

Control Number: 38825



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SOAH DOCKET NO. 473-11-1266
PUC DOCKET NO. 38825

APPLICATION OF WIND §
ENERGY TRANSMISSION TEXAS, §
LLC TO AMEND ITS §
CERTIFICATE OF §
CONVENIENCE AND NECESSITY §
FOR THE PROPOSED LONG §
DRAW TO SAND BLUFF, SAND §
BLUFF TO DIVIDE, AND SAND §
BLUFF TO BEARKAT 345-KV §
CREZ TRANSMISSION LINES IN §
BORDEN, COKE, GLASSCOCK, §
HOWARD, MITCHELL AND §
STERLING COUNTIES

PUBLIC UTILITY COMMISSION
OF TEXAS

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WIND ENERGY TRANSMISSION TEXAS, LLC'S FIRST SET OF REQUESTS FOR INFORMATION TO THE SEIDENBERGER LIVING TRUST

COMES NOW Wind Energy Transmission Texas, LLC ("WETT") 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. 5, 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 PUC Docket No. 38825. 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 each 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.

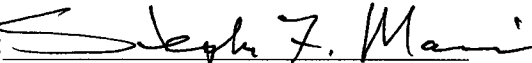
The words “regarding”, “relate”, “related”, “relates” and “relating”, as used herein, mean involving, relating to, referring to, having any relationship to, pertaining to, evidencing or constituting evidence of, in whole or in part.

The terms “Commission” and/or “PUC” 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,

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**ATTORNEYS FOR WIND ENERGY
TRANSMISSION TEXAS, LLC**

Certificate of Service

I certify that a true and correct copy of the foregoing document was served on all parties of record in accordance the PUC Rules and/or consistent with ALJ Orders in this docket on this 2nd day of February, 2011.



Dennis W. Donley, Jr.

ADDITIONAL DEFINITIONS

1. "Structure" means any building, home, hut, barn, or other facility constructed, installed, or placed upon the land.
2. "Route" means any route filed by WETT in its application in Docket 38825.
3. "Link" means any line segment contained in WETT's Environmental Assessment and Routing Study filed as part of WETT's application.
4. "Improvement" means any non-naturally occurring change made from the land and its natural state.
5. "Intervenor" has the same meaning ascribed to it pursuant to P.U.C. PROC. R. 22.2(25), except, as used herein, it also includes Commission Staff.

REQUESTS FOR INFORMATION

- 1-1 Please list each Route or Link that you contest in this proceeding.
- 1-2 Please provide the general factual bases for why you contest each Route and Link that you contest and your standing to contest such Link and/or Route.
- 1-3 Please list and describe all Structures that exist on any property you own that will be crossed by one of WETT's proposed transmission line routes and provide the date the structures were installed or constructed and the height of each structure and describe where each structure is located, where each structure is located in relation to the proposed transmission line and its distance from the proposed transmission line.
- 1-4 Please provide all documents, maps, photographs or other items you intend to introduce in evidence or use during cross-examination at the hearing on the merits.
- 1-5 If you are not the only owner of your property affected by WETT's proposed transmission line, please identify the owner(s).
- 1-6 Produce any and all manuals, instructions, information sheets, spec sheets, and/or other documents regarding your irrigation system and/or its component parts.
- 1-7 Identify the model and year of all John Deere tractors that work the property in question.
- 1-8 Produce any and all manuals, instructions, information sheets, spec sheets, and/or other documents regarding your irrigation system.
- 1-9 Identify approximately when your irrigation system was installed and who installed it.
- 1-10 Identify the cost of your irrigation system.
- 1-11 Identify and describe any and all repairs and/or modifications your irrigation system has required due to the existing transmission line on your property.

- 1-12 Produce any and all documents evidencing your response to 1-11 and/or that the existing transmission line caused the need for such repairs.
- 1-13 Identify and describe any and all reroutes of your tractors' plow paths in the last five years.
- 1-14 Produce any and all documents including invoices, cost estimates, bills, receipts and/or checks related to any and all reroutes of tractor GPS guidance systems and/or drip tape performed in the last five years.
- 1-15 Identify and describe the manner in which you contend the transmission lines affect GPS guidance systems, including, but not limited to, what part of the infrastructure causes the alleged problems (Towers? Poles? Lines?), the distance from the part of the infrastructure at which the alleged problems develop, the frequency with which the alleged problems are noted, and the nature of the alleged problems.
- 1-16 Identify what measures might mitigate any potential effect of the transmission lines (short of moving the lines) on the operation of the GPS guidance system.
- 1-17 Describe any and all experience, education, training, skill and/or special knowledge Eric Seidenberger possess regarding transmission lines' effect on the operation of GPS systems.
- 1-18 Describe any and all experience, education, training skill and/or special knowledge Eric Seidenberger possess regarding transmission lines effect on cell phone and satellite communications.
- 1-19 Describe any and all experience, education, training, skill and/or special knowledge Eric Seidenberger possess regarding engineering.

- 1-20 Produce copies of any and all professional licenses, certifications, designations, and/or degrees held by Eric Seidenberger.
- 1-21 Produce any and all documents evidencing any problems you have experienced with GPS, satellite and/or cellular communications that were caused by existing transmission lines.
- 1-22 Produce any and all documents evidencing any problems you have experienced with your irrigation system that were caused by existing transmission lines.
- 1-23 Identify any and all cotton farms in the area that are crossed by transmission lines of which you are aware.
- 1-24 Produce any and all documents showing that such farms do not yield revenue.
- 1-25 Produce any and all documents that substantiate that the proposed transmission line, if routed across your property, “would virtually cut the irrigation system in half diagonally.”
- 1-26 Produce any and all documents that substantiate that the proposed transmission line, if routed across your property, would “prevent [your irrigation system’s] current operation.”
- 1-27 Produce any and all documents substantiating the following statement: “[E]ven if we were able to redo the routing of the tractors, there’s no expectation that the tractor will be able to maneuver given the new space constraints with the addition of the new 345 kV line.”