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APPLICATION OF WIND ENERGY § BEFORE THE STATE OFFICE
TRANSMISSION TEXAS, LLC FOR A §
CERTIFICATE OF CONVENIENCE §
AND NECESSITY FOR THE SCURRY § OF
SOUTH – LONG DRAW – GRELTON – §
ODESSA 345-kV CREZ TRANSMISSION §
LINE IN SCURRY, MITCHELL, §
BORDEN, HOWARD, DAWSON, §
MARTIN, MIDLAND AND ECTOR § ADMINISTRATIVE HEARINGS
COUNTIES §

OCCIDENTAL’S COMMENTS ON STAFF’S PROPOSED PROCEDURAL SCHEDULE

Oxy USA WTP LP, Permian Basin Limited Partnership and Occidental Permian Ltd. (collectively, “Occidental”) file the following comments regarding Staff’s proposed procedural schedule.

Occidental submits that intervenors should be given the opportunity to file cross-rebuttal testimony, consistent with the procedural schedules adopted in other recent CREZ proceedings.¹ Occidental also proposes removing the proposed limitation on discovery on WETT’s rebuttal case to depositions. The due date for WETT’s rebuttal testimony proposed by Staff is nearly three weeks prior to the hearing on the merits; this time period would give intervenors the opportunity to submit at least one round of written discovery and receive a response prior to the start of the hearing on the merits. Many landowners have limited means and ability to conduct or participate in depositions and should have the opportunity to submit written discovery. Finally, Occidental suggests moving up the due date for Staff’s testimony by one business day. These modifications are reflected in the following revised schedule:

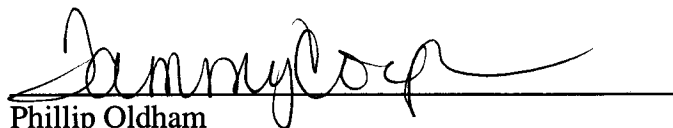
¹ See, e.g., *Application of Wind Energy Transmission Texas, LLC for a Certificate of Convenience and Necessity for the Panhandle AD to Central B (Cottonwood To Dermott) 345-kV CREZ Transmission Line in Dickens, Kent and Scurry Counties*, Docket No. 38295, Order No. 4 (Jul. 28, 2010); *Application of Lone Star Transmission, LLC for a Certificate of Convenience and Necessity for the Central A to Central C to Sam Switch/Navarro Proposed CREZ Transmission Line*, PUC Docket No. 38230, Order No. 5 (July 13, 2010); *Application of Oncor Electric Delivery Company, LLC to Amend its Certificate of Convenience and Necessity for the Brown-Newton 345-kV CREZ Transmission Line in Brown, Mills, Lampasas, McCullough, and San Saba Counties*, Docket No. 37464, Order No. 6 (Nov. 20, 2009).

Event	Deadline
Staff direct testimony	11-5-2010
Applicant rebuttal testimony/ <u>Intervenor cross-rebuttal testimony</u>	11-12-2010
Discovery on Applicant's rebuttal case, limited to depositions , ends	11-19-2010

Occidental will be prepared to discuss this proposal with Staff and other parties at the upcoming prehearing conference.

Respectfully submitted,

ANDREWS KURTH LLP



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ATTORNEYS FOR OCCIDENTAL

CERTIFICATE OF SERVICE

I, Tammy Cooper, Attorney for Occidental hereby certify that a copy of this document was served on all parties of record in this proceeding on this 15th day of September, 2010 by electronic mail, facsimile and/or First Class, U.S. Mail, Postage Prepaid.



Tammy Cooper