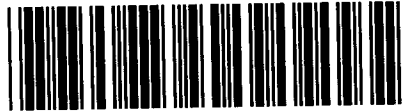


Control Number: 41606



Item Number: 929

Addendum StartPage: 0

SOAH DOCKET NO. 473-13-5207

PUC DOCKET NO. 41606

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PUBLIC UTILITY
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JOINT APPLICATION OF ELECTRIC §
TRANSMISSION TEXAS, LLC AND §
SHARYLAND UTILITIES 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 §

BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

**FORTCO PROPERTIES, LTD., RIO FRESH, JUAN LINO GARZA, AND GARZA
FAMILY LIVING TRUST'S FIRST SET OF REQUESTS FOR INFORMATION
TO JOINT APPLICANTS**

Pursuant to P.U.C. PROC. R. 22.141-145, Fortco Properties, Ltd., Rio Fresh, Juan Lino Garza, and Garza Family Living Trust request that Electric Transmission Texas, LLC (ETT) and Sharyland Utilities (Sharyland) (together, Joint Applicants), by and through their attorneys of record, provide the information requested in this document in accordance with the definitions, explanatory notes, and instructions below within ten (10) working days of receipt thereof. It is further requested that the answers to the requests for information be made under oath, and that each item of information be made available as it is completed, rather than upon compilation of all information requested. Each answer should identify the person responsible for preparing it (other than the purely clerical aspects of its preparation) and the name of the witness in this proceeding who will sponsor the answer and who can attest to its accuracy. These requests are continuing in nature, and should there be a change in circumstances that would modify or change an answer supplied, such changed answer should be submitted immediately as a supplement to the original answer.

929

DEFINITIONS, EXPLANATORY NOTES, AND INSTRUCTIONS

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, and other persons.
2. The term "identify," "identity," or "identification" when used in reference to an individual person, means to state that person's full name and business address, including zip code, telephone number, and present or last-known business position and duties.
3. The term "identify," "identity," or "identification" when used in reference to a business organization, means to state the corporate, partnership, or proprietorship name or names, and locations, full addresses and telephone numbers of its principal place of business, and all other business locations that should be denoted for a full and complete response to an inquiry, interrogatory, or request for information.
4. The term "identify," "identity" or "identification" when used in reference to a document or study, means to state the type of document or the study format (e.g., book, magazine article, circular, ledger, letter, memorandum, chart, computer run information, microfilm, etc.), its present location and custodian, a description of its form, title, author, volume and page number or other means of general identification, its approximate size and number of pages, and the date on which it was made, prepared, or taken. If any such document was, but is no longer, in your possession or subject to your control, state what disposition was made of it.
5. The term "identify," "identity," or "identification" when used in reference to anything other than a person, business organization, document, or study means to state the nature and present location of the item, a description of its form, the name or title by which the item is commonly known, and the person or business organization that has custody of or responsibility to maintain the item.
6. The term "study" or "studies" means any analysis, investigation, summary of data, listing, or report, the results of which were made known, formally or informally, where the author thereof reached an objective or subjective conclusion or presented information upon which others could or did reach an objective or subjective conclusion.
7. The terms "document" and "documents" are used in their broadest sense and shall mean and include all written, printed, typed, recorded, or graphic matter of every kind and description, including drafts, originals and copies, and all attachments and appendices thereto. Without limiting the foregoing, the terms "document" and "documents" shall include all agreements, contracts, communications, correspondence, letters, telegrams, telexes, e-mails, messages, memoranda, records, reports, books, summaries, tape recordings or other records of telephone conversations or interviews, summaries or other records of personal conversations, minutes or summaries or other records of meetings and conferences, summaries or other records of negotiations, other summaries, diaries, diary entries, calendars, appointment books, time record, instructions, work assignments,

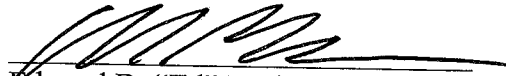
forecasts, statistical data, statistical statements, financial statements, work sheets, work papers, drafts, graphs, maps, charts, tables, accounts, analytical records, consultants' reports, appraisals, bulletins, brochures, pamphlets, circulars, trade letters, press releases, notes, notices, marginal notations, notebooks, telephone records, bills, statements, records of obligation and expenditure, invoices, lists, journals, advertising, recommendations, printouts, compilations, tabulations, analysis, studies, surveys, transcripts of hearings, transcripts of testimony, affidavits, expense reports, microfilm, microfiche, articles, speeches, tape or disk recordings, sound recordings, video recordings, film, tape, photographs, punch cards, programs, data compilation from which information can be obtained (including matter used in data processing), and other printed, written, handwritten, typewritten, recorded, stenographic, computer-generated, computer-stored, or electronically-stored matter, however and by whomever produced, prepared, reproduced, disseminated, or made. The terms "document" and "documents" also include all copies of documents by whatever means made, except that where a document is identified or produced, identical copies thereof which do not contain any markings, additions, or deletions different from the original need not be separately produced.

8. When a request calls for the identification of a "document" or "documents," the identification should include the following:
 - (a) the full name and address of the author(s) by whom the document was written, prepared, recorded or made;
 - (b) the date of the document;
 - (c) the title or "re:" line, and the subject of the document;
 - (d) the subject matter of the document;
 - (e) the full name and address of the recipient and every person who received copies of the document;
 - (f) the full name and address of the person who has possession, custody or control of the document, or who is in charge of maintaining the document; and
 - (g) if the document has been lost, shredded, or destroyed (whether intentionally or unintentionally), an explanation of the reasons for and causes of such loss, shredding or destruction.
9. If any requested information or document cannot be provided in its entirety, it shall be provided to the greatest extent possible, with an indication of the portion of the information or document that cannot be provided and the reason it cannot be provided.
10. The respondent to requests for information must provide not only the information or documents in its physical possession, custody, or control, but all information and documents in the physical possession, custody, or control of any other person acting or

purporting to act on behalf of the respondent, including, but not limited to, contractors, attorneys, consultants, and witnesses.

11. The term “communication” shall mean any transmission of information by oral, graphic, written, pictorial, or other means, including, but not limited to, telephone, conversations, letters, telegrams, e-mails, text messages, and personal conversations.
12. “To each” means to identify separately information, facts, data, and documents for each of the individual items or things designated as the subject of the specific inquiry or request.
13. Terms expressed in the masculine gender shall be regarded as including the feminine or neuter; terms expressed in the singular shall be regarded as being expressed in the plural, and vice versa; terms expressed in the past tense shall be regarded as being expressed in the present tense, and vice versa; and the term “and” shall be regarded as the term “or,” and vice versa, so as to not limit the scope of any request.
14. In answering each request, please restate the request prior to providing the response. Each request and its response should begin on a separate page. Where there are subparts to a request, the answer to each subpart should be separately labeled.
15. If any of the information requested is claimed to be privileged or proprietary, then the response should identify such information, identify all persons who participated in the preparation of the information or who received a copy, read, or examined the information or knows of its substance, state the present location of the information and all copies of it, and identify each person having custody or control of the information or any of the copies.
16. If any requested information is not available in the form requested, provide the information in the form that it currently exists, explain why the data cannot be provided in the form requested, and describe the work or process needed to provide the information in the form requested.

Respectfully submitted,



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**Attorneys for Fortco Properties, Ltd., Rio Fresh,
Juan Lino Garza, and Garza Family Living
Trust**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been served in accordance with Order No. 3 of this docket on this 6th day of September, 2013.



Barbara Dye

**FORTCO PROPERTIES, LTD., RIO FRESH, JUAN LINO GARZA, AND GARZA
FAMILY LIVING TRUST'S FIRST SET OF REQUESTS FOR INFORMATION
TO JOINT APPLICANTS**

- 1-1** Please refer to the Response to the City of McAllen's First Request for Information No. 1-2. There it is stated that "if a second parallel runway is added to the airport, as described in the 2005 Master Plan, then a portion of Link 118a and sections of two existing AEP Texas Central Company 138 kV transmission lines would need to be relocated."
- a. Please identify the statute, administrative rule, regulatory body regulation, or other legal authority that would require relocation of a portion of Link 118a in response to the hypothetical future expansion of the McAllen/Miller International Airport.
 - b. If relocation of a portion of Link 118a is required in response to the hypothetical future expansion of the McAllen/Miller International Airport, explain your conclusion of whether the McAllen/Miller International Airport would be responsible for the relocation costs or if those costs would fall on ERCOT ratepayers. Please state what factual basis or legal authority you are relying on to reach this conclusion.
- 1-2** Please refer to the Response to the City of McAllen's First Request for Information No. 1-2. There it is stated that, in response to the hypothetical future expansion of the McAllen/Miller International Airport, "this portion of Link 118a would need to be moved approximately 1,000 feet to the south of the location proposed in the CCN application. This relocation is based on review of current aerial photographs..."
- a. Please confirm that this relocation of Link 118a would place it south of an existing 138-kV transmission line that runs generally parallel to the proposed Link 118a as depicted on Figure 5-1, Sheet 3 of 6. If you cannot confirm, please clarify where Link 118a would be relocated in relation to the existing transmission line.
 - b. Please confirm that this relocation of Link 118a would place it south of Hackney Lake Inlet as depicted on Figure 5-1, Sheet 3 of 6. If you cannot confirm, please clarify where Link 118a would be relocated in relation to Hackney Lake Inlet.
- 1-3** Please refer to proposed Links 108, 111 and 118a as depicted on Figure 5-1, Sheet 3 of 6.
- a. Please confirm that an existing 138-kV transmission line is crossed by proposed Link 108 and identify the owner/operator of that existing line.
 - b. Please confirm that Link 111 or another proposed Link could have been routed in parallel (meaning adjacent or near-adjacent rights-of-way) to the existing 138-kV transmission line and included in the application. If you cannot confirm, explain why not.

- c. Please confirm that a Link routed in parallel to the existing 138-kV transmission line crossed by Link 108 would have avoided impacting approximately 24 habitable structures impacted by proposed Link 111. If you cannot confirm, explain why not.
 - d. Please confirm that a Link routed in parallel to the existing 138-kV transmission line crossed by Link 108 could continue to parallel that existing line in the area south of proposed Link 118a. If you cannot confirm, explain why not.
 - e. Please confirm that a Link routed in parallel to the existing 138-kV transmission line crossed by Link 108 could have been routed south of that existing line and/or south of Hackney Lake Inlet in the area east of the node between Link 111 and 118a and south of Link 118a. If you cannot confirm, explain why not, and explain how this can be reconciled with the proposal to relocate Link 118a in the event of the hypothetical expansion of the McAllen/Miller International Airport as described in Response No. McAllen 1-2.
 - f. Please confirm that a Link routed in parallel to the existing 138-kV transmission line crossed by Link 108 and/or south of that line and south of Hackney Lake Inlet would have avoided impacting 4 habitable structures impacted by Link 118a. If you cannot confirm, explain why not.
 - g. Please confirm that a Link routed in parallel to the existing 138-kV transmission line crossed by Link 108 and/or south of that line and south of Hackney Lake Inlet could be constructed in a manner such that it would not have to be relocated in the event of the hypothetical expansion of McAllen/Miller International Airport as discussed in RFI 1-1. If you cannot confirm, explain why not, and explain how this can be reconciled with the proposal to relocate Link 118a in the event of the hypothetical expansion of the McAllen/Miller International Airport as described in Response No. McAllen 1-2.
 - h. Please explain why the application does not propose any alternative to Link 118a in its near vicinity that would not have to be relocated or reconstructed in the event of the hypothetical expansion of the McAllen/Miller International Airport.
- 1-4** Please refer to the Direct Testimony of Mark E. Caskey at 23-24, 26 and Exhibit MEC-2. On page 26, Mr. Caskey states: “All of the individual line segments are constructible, viable, and can be used to create additional routes or modifications to the proposed routes as long as the combinations are forward-progressing.” Exhibit MEC-2, as explained in pages 23-24 of Mr. Caskey’s testimony presents a red circle labeled “all routes will have to come into and out of this circle.”
- a. Please explain how the above statements in Mr. Caskey’s testimony can be reconciled when a hypothetical route using the following noticed line segments that have been identified in the application as constructible and viable can be used to create a forward progressing route from the North Edinburg to Loma Alta substations: 134 – 135 – 137a – 137b – 138 – 141 – 147 – 152 – 155 – 162 – 165 – 169 – 193a – 193b – 361 – 351b –

193c – 194 – 201 – 210 – 222 – 231 – 236 – 261a – 354 – 263b – 266 – 273 – 308 – 319 – 326 – 328 – 335 – 340 – 341.

- b. Please explain whether it is the applicants' position that only routes that pass through the red circle depicted on Exhibit MEC-2 are viable routes that may be approved by the Public Utility Commission in this case.
- c. If it is the applicants' position that only routes that pass through the red circle depicted on Exhibit MEC-2 are viable routes that may be approved by the Public Utility Commission in this case, please explain how this position can be reconciled with the Order of Referral and Preliminary Order issued in this case which states on page 2 that: "Any combination of routes or route links could also be approved by the Commission."

1-5 Please provide all communications with the Electric Reliability Council of Texas (ERCOT) discussing the designation of this project as "critical to reliability" per P.U.C. SUBST. R. 25.101(b)(3)(D) and provide any documents reviewed or considered in the discussion of that designation.

1-6 Please refer to page 25 of the ERCOT Independent Review of the Sharyland and BPUB Cross Valley Project, attached to the application as Attachment 6. There it states: "For these reasons, and given the long-lead time necessary to implement the transmission upgrades, it is suggested that the 345 kV line portion of the project be deemed critical to reliability per PUCT Substantive Rule 25.101(b)(3)(D).

- a. Please state what information, if any, you provided to ERCOT to support its determination that the transmission upgrades in this project would have a "long-lead time."
- b. Please clarify what, if any, characteristics of this project caused it to have a longer lead-time than other transmission projects in ERCOT.
- c. Please state whether you understand "the long-lead time necessary to implement the transmission upgrades" as applicable to the new La Palma-Palo Alto 138 kV line, the new North Edinburg-Loma Alta 345 kV line, and/or the new 345 kV bus at the Loma Alta station as described on page 25 of Attachment 6. For each part of the project to which the long-lead time applies, please explain why more time is required for the upgrade in this project in comparison to other similar upgrades in ERCOT. For each part of the project to which the long-lead time does not apply, please explain why not.

1-7 Please refer to Attachment 1 of the application, Environmental Assessment and Alternative Route Analysis at page 4-7 in Section 4.1.1.2 titled "Impacts on Agriculture." There it states: "Most cultivated cropland use should be able to be resumed within the ROW following construction and restoration."

- a. Please clarify whether this statement considered any use of aerial spraying, “crop dusting” or other use of aircraft for the cultivation of crops on land impacted by the proposed transmission line. If it did, please provide any documents or supporting materials that demonstrate such consideration.
- b. Please clarify whether the resumed use of cropland includes the use of harvesting machinery, tractors, or other heavy equipment within the proposed transmission line right-of-way.

1-8 Please refer to Attachment 1 of the application, Environmental Assessment and Alternative Route Analysis at page 4-8 in Section 4.1.1.3 titled “Impacts on Lands with Conservation Easements.” There it states: “The proposed Project would have no significant impact on lands with conservation easements.”

- a. Please confirm that if the proposed transmission line were routed over land with a conservation easement, the right-of-way for the line would have to be clear-cut during construction and then maintained within appropriate standards.
- b. Please explain how the clear-cutting of land with a conservation easement constitutes “no significant impact” if the purpose of that easement is to maintain the land in a natural state.

1-9 Please refer to Attachment 1 of the application, Environmental Assessment and Alternative Route Analysis at page 2-12 in Section 2.2.2.3 titled “Agriculture” and at page 4-13 in Section 4.1.1.6 titled “Impacts on Socioeconomics.”

- a. Please clarify whether any analysis was conducted on the socioeconomic impact to the study area if cropland is no longer able to be cultivated because of the construction of a transmission line either traversing it or in its immediate vicinity that makes the use of aerial spraying or “crop dusting” of that cropland impossible. If such analysis was conducted, please provide any documents or supporting materials that demonstrate the analysis.
- b. Please clarify whether compensation for the loss of use of cropland was considered in arriving at the estimated costs of any route. If it was considered, please provide any supporting documentation.

1-10 Please refer to the Environmental Assessment and Alternative Route Analysis Figure 2-1, labeled “Study Area.”

- a. Please confirm that there are no proposed transmission line links proposed in the Application in Hidalgo County that are east of the town of Donna and north of the highway labeled 83 on Figure 2-1. If there are such proposed links please identify them.

- b. Were any construction or environmental constraints identified in the process of compiling the Environmental Assessment in Hidalgo County east of the town of Donna and north of the highway labeled 83 on Figure 2-1 that would prevent construction of a transmission line in that area? If so, please describe them in detail.
- c. If no construction or environmental constraints that would prevent construction of a transmission line in the area of Hidalgo County east of the town of Donna and north of the highway labeled 83 on Figure 2-1, why were no proposed transmission line links in that area included in the application?

1-11 Please explain why, of the 32 alternative routes presented in the Application, only one (Route 32) impacts fewer than 500 habitable structures. If it is your position that Route 32 is the only possible route that could connect the North Edinburg and Loma Alta substations without impacting more than 500 habitable structures, please confirm that this is your position and describe in detail the reasons that you arrived at this conclusion.

1-12 Please refer to Figure 5-1, Sheet 6 of 6. This figure depicts proposed line segments 266 and 274 paralleling an existing 138-kV transmission line for portions of their lengths. Please explain why a transmission line segment was not proposed that continued to parallel that existing 138-kV transmission line to the point where it intersects a) proposed link 277 and/or b) proposed link 304. Please state your position on whether a link paralleling that existing transmission line would avoid impacting the approximately 15 habitable structures impacted by proposed link 277.

1-13 Please refer to Attachment 5 to the Application. All routes seem to divide cost of construction nearly equally between ETT and Sharyland. Please explain to what extent, if any, the evening of costs and future rate base impact between the Joint Applicants was a factor in routing decisions for the project.

1-14 Please produce all drafts of the Environmental Assessment and Alternative Route Analysis for this project.

1-15 Please produce all workpapers for the production of the Environmental Assessment and Alternative Route Analysis for this project.

1-16 Please produce the "MOU" referenced on page 8 of the Direct Testimony of Mark E. Caskey.

1-17 Admit or deny that Jeff Billo of the Electric Reliability Council of Texas was correct when he stated during his August 29, 2013 deposition (page 23) that ERCOT would not plan a transmission project to alleviate a transmission line that is loaded greater than 90% of its capacity but below 100%. If you deny or cannot admit or deny, please explain why.

1-18 Admit or deny that Jeff Billo of the Electric Reliability Council of Texas was correct when he stated during his August 29, 2013 deposition (page 23) that there is no NERC or ERCOT planning requirement that requires transmission lines loaded greater than 90% of capacity but below 100% to be resolved. If you deny or cannot admit or deny, please explain why.

1-19 Admit or deny that Jeff Billo of the Electric Reliability Council of Texas was correct when he stated during his August 29, 2013 deposition (page 26) that both NERC and ERCOT planning standards allow for loss of load in the event of an N-1-1 contingency. If you deny or cannot admit or deny, please explain why.

1-20 Admit or deny that Jeff Billo of the Electric Reliability Council of Texas was correct when he stated during his August 29, 2013 deposition (page 28-29) that ERCOT did not factor into its recommendation of the transmission line project proposed in this case the fact that an N-1-1 contingency is a low likelihood event. If you deny or cannot admit or deny, please explain why.

1-21 Admit or deny that Jeff Billo of the Electric Reliability Council of Texas was correct when he stated during his August 29, 2013 deposition (page 31-32) that a 345-kV transmission line connecting the North Edinburg and Loma Alta substations corrects the post-contingency overloads of transmission lines in the Brownsville area. If you deny or cannot admit or deny, please explain why.

1-22 Admit or deny that Jeff Billo of the Electric Reliability Council of Texas was correct when he stated during his August 29, 2013 deposition (page 32) that a 345-kV transmission line connecting the North Edinburg and Loma Alta substations corrects the post-contingency overloads of transmission lines in the Brownsville area without being routed in proximity to the South McAllen substation. If you deny or cannot admit or deny, please explain why.

1-23 Admit or deny that Jeff Billo of the Electric Reliability Council of Texas was correct when he stated during his August 29, 2013 deposition (page 34) that ERCOT's recommendation of Option 5, once in service, still necessitates load shed in the occurrence of an N-1-1 contingency. If you deny or cannot admit or deny, please explain why.

1-24 Admit or deny that Jeff Billo of the Electric Reliability Council of Texas was correct when he stated during his August 29, 2013 deposition (page 34) that all of ERCOT's long-term analyses for the Lower Rio Grande Valley when making its recommendation in this case included the addition of 250 MW of industrial load in Brownsville. If you deny or cannot admit or deny, please explain why.

1-25 Admit or deny that Jeff Billo of the Electric Reliability Council of Texas was correct when he stated during his August 29, 2013 deposition (page 43) that ERCOT's analysis for the future need to connect a 345-kV transmission line to the South McAllen substation could potentially change if the 345-kV source was not connected to South McAllen substation but rather to a new substation. If you deny or cannot admit or deny, please explain why.

1-26 Admit or deny that Jeff Billo of the Electric Reliability Council of Texas was correct when he stated during his August 29, 2013 deposition (page 44) that ERCOT's analysis for the future need to connect a 345-kV transmission line to the 138-kV transmission lines in the South McAllen substation area did not analyze what proximity a new substation would need to be located in relation to the South McAllen substation. If you deny or cannot admit or deny, please explain why.

1-27 Admit or deny that Jeff Billo of the Electric Reliability Council of Texas was correct when he stated during his August 29, 2013 deposition (page 46) that ERCOT had not been informed by Applicants that a 345-kV connection cannot be made at the South McAllen substation. If you deny or cannot admit or deny, please explain why.

1-28 Admit or deny that Jeff Billo of the Electric Reliability Council of Texas was correct when he stated during his August 29, 2013 deposition (page 53) that the ERCOT Technical Advisory Committee (TAC) and the ERCOT Board were not presented with any option for the transmission project in this case that did not route through South McAllen. If you deny or cannot admit or deny, please explain why.

1-29 Admit or deny that Jeff Billo of the Electric Reliability Council of Texas was correct when he stated during his August 29, 2013 deposition (page 64) that ERCOT's decision to recommend the transmission line project in this case hinges on the assumption of the addition of 250 MW of load in Brownsville with no new generation, cogeneration, or other transmission or distribution upgrades accompanying the load. If you deny or cannot admit or deny, please explain why.

1-30 Admit or deny that Jeff Billo of the Electric Reliability Council of Texas was correct when he stated during his August 29, 2013 deposition (page 67) that ERCOT did not attempt to define "proximity" when making its recommendation regarding the transmission line proposed in this case. If you deny or cannot admit or deny, please explain why.

1-31 Admit or deny that Jeff Billo of the Electric Reliability Council of Texas was correct when he stated during his August 29, 2013 deposition (page 67) that, in relation to the proposed project in this case, ERCOT performed no analysis of a 345-kV line connected to a new substation and not into the South McAllen substation. If you deny or cannot admit or deny, please explain why.

1-32 Admit or deny that Jeff Billo of the Electric Reliability Council of Texas was correct when he stated during his August 29, 2013 deposition (page 69) that no one at ERCOT was consulted about the location of the "routing circle" identified in Exhibit MEC-2 to the Direct Testimony of Mark Caskey. If you deny or cannot admit or deny, please explain why.

1-33 Admit or deny that Jeff Billo of the Electric Reliability Council of Texas was correct when he stated during his August 29, 2013 deposition (page 69) that the routing of the transmission line proposed in this case through the "routing circle" identified in Exhibit MEC-2 was not considered by ERCOT in making their recommendation in this case. If you deny or cannot admit or deny, please explain why.

1-34 Admit or deny that Jeff Billo of the Electric Reliability Council of Texas was correct when he stated during his August 29, 2013 deposition (page 70) that no analysis was conducted by ERCOT regarding the addition of a second 345-kV circuit to the transmission structures proposed to be conducted in this case. If you deny or cannot admit or deny, please explain why.

1-35 Admit or deny that Jeff Billo of the Electric Reliability Council of Texas was correct when he stated during his August 29, 2013 deposition (page 71) that the Applicants have not had

communication with ERCOT regarding what constitutes “proximity” to the South McAllen substation. If you deny or cannot admit or deny, please explain why.

1-36 Admit or deny that Jeff Billo of the Electric Reliability Council of Texas was correct when he stated during his August 29, 2013 deposition (page 72-73) that, in ERCOT’s analysis, upgrades to existing 138-kV transmission lines would be a feasible alternative to the connection of a 345-kV transmission line to the South McAllen substation. If you deny or cannot admit or deny, please explain why.

1-37 Admit or deny that Jeff Billo of the Electric Reliability Council of Texas was correct when he stated during his August 29, 2013 deposition (page 74) that there is no definition of “critical to reliability” used by ERCOT when recommending transmission projects such as the project proposed in this case. If you deny or cannot admit or deny, please explain why.

1-38 Admit or deny that Jeff Billo of the Electric Reliability Council of Texas was correct when he stated during his August 29, 2013 deposition (page 78-79) that there is not a critical need to route a transmission line in the vicinity of South McAllen. If you deny or cannot admit or deny, please explain why.

1-39 Admit or deny that Jeff Billo of the Electric Reliability Council of Texas was correct when he stated during his August 29, 2013 deposition (page 83) that the main reason ERCOT designated the proposed transmission line in this case as a critical reliability project was information regarding the time to build a line obtained from transmission providers. If you deny or cannot admit or deny, please explain why.

1-40 Admit or deny that Jeff Billo of the Electric Reliability Council of Texas was correct when he stated during his August 29, 2013 deposition (page 101) that a South McAllen 345-kV connection is not needed for 2016. If you deny or cannot admit or deny, please explain why.