



Control Number: 41606



Item Number: 878

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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 § ADMINISTRATIVE HEARINGS  
 KV TRANSMISSION LINE IN §  
 HIDALGO AND CAMERON §  
 COUNTIES, TEXAS §

**INTERVENORS RHODES, ET AL.'S**  
**THIRD REQUESTS FOR INFORMATION**  
**FROM ELECTRIC TRANSMISSION TEXAS LLC AND**  
**SHARYLAND UTILITIES**

Pursuant to section 22.141 and 22.144 of the Commission's Procedural Rules, Intervenor Rhodes, et al. request that Electric Transmission Texas LLC (ETT) and Sharyland Utilities (Sharyland) provide responses to the following Requests for Information (RFI) and stipulate in writing that all responses can be treated exactly as though they were filed under oath. The response is requested within 10 days as specified in SOAH Order No. 1 of this docket.

Pursuant to P.U.C. PROC. R. § 22.144(c), each response must identify the preparer or person under whose direct supervision the response was prepared, and the sponsoring witnesses, if any. In addition, each request must be answered separately and be preceded with the appropriate question.

Pursuant to P.U.C. PROC. R. § 22.144(i), ETT/Sharyland is under a duty to supplement any response that, in light of newly discovered information, modifies or

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makes incomplete an answer already supplied to Rhodes, et al. within five days of the discovery of the new information.

The answers must have sufficient detail to fully present all the relevant facts. Rhodes, et al. request that ETT/Sharyland provide the answers in the order in which they are listed in this request for information. If responses to all the requests cannot be provided quickly, Rhode, et al. request that each item of information be provided as it is available or completed.

Unless written requests for clarification are received by the undersigned, it shall be presumed that all requests are fully and completely understood.

If the items requested to be produced herein have already been provided in other discovery answers to any party, it shall not be necessary to duplicate such production. It shall be sufficient that the answer containing the requested information is clearly identified. Where only a portion of the requested information has been previously provided, this shall be disclosed and all information necessary to fully and completely answer this discovery request shall be provided in your answer.

If the requested document is found in the public records of the PUC or other governmental agency, the answering party shall describe the exact location, file name, and custodian from whom the specific referenced document can be obtained.

## DEFINITIONS

1. "Applicant," "you," "the utility", "ETT" or "Sharyland" refers to Electric Transmission Texas and Sharyland Utilities and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees or other persons.

2. "Application" means the application by ETT/Sharyland to amend its certificate of convenience and necessity for the North Edinburg to Loma Alta Double-Circuit 345 kV Transmission Line in Hidalgo and Cameron Counties Texas, docketed as SOAH Docket No. 473-13-5207, PUC Docket No. 41606.

3. "Communication" means any oral, written, or electronic statements, representations, discussions, conversations, speeches, meetings, remarks, questions, answers, panel discussions, or symposium of which ETT/Sharyland has knowledge, information or belief.

4. "Concerning" means, in whole or in part, directly or indirectly, referring to, relating to, being connected with, commenting on, responding to, showing, describing, analyzing, reflecting embodying, mentioning, or constituting the subject matter identified in the request.

5. "Date" means the exact day, month, and year, if ascertainable or, if not, the best approximation.

6. "Describe" or "identify" when used in reference to a document, means you must state, to the fullest extent possible, the following:

- a. The nature (e.g. letter, handwritten note) of the document;
- b. The title or heading that appears on the document;
- c. The date of the document and the date of each addendum, supplement, or other addition or change;
- d. The identity of the author of the document; any signatory or signatories of the document; and the person on whose behalf or at whose request or direction the document was prepared or delivered; and
- e. The present location of the document, and the name, address, position or title, and telephone number(s) of the person(s) having custody of the document.

7. The terms "document" or "documents" are used in their broadest sense to include, but not be limited to, all written or graphic matter of every kind and description whether printed, produced, or reproduced, by any process whether visually, magnetically, mechanically, electronically, or by hand, whether final or draft, original or reproduction, whether privileged or otherwise excludable from discovery, and whether or not in your

actual or constructive possession, custody or control. These shall also be construed to include every copy of a document where the copy contains any commentary or notation of any kinds that does not appear on the original or any other copy.

8. The words “link” and “segment” reference the individually numbered/lettered portions of the preferred and alternative routes described in the Application.

9. Words used in the plural shall also be taken to mean and include the singular. Words used in the singular shall also be taken to mean and include the plural.

10. The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.

11. “Each” shall be construed to include the word “every” and “every” shall be construed to include the word “each.”

12. The term “including” means “including, but not limited to.”

### **INSTRUCTIONS**

1. As to any request for information to which you are unable to respond to in whole or in part for any reason, please state the grounds for your inability to respond. When you believe that a complete answer to a particular request for information or part thereof is not possible, please answer each request for information to the extent possible and furnish a statement explaining: (a) the reason for your inability to respond further; and (b) whatever information or knowledge you have concerning the non-responsive portion.
2. For each document or other requested information that you assert is privileged, please comply with the requirements of Rule 193.3 of the Texas Rules of Civil Procedure and P.U.C. PROC. R. 22.144.
3. For every document that no longer exists or cannot be located: identify the document; state how and when the document passed out of existence, or when it could no longer be located; and state the reason(s) for the disappearance; identify each person having knowledge about the disposition or loss of the document; and identify each document evidencing the existence or nonexistence of each document that cannot be located.
4. It is requested that all documents that might impact the subject matter of the Application be preserved and that any ongoing process of document destruction involving such documents cease.

5. Furnish all requested documents available to you and known by you, or in your possession, custody, or control or that of your agents and attorneys.
6. In those instances where you choose to answer a request for information by referring to a specific document or record, it is requested that the specification be in sufficient detail to permit the requestor to locate and identify the record(s) and/or document(s) from which the answer is to be ascertained, as readily as can you.
7. In those instances when requested information or documents are stored only on software, computer based information, or other data compilations, you should either produce the raw data along with all codes and programs for translating it into usable form, or produce the information or documents in a finished usable form that includes all necessary glossaries, keys and indices for interpretation of the material.
8. Please respond to each request for information and indicate clearly the request for information to which each response is responsive. When requests for information contain subparts, indicate in your answer the subpart to which each particular part of your response is in response.
9. You are under a duty to supplement your responses to these requests for information that are incomplete or incorrect when made. Furthermore, you are under a duty to timely supplement and/or amend your responses if you receive, obtain, or generate information within the scope of any request for information between the time of the original responses and the conclusion of this proceeding.
10. Unless otherwise indicated, the discovery requested in these requests for information related to the time period from January 2010 through and including the present. All requested document, data compilations, and recordings whenever actually prepared or generated that related to this time period are to be produced.

Respectfully submitted,

BRAUN & GRESHAM, PLLC

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**ATTORNEYS FOR INTERVENORS,  
"RHODES, ET AL."**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document was served on all parties of record on this 26th day of August, 2013, in accordance with P.U.C. PROC. R. § 22.74.



Patrick L. Reznik

## REQUESTS FOR INFORMATION

**Rhodes RFI No. 3-1.** Please refer RFI to Application attachment 1, the Environmental Assessment and Alternative Route Analysis

- a. The PUC definition of a habitable structure was used for this routing study. P.U.C. SUBST. R. 25.101(a)(3) defines habitable structures as “structures normally inhabited by humans or intended to be inhabited by humans on a daily or regular basis. Habitable structures include, but are not limited to, single-family and multi-family dwellings, mobile homes, apartment buildings, commercial structures, industrial structures, business structures, churches, hospitals, nursing homes, and schools.” Please explain in detail the exact criteria, i.e. structure types, which ETT/Sharyland used to determine if a structure would fall into the habitable structure category. Aside from the structure types named in the definition, were any other structures types included in habitable structures. Were any structure types excluded?
- b. Does ETT/Sharyland have different weighting factors for the various structures types that comprise of habitable structures? For example, does ETT/Sharyland place greater weight on single- or multi-family dwellings than industrial structures?
- c. How does land parcel information affect the habitable structures count?

**Rhodes RFI No. 3-2.**

To the extent available, please provide in electronic format all digital files containing the land parcel data, i.e. boundary lines, in the study area that have been acquired, developed, or otherwise obtained by ETT, Sharyland, and POWER Engineers for the purpose of the development of possible routes for the transmission line proposed in this proceeding. These can include GIS shape files, geodatabase files, or any other files that contain the land parcel data.

**Rhodes RFI No. 3-3.**

Please explain in detail if ETT/Sharyland developed any routes in addition to the 32 routes that have been filed as part of this application. If other routes or route links were developed, please provide the links contained within the routes and route metrics for both the routes and route links, similar to those contained Table 4-1 of the Environmental Assessment. If such other routes or route links were developed, please explain in detail why each of those routes or route links were ultimately left out of the application? If other route links were developed, please provide the GIS data in electronic format for those links.