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SOAH DOCKET NO. 473-13-5207

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JOINT APPLICATION OF
ELECTRIC TRANSMISSION TEXAS,
LLC AND SHARYLAND UTILITIES,
L.P. TO AMEND THEIR
CERTIFICATES OF CONVENIENCE
AND NECESSITY FOR THE
PROPOSED NORTH EDINBURG TO
LOMA ALTA DOUBLE-CIRCUIT 345
KV TRANSMISSION LINE IN
HIDALGO AND CAMERON
COUNTIES, TEXAS

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BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

MICHAEL RHODES, ML RHODES, LTD.,
AND RHODES ENTERPRISES, INC.'S SECOND AMENDED MOTION TO
INTERVENE

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

NOW COMES, Michael Rhodes, ML Rhodes, Ltd., Rhodes Enterprises, Inc. and Sunland Farms, Inc.'s ("Rhodes, et al."), pursuant to Public Utility Commission ("PUC") Procedural Rules §§ 22.101, 22.102, 22.103 and 22.104, and files this Second Amended Motion to Intervene in the above-referenced proceeding, and in support thereof, respectfully shows the following:

I. AUTHORIZED REPRESENTATIVE

Attorneys Patrick L. Reznik and Cassie Gresham pursuant to P.U.C. Proc. R. 22.101(a), hereby notice their appearance as counsel on behalf of Intervenor Rhodes, et al. in the above-styled and numbered proceeding before the State Office of Administrative Hearings.

Electric Transmission Texas, LLC and Sharyland Utilities, L.P. ("ETT/Sharyland") have incorrectly listed Sunland Farms, Inc. as the owner of Property ID 162711 and Sundland (sic) Farms, Inc. aka Sunland Farms, Inc. as the owner of

Property ID 194264. Sunland Farms, Inc. was voluntarily dissolved in 2006, and ML Rhodes, Ltd. is the current owner of these properties. Rhodes, ML Rhodes, Ltd., Rhodes Enterprises, Inc.'s Motion to Intervene has been granted. Rhodes, et al. request ETT/Sharyland to correct their records to reflect ML Rhodes, Ltd. as the owner of Property ID 162711 and Property ID 194264, or, in the alternative, request the Motion of Sunland Farms, Inc. be granted.

The name, address, and telephone number of Intervenor's authorized representative is as follows:

Patrick L. Reznik
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512-894-5426 (telephone)
512-894-3405 (fax)
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Rhodes, et al. requests that the Commission and all parties to this proceeding serve copies of all notices, correspondence, pleadings, briefs, requests for information, and other documents on said authorized representative.

II. Jurisdiction

The Commission has jurisdiction over the parties and subject matter of this proceeding pursuant to PURA § 37.053.

III. Basis for Intervention

Rhodes, et al. has a justiciable interest in this proceeding. Rhodes, et al. owns property that may be directly impacted by one or more of the routes for Electric Transmission Texas, LLC and Sharyland Utilities, L.P. ("ETT/Sharyland") proposed transmission line. Rhodes, et al. has been notified by ETT/Sharyland that their property

may be directly affected, as that term is defined in P.U.C PROC. R 22.52 (a)(3), by the proposed transmission line that is the subject of this docket. Rhodes, et al., therefore, has standing to intervene in under P.U.C. PROC. R 22.103(b)(2). The Motion to Intervene is filed within 30 days of the date ETT/Sharyland filed its Application and therefore is timely under P.U.C. PROC. R 22.104(b). Rhodes, et al. requests that this Motion to Intervene be granted and that they be recognized as parties.

IV. Acknowledgements

Rhodes, et al. acknowledges: (1) they will be a party to the case; (2) they will be required to respond to all discovery requests from other parties in the case; (3) if Rhodes, et al. files testimony, other parties may cross-examine their representative at the hearing; (4) if they file any documents in this case, copies of those documents will be served to every other party in this case, except where modified by alternative service procedures set out by order in this proceeding; and (5) they are bound by the Procedural Rules of the Public Utility Commission of Texas and the State Office of Administrative Hearings.

WHEREFORE, PREMISES CONSIDERED, Rhodes, et al. respectfully requests that this Motion to Intervene be granted, that Rhodes, et al. be allowed to participate in this proceeding as a party with all rights thereof to the full extent that they desire to do so, and for such further relief to which they may be entitled.

Respectfully submitted,

BRAUN & GRESHAM, PLLC

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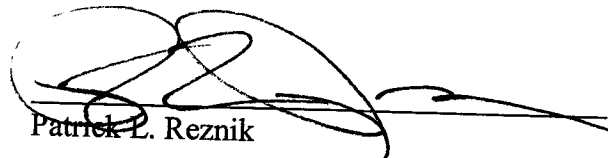
By: 

Patrick Reznik
State Bar No. 16806780
Cassie Gresham
State Bar No. 24045980

ATTORNEYS FOR RHODES, ET AL.

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on this the 1st day of August, 2013, in accordance with Public Utility Commission Procedural Rule 22.74.


Patrick L. Reznik