



Control Number: 38597



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SOAH DOCKET NO. 473-11-0072
P.U.C. DOCKET NO. 38597

APPLICATION OF ONCOR §
ELECTRIC DELIVERY §
COMPANY, LLC TO AMEND A § BEFORE THE STATE OFFICE
CERTIFICATE OF CONVENIENCE §
AND NECESSITY FOR THE KRUM § OF
WEST TO ANNA 345-KV CREZ §
TRANSMISSION LINE IN COLLIN, § ADMINISTRATIVE HEARINGS
COOKE, DENTON, AND §
GRAYSON COUNTIES §

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PUBLIC HEARINGS CLERK

**ONCOR ELECTRIC DELIVERY SECOND REQUESTS FOR INFORMATION
FROM THE WALTON ENTITIES**

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. 38597. 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: Dan Kelly/nmg

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**ATTORNEYS FOR ONCOR ELECTRIC
DELIVERY COMPANY LLC**

CERTIFICATE OF SERVICE

This is to certify that on this 24th day of November, 2010, a true and correct copy of the foregoing document was served via facsimile, overnight mail, and/or email to counsel or the authorized representative for the party to whom the discovery is served.

Dan Kelly/nmg

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 38597.

“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).

“The Walton Entities” includes Walton Texas, LP, Walton Kimberlin Heights, LP, Walton Kimberlin Heights Development, LP, Walton Elm Creek Ranch, LP, Walton Elm Creek Ranch Development, LP, Walton TX Cottonwood, Limited Partnership, Walton USA Cottonwood, LP, Walton Southern U.S. Land LP, Walton TX South Grayson Limited Partnership, Walton TX Garland Heights Limited Partnership, WECR Development Sub, LP, WKH Development Sub, LP, and any other party intervening in Docket 38597 aligned with and associated with this group of intervenors.

REQUESTS FOR INFORMATION

- 2-1 Admit or deny that residential subdivisions exist adjacent to 345 kV transmission line right of way in the DFW metroplex.
- 2-2 Admit or deny that commercial and mixed use development exist adjacent to 345 kV transmission line right of way in the DFW metroplex.
- 2-3 Please identify any property owned by Walton Entities that has an existing transmission line on the property.
- 2-4 For each property identified in 2-3 please provide the following information:
 - a. The date of acquisition
 - b. Identify whether the transmission line was present at the date of acquisition
 - c. Provide the location of the property
 - d. Describe any future plans for the property
- 2-5 Referring to pages 21 and 22 of Tim Terrell's testimony regarding the 2,200 acre property the Walton Entities decided not to acquire because of a proposed electric transmission line project, please provide the following information:
 - a. Please provide the location of the property.
 - b. Please provide a description of the proposed electric transmission line referred to on page 22 line 4 of Mr. Terrell's testimony.
 - c. Please provide all documents and communications regarding the possible acquisition of the property
 - d. Please provide all documents and communications regarding the proposed electric transmission line project referred to on page 22 line 4 of Mr. Terrell's testimony.
 - e. Please provide all documents and communications regarding the decision not to acquire the property and the date that decision was made.

- 2-6 Please provide all documents and communications regarding the possible impact of Oncor's proposed Krum - Anna transmission line project on Walton Entities' properties in the study area.