline and 500 foot zone;
- b. Identify with specificity the one habitable structure within the right of way to which Ms. Meaux refers and provide all maps, plats, drawings, sketches, diagrams, photographs, aerial photos, notes, calculations, or measurements that show it in relation to the centerline and the right of way;
- c. Identify with specificity the 5 oil and gas wells within the right of way to which Ms. Meaux refers and provide all maps, plats, drawings, sketches, diagrams, photographs, aerial photos, notes, calculations, or measurements that show it in relation to the centerline and the right of way;
- d. Fully describe Oncor's or Power's evaluation of Bonds Link GGGG (Nance Link GGG) that resulted in Ms. Meaux's conclusions; and
- e. Provide all communications and documents from and related to Oncor's or Power's evaluation of Bonds Link GGGG (Nance Link GGG) that resulted in Ms. Meaux's conclusions.

1-18. The Affidavit of Lisa Barko Meaux, Paragraph 10 states: "If Bonds Link GGGG paralleled the 138 kV Corridor on the east side, that portion of Bonds Link GGGG would have 42 habitable structures within 500 feet, 6 of which would be within the right-of-way, and the link would also have one oil or gas well directly within the right-of-way."

Request:

- a. Identify with specificity each of the 42 habitable structures within 500 feet to which Ms. Meaux refers and provide all maps, plats, drawings, sketches, diagrams, photographs, aerial photos, notes, calculations, or measurements that show each in relation to the centerline and 500 foot zone;

- b. Identify with specificity the 6 habitable structures within the right of way to which Ms. Meaux refers and provide all maps, plats, drawings, sketches, diagrams, photographs, aerial photos, notes, calculations, or measurements that show it in relation to the centerline and the right of way;
- c. Identify with specificity the 1 oil and gas wells within the right of way to which Ms. Meaux refers and provide all maps, plats, drawings, sketches, diagrams, photographs, aerial photos, notes, calculations, or measurements that show it in relation to the centerline and the right of way;
- d. Fully describe Oncor's or Power's evaluation of Bonds Link GGGG (Nance Link GGG) that resulted in Ms. Meaux's conclusions; and
- e. Provide all communications and documents from and related to Oncor's or Power's evaluation of Bonds Link GGGG (Nance Link GGG) that resulted in Ms. Meaux's conclusions.

1-19. In its response, Oncor states: "Finally, Bonds Link GGGG would add several miles of additional length to any of the currently available routing options."

Request:

- a. Does Oncor claim that adding miles renders a link undesirable, even if the additional miles are added to conform the route to routing standards and criteria required by the Commission?
- b. Does Oncor recognize that adding miles may be necessary to conform a route to the Commission's routing standards that require routes to minimize crossing landowner property and maximize using existing rights of way, property lines, and streets and highways?

Nance Southernmost Route

1-20. In its Response, Oncor states: "The inclusion of Links Q and Y in the Application will allow parties to present evidence on the viability of those links at the hearing on the merits, and will allow the ALJ and the Commission to make a decision on the viability of Links Q and Y."

- a. Admit that in this statement Oncor recognizes and acknowledges the need to include alternative links and give notice of such links to permit the parties, the ALJ, and the Commission to have an opportunity to consider the links;
- b. Admit that if links are not included in the application and are not noticed, the parties, the ALJ, and the Commission may be prevented from considering such omitted links.

1-21. In its Response, Oncor states regarding the Nance Southernmost link: "Upon notification of this possible link, Oncor and its routing consultants diligently evaluated and considered this link but ultimately determined not to file this link because of the numerous drawbacks and disadvantages that it possessed compared to the other southern links.

Request:

- a. Identify the link considered by Oncor with specificity;
- b. Identify each of the drawbacks and disadvantages that Oncor claims are possessed by Nance Southernmost Link. Describe with specificity how the drawbacks and disadvantages compare to the other southern links;
- c. Fully describe Oncor's and Power's evaluation of the Nance Southernmost link;
- d. Provide all communications, notes, and correspondence, e-mail, letters, and reports, regarding Power/Oncor's evaluation of the Nance Southernmost Link;
- e. Provide all documents used or relied on by Power/Oncor in its evaluation of the Nance Southernmost Link, including maps, diagrams, plats, photographs, aerial photos, or other documents;

1-22. In its Response, Oncor states: "Nance Southernmost Route would not comply with Commission's Substantive Rule 25.101, would utilize links Oncor expressly does not support in its direct testimony, would increase grid reliability and security concerns, would have between 12 and 27 habitable structures located in the right-of-way that would have to be taken and removed (depending on side of corridor paralleled), would have 108 to 116 habitable structures located within 500 feet of centerline, and would have a school property boundary within 500 feet.

Request:

- a. Fully describe how the Nance Southernmost Route would not comply with Commission's Substantive Rule 25.101;
- b. Identify with specificity the link considered by Oncor;
- c. Identify each of the habitable structures, buildings, structures, oil and gas wells, features, or properties with specificity, providing all identifying diagrams, drawings, plats, maps, photographs, aerial photographs, plats, measurements, calculations, addresses, locations, meets and bounds descriptions, and;

1-23. The Affidavit of Lisa Barko Meaux, Paragraph 11 states: "If Nance's Southernmost Route were located on the north side of the existing 138 kV transmission line corridor, which

runs east-west, south of the study area until it meets the point of Oncor's existing Link PPP, there would be 27 habitable structures within the right-of-way that would have to be taken for construction of the Proposed Project. In addition, there would be an additional 89 habitable structures within 500 feet of the centerline, for a total of 116 within 500 feet, and one school property within 500 feet."

Request:

- a. Identify with specificity each of the 27 habitable structures within the right of way to which Ms. Meaux refers and provide all maps, plats, drawings, sketches, diagrams, photographs, aerial photos, notes, calculations, or measurements that show each in relation to the right of way;
- b. Identify with specificity the school property within 500 feet to which Ms. Meaux refers and provide all maps, plats, drawings, sketches, diagrams, photographs, aerial photos, notes, calculations, or measurements that show it in relation to the centerline and the 500 foot zone;
- c. Identify with specificity the additional 89 habitable structures within 500 feet of the centerline to which Ms. Meaux refers and provide all maps, plats, drawings, sketches, diagrams, photographs, aerial photos, notes, calculations, or measurements that show each in relation to the centerline and the 500 foot zone;
- d. Fully describe Oncor's or Power's evaluation of the Nance southernmost route that resulted in Ms. Meaux's conclusions;
- e. Provide all communications and documents from and related to Oncor's or Power's evaluation of the Nance southernmost route that resulted in Ms. Meaux's conclusions; and
- f. Provide a full explanation of Oncor's claims that 27 habitable structures would have to be taken.

1-24. The Affidavit of Lisa Barko Meaux, Paragraph 12 states: "If Nance's Southernmost Route was located on the south side of the existing corridor, there would be 12 habitable structures in the right-of-way and an additional 96 within 500 feet of the centerline, for a total of 108 within 500 feet. In addition, there would be one school property within 500 feet and one communication tower within 660 feet."

Request:

- a. Identify with specificity each of the 12 habitable structures within the right of way to which Ms. Meaux refers and provide all maps, plats, drawings, sketches, diagrams, photographs, aerial photos, notes, calculations, or measurements that show each in relation to the right of way;

- b. Identify with specificity the school property and communication tower within 500 feet to which Ms. Meaux refers and provide all maps, plats, drawings, sketches, diagrams, photographs, aerial photos, notes, calculations, or measurements that show these in relation to the centerline and the 500 foot zone;
- c. Identify with specificity the additional 96 habitable structures within 500 feet of the centerline to which Ms. Meaux refers and provide all maps, plats, drawings, sketches, diagrams, photographs, aerial photos, notes, calculations, or measurements that show each in relation to the centerline and the 500 foot zone;
- d. Fully describe Oncor's or Power's evaluation of the Nance southernmost route that resulted in Ms. Meaux's conclusions;
- e. Provide all communications and documents from and related to Oncor's or Power's evaluation of the Nance southernmost route that resulted in Ms. Meaux's conclusions;

Nance Modified Link PPP

1-25. The Affidavit of Lisa Barko Meaux, Paragraph 13 states: "The deviation where Link PPP between Adams Lane and Northshore Drive departs from the existing 138 kV transmission line was made specifically to avoid the need to take habitable structures that are located directly adjacent to the existing transmission line corridor. There is insufficient space between the existing homes and the transmission line corridor to allow a direct parallel.

Request:

- a. Identify with specificity each of the habitable structures that are located directly adjacent to the existing transmission line corridor that Oncor would need to take to which Ms. Meaux refers and provide all maps, plats, drawings, sketches, diagrams, photographs, aerial photos, notes, calculations, or measurements that show each in relation to the right of way;
- b. Fully describe Oncor's or Power's evaluation of the Nance Modified Link PPP that resulted in Ms. Meaux's conclusions;
- c. Provide all communications and documents from and related to Oncor's or Power's evaluation of Nance Modified Link PPP that resulted in Ms. Meaux's conclusions;
- d. Provide the basis of any conclusion that habitable structures would have to be taken;

1-26. The Affidavit of Lisa Barko Meaux, Paragraph 14 states: "The modification to Link PPP proposed by the Nance intervenors would bring numerous habitable structures within the right-of-way, regardless of whether the paralleling occurs on the north or south side of the existing 118 kV corridor. If paralleling occurred on the north side there would be 18 habitable structures within the right-of-way and 56 more habitable structures within 500 feet, for a total of 74 within 500 feet. If the line was paralleled to the south between these two streets, there would be 8 habitable structures in the right-of-way and 52 additional structures within 500 feet, for a total of 61 within 500 feet.

Request:

- a. Identify with specificity each of the 8 habitable structures and 18 habitable structures within the right of way to which Ms. Meaux refers and provide all maps, plats, drawings, sketches, diagrams, photographs, aerial photos, notes, calculations, or measurements that show each in relation to the right of way;
- b. Identify with specificity the additional 56 more habitable structures and the 52 additional structures within 500 feet to which Ms. Meaux refers and provide all maps, plats, drawings, sketches, diagrams, photographs, aerial photos, notes, calculations, or measurements that show each in relation to the centerline and the 500 foot zone;
- c. Fully describe Oncor's or Power's evaluation of Nance Modified Link PPP that resulted in Ms. Meaux's conclusions; and
- d. Provide all communications and documents from and related to Oncor's or Power's evaluation of the Nance Modified Link PPP that resulted in Ms. Meaux's conclusions.

Nance Modified Link LLLL

1-27. The Affidavit of Lisa Barko Meaux, Paragraph 15 states: "Nance Modified Link LLLL bisects Letara, a proposed residential development, the boundaries of which were paralleled by Link LLLL as filed."

Request:

- a. Identify with specificity the location of the Letara development to which Ms. Meaux refers and provide all maps, plats, drawings, sketches, diagrams, photographs, aerial photos, notes, calculations, or measurements that show Letara in relation to the centerline, right of way, and 500 foot zone;
- b. Identify with specificity the boundaries of Letara which were paralleled by Link LLLL as filed to which Ms. Meaux refers and provide all maps, plats, drawings, sketches, diagrams, photographs, aerial photos, notes, calculations, or measurements that show it in relation to the centerline, right of way, and

500 foot zone;

- c. Describe how Nance Modified Link LLLL would cause Link LLLL to bisect Letara;
- d. Fully describe Oncor's or Power's evaluation of Nance Modified Link LLLL that resulted in Ms. Meaux's conclusions;
- e. Provide all communications and documents from and related to Oncor's or Power's evaluation of Nance Modified Link LLLL that resulted in Ms. Meaux's conclusions;
- f. Provide the basis of any conclusion that avoiding bisecting a proposed residential development is required by PURA, Commission precedent, and Commission rules and is of a higher priority than avoiding bisecting Nance property;
- g. Provide the basis of Oncor's or Power's conclusion that Letara is in fact a proposed residential development and describe the stage or development, whether proposed, planned, platted, in construction, or in sales phases.

1-28. The Affidavit of Lisa Barko Meaux, Paragraph 16 states: "Nance. Modified Link LLLL would come within 500 feet of 14 more habitable structures than Link LLLL does as currently routed, and would include 6 oil and gas wells within the right-of-way.

Request:

- a. Identify with specificity the 14 more habitable structures within 500 feet to which Ms. Meaux refers and provide all maps, plats, drawings, sketches, diagrams, photographs, aerial photos, notes, calculations, or measurements that show each in relation to the centerline, right of way, and 500 foot zone;
- b. Identify with specificity the 6 oil and gas wells within the right of way to which Ms. Meaux refers and provide all maps, plats, drawings, sketches, diagrams, photographs, aerial photos, notes, calculations, or measurements that show each in relation to the centerline, right of way, and 500 foot zone;
- c. Describe how Oncor determined that the number of habitable structures within 500 feet in Nance Modified Link LLLL was greater than the number in Link LLLL as currently routed;
- d. Fully describe Oncor's or Power's evaluation of Nance Modified Link LLLL that resulted in Ms. Meaux's conclusions; and
- e. Provide all communications and documents from and related to Oncor's or Power's evaluation of Nance Modified Link LLLL that resulted in Ms. Meaux's conclusions.

1-29. In its Response, Oncor states: "The unnecessary impact on additional habitable structures could potentially render Nance Modified Link LLLL non-compliant with the relevant routing criteria, and the wells within the right-of-way make it unworkable from an engineering perspective without the taking and removal of oil and gas facilities."

Request:

- a. Describe with specificity how Oncor claims Nance Modified Link LLLL could be non-compliant with the relevant routing criteria; and
- b. Describe with specificity how Oncor claims that oil and gas wells within the right-of-way could make Link LLLL unworkable from an engineering perspective without the taking and removal of oil and gas facilities.

Nance Modified Link JJJ

1-30. • Nance Link JJJ Modification: would include 2 oil and gas facilities in the right-of-way that would require removal or avoidance and would directly affect 11 additional habitable structures.

Request:

- a. Describe with specificity the 2 oil and gas facilities in the right of way to which Oncor refers and provide all maps, plats, drawings, sketches, diagrams, photographs, aerial photos, notes, calculations, or measurements that show each in relation to the centerline, right of way, and 500 foot zone; and
- b. Describe with specificity how Oncor claims that Nance Modified Link JJJ would require removal or avoidance of 2 oil and gas facilities.

1-31. In its Response, Oncor states: "Engineering and routing constraints associated with Nance Modified Link JJJ reasonably justify Oncor's decision not to include it in the Application."

Request:

- a. Describe with specificity each engineering and routing constraint associated with Nance Modified Link JJJ to which Oncor refers;
- b. Describe with specificity how each engineering and routing constraint associated with Nance Modified Link JJJ justified Oncor's decision not to include Nance Modified Link JJJ in its application;
- c. Fully describe the evaluation, analysis, review, and consideration of Nance

Modified Link JJJ that resulted in Oncor's conclusion; and

- d. Provide all communications and documents from and related to Oncor's or Power's evaluation, analysis, review, and consideration of Nance Modified Link JJJ that resulted in Oncor's conclusion.

1-32. The Affidavit of Lisa Barko Meaux, Paragraph 17 states: "Nance Modified Link JJJ would include 2 oil and gas wells within the right of way and would have 11 more habitable structures located within 500 feet of the centerline than Link JJJ as filed.

Request:

- a. Identify with specificity the 11 more habitable structures located within 500 feet of the centerline to which Ms. Meaux refers and provide all maps, plats, drawings, sketches, diagrams, photographs, aerial photos, notes, calculations, or measurements that show each in relation to the centerline, right of way, and 500 foot zone;
- b. Identify with specificity the 2 oil and gas wells within the right of way to which Ms. Meaux refers and provide all maps, plats, drawings, sketches, diagrams, photographs, aerial photos, notes, calculations, or measurements that show each in relation to the centerline, right of way, and 500 foot zone;
- c. Fully describe Oncor's or Power's evaluation of Nance Modified Link JJJ that resulted in Ms. Meaux's conclusions; and
- d. Provide all communications and documents from and related to Oncor's or Power's evaluation of Nance Modified Link JJJ that resulted in Ms. Meaux's conclusions.