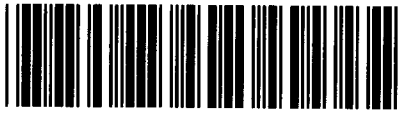




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SOAH DOCKET NO. 473-13-5207
PUC DOCKET NO. 41606

2013 AUG 15 AM 10:41

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

MOTION TO INTERVENE

**OF 1) LEONARD PIERCE SIMMONS, JR. TESTAMENTARY TRUST & LEONARD
P. SIMMONS, III; 2) LEONARD P. AND MARY BETH SIMMONS; 3) LEONARD
PIERCE SIMMONS, JR. TESTAMENTARY TRUST AND SAMUEL E. SIMMONS; 4)
LEONARD PIERCE SIMMONS, JR. TESTAMENTARY TRUST; 5) DOLORES MARIE
SIMMONS; 6) SIMMONS FAMILY PARTNERSHIP; 7) SAMUEL E. AND SUSAN P.
SIMMONS
(JOINT)**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

NOW COMES, Leonard Pierce Simmons, Jr. Testamentary Trust & Leonard P. Simmons, III; Leonard P. and Mary Beth Simmons; Leonard Pierce Simmons, Jr. Testamentary Trust and Samuel E. Simmons; Leonard Pierce Simmons, Jr. Testamentary Trust; Dolores Marie Simmons; Simmons Family Partnership; Samuel E. and Susan P. Simmons ("Simmons, et al"), pursuant to Public Utility Commission ("PUC") procedural Rules §§ 22.101, 22.102, 22.103 and 22.104, and files this Motion to Intervene in the above-referenced proceeding, and in support thereof, respectfully shows the following:

I. AUTHORIZED REPRESENTATIVE

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Attorney Chris Boswell pursuant to P.U.C. Proc. R. 22.101(a), hereby notices his appearance as counsel on behalf of Intervenor Simmons, et al. in the above-styled and numbered proceeding before the State Office of Administrative Hearings.

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

Chris Boswell
Curtis & Boswell, LLP
515 E. Harrison, Ste A
Harlingen, Texas 78550
(956) 428-9191 (Telephone)
(956) 428-9283 (Facsimile)
Email: cboswell@southtexlaw.com

Simmons, 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

Simmons, et al. has a justiciable interest in this proceeding. Simmons, 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 lines. Simmons, 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 the docket.

Simmons, et al., therefore, has standing to intervene in under P.U.C. PROC. R 22.103(b)(2). The Motion to Intervene is filed prior to the deadline for Intervention of August 19, 2013 and therefore timely under Order No. 1 in this docket. Simmons, et al. requests that this Motion to Intervene be granted and that they be recognized as parties.

IV. ACKNOWLEDGMENTS

Simmons, 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 Simmons 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, Simmons, et al. respectfully requests that this Motion to Intervene be granted, that Simmons, 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,

CURTIS & BOSWELL, LLP

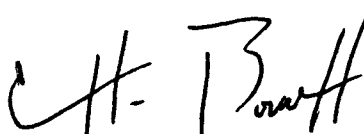
515 E. Harrison, Ste A
Harlingen, Texas 78550
956-428-9191 (Telephone)
956-428-9283 (Facsimile)

By: 

Chris Bowell
State Bar No. 02683300

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document will be served on all parties of record on this the 14th day of August, 2013, in accordance with Public Utility Commission Procedural Rule 22.74.


Chris Boswell