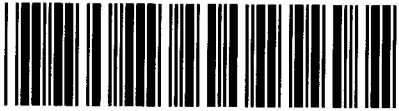




Control Number: 45624



Item Number: 285

Addendum StartPage: 0

APPLICATION OF THE CITY OF  
GARLAND TO AMEND A  
CERTIFICATE OF CONVENIENCE  
AND NECESSITY FOR THE RUSK TO  
PANOLA DOUBLE-CIRCUIT 345-KV  
TRANSMISSION LINE IN RUSK AND  
PANOLA COUNTIES

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2016 APR 29 PM 2:12  
BEFORE THE  
PUBLIC UTILITY COMMISSION  
FILE NO. 45624  
STATE OFFICE OF

ADMINISTRATIVE HEARINGS

**SOUTHERN CROSS TRANSMISSION LLC'S RESPONSE TO TEXAS INDUSTRIAL  
ENERGY CONSUMERS' THIRD SET OF REQUESTS FOR INFORMATION  
TO SOUTHERN CROSS TRANSMISSION LLC  
QUESTION NOS. TIEC 3-1 THROUGH TIEC 3-2**

Southern Cross Transmission LLC (SCT) files this response to Texas Industrial Energy Consumers' Third Set of Requests for Information (RFI) to SCT. SCT received Texas Industrial Energy Consumers' Third RFI on April 20, 2016. Pursuant to SOAH Order No. 2, SCT's response is due on May 2, 2016; therefore, this response is timely filed. All parties may treat these answers as if they were filed under oath.

SCT reserves the right to object at the time of the hearing to the admissibility of the information provided herein.

Respectfully submitted,

*Robert A. Rima*

Robert A. Rima  
State Bar No. 16932500  
Law Offices of Robert A. Rima  
7200 N. MoPac Expy, Suite 160  
Austin, TX 78732-2560  
512-349-3449  
512-349-9339 Fax  
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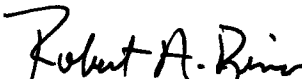
*ln w/permission*

*Attorney for Southern Cross Transmission LLC*

245

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of this document was served by electronic mail, facsimile, hand-delivery, overnight delivery, or First Class U.S. Mail on Texas Industrial Energy Consumers on April 29, 2016.

  
Robert A. Rima *ln w/permission*

**SOAH DOCKET NO. 473-16-2751  
PUC DOCKET NO. 45624**

<b>APPLICATION OF THE CITY OF GARLAND TO AMEND A CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE RUSK TO PANOLA DOUBLE-CIRCUIT 345-KV TRANSMISSION LINE IN RUSK AND PANOLA COUNTIES</b>	<b>§ § § § § § §</b>	<b>BEFORE THE  STATE OFFICE OF  ADMINISTRATIVE HEARINGS</b>
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**SOUTHERN CROSS TRANSMISSION LLC RESPONSE TO TEXAS INDUSTRIAL  
ENERGY CONSUMERS' THIRD SET OF REQUESTS FOR INFORMATION  
TO SOUTHERN CROSS TRANSMISSION LLC  
QUESTION NOS. TIEC 3-1 THROUGH TIEC 3-2**

**Question No. TIEC 3-1**

Please provide unredacted versions of all documents and communications produced in response to TIEC 2-12.

**Response No. TIEC 3-1**

SCT has objected to this Request.

Prepared by: Counsel  
Sponsored by:

Title:  
Title:

**SOAH DOCKET NO. 473-16-2751  
PUC DOCKET NO. 45624**

<b>APPLICATION OF THE CITY OF GARLAND TO AMEND A CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE RUSK TO PANOLA DOUBLE-CIRCUIT 345-KV TRANSMISSION LINE IN RUSK AND PANOLA COUNTIES</b>	§ § § § § § §	<b>BEFORE THE  STATE OFFICE OF  ADMINISTRATIVE HEARINGS</b>
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**SOUTHERN CROSS TRANSMISSION LLC RESPONSE TO TEXAS INDUSTRIAL  
ENERGY CONSUMERS' THIRD SET OF REQUESTS FOR INFORMATION  
TO SOUTHERN CROSS TRANSMISSION LLC  
QUESTION NOS. TIEC 3-1 THROUGH TIEC 3-2**

**Question No. TIEC 3-2**

Please provide copies of the three reports referenced in SCT's response to TIEC 2-17.

**Response No. TIEC 3-2**

SCT interprets this Request as asking for the peak load, ERCOT weather zone hourly profiles and the transmission load distribution factors used to derive the load that is used each hour at each location. The ERCOT weather zone hourly profiles are publically available at the following link:

[http://www.ercot.com/content/gridinfo/load/forecast/Docs/Summer\\_NCP\\_forecast\\_by\\_weather\\_zone\\_090514.xls](http://www.ercot.com/content/gridinfo/load/forecast/Docs/Summer_NCP_forecast_by_weather_zone_090514.xls)

The peak load data and the transmission load distribution factors were obtained from the ERCOT Market Information System and are considered by ERCOT as Critical Energy Infrastructure Information ("CEII") pursuant to 18 C.F.R. § 388.113. The Protective Order in this case does not include provisions addressing CEII. SCT has been advised by ERCOT that under these conditions, two requirements must be met before further dissemination of CEII can occur. First, any person requesting CEII must execute, or must have executed, the Docket No. 45624 Protective Order Confidential level certification. Second, the requesting individual must execute a separate Non-Disclosure Agreement that specifically addresses the obligations of a CEII recipient.

Attached please find a non-disclosure agreement form to be completed and submitted as part of a request for the CEII data responsive to TIEC 3-2. The form is based on a form provided by ERCOT and has been modified only to the extent necessary to make it appropriate for this case.

**SOAH DOCKET NO. 473-16-2751  
PUC DOCKET NO. 45624**

<b>APPLICATION OF THE CITY OF</b>	§	
<b>GARLAND TO AMEND A</b>	§	<b>BEFORE THE</b>
<b>CERTIFICATE OF CONVENIENCE</b>	§	
<b>AND NECESSITY FOR THE RUSK TO</b>	§	<b>STATE OFFICE OF</b>
<b>PANOLA DOUBLE-CIRCUIT 345-KV</b>	§	
<b>TRANSMISSION LINE IN RUSK AND</b>	§	<b>ADMINISTRATIVE HEARINGS</b>
<b>PANOLA COUNTIES</b>	§	

**SOUTHERN CROSS TRANSMISSION LLC RESPONSE TO TEXAS INDUSTRIAL  
ENERGY CONSUMERS' THIRD SET OF REQUESTS FOR INFORMATION  
TO SOUTHERN CROSS TRANSMISSION LLC  
QUESTION NOS. TIEC 3-1 THROUGH TIEC 3-2**

Please submit a request for the CEII and an executed copy of the non-disclosure agreement to Linda Nickell at [lnickell@dwmrlaw.com](mailto:lnickell@dwmrlaw.com). Ms. Nickell can be reached by phone at 512-744-9300, however, questions regarding the procedure to obtain CEII or the non-disclosure agreement should be directed to undersigned counsel.

Prepared by: Ellen Wolfe  
Robert A. Rima  
Sponsored by: Ellen Wolfe

Title: President – Resero Consulting  
Counsel  
Title: President – Resero Consulting

**SOAH DOCKET NO. 473-16-2751  
PUC DOCKET NO. 45624**

<b>APPLICATION OF THE CITY OF</b>	<b>§</b>	
<b>GARLAND TO AMEND A CERTIFICATE</b>	<b>§</b>	<b>BEFORE THE</b>
<b>OF CONVENIENCE</b>	<b>§</b>	
<b>AND NECESSITY FOR THE RUSK TO</b>	<b>§</b>	<b>STATE OFFICE OF</b>
<b>PANOLA DOUBLE-CIRCUIT 345-KV</b>	<b>§</b>	
<b>TRANSMISSION LINE IN RUSK AND</b>	<b>§</b>	<b>ADMINISTRATIVE HEARINGS</b>
<b>PANOLA COUNTIES</b>	<b>§</b>	

**THIRD-PARTY  
CRITICAL ENERGY INFRASTRUCTURE INFORMATION GENERAL  
NON-DISCLOSURE AGREEMENT**

Southern Cross Transmission LLC (“SCT”) agrees to share with \_\_\_\_\_ (“Recipient”), an individual employed with \_\_\_\_\_, certain Critical Energy Infrastructure Information (“CEII”) obtained from the ERCOT Market Information System by Digital Certificate Holder, LCG Consulting (“LCG”) and provided to SCT by LCG pursuant to a non-disclosure agreement. The scope of this Agreement is limited to CEII pursuant to 18 C.F.R. § 388.113 that is requested as discovery in PUCT Docket No. 45624 and is provided subject to the following terms:

1. For purposes of these provisions, “CEII” refers to specific engineering, vulnerability, or detailed design information about proposed or existing critical infrastructure that: (i) relates details about the production, generation, transportation, transmission, or distribution of energy; (ii) could be useful to a person in planning an attack on critical infrastructure; (iii) is exempt from mandatory disclosure under the Freedom of Information Act, 5 U.S.C. 552; and (iv) does not simply give the general location of the critical infrastructure. See 18 C.F.R. § 388.113.
2. Recipient may only discuss CEII with another recipient of the identical CEII. Recipient may check with ERCOT to determine whether another individual is a recipient of the identical CEII.
3. Recipient may use CEII as foundation for advice provided to others, but may not disclose CEII to another individual unless that individual is a recipient of the same CEII.
4. Recipient will not knowingly use CEII for an illegal or non-legitimate purpose.
5. All CEII shall be maintained by Recipient in a secure place. Access to those materials shall be limited to Recipient and other recipients of the identical material. Recipient may make copies of CEII, but such copies become CEII and subject to these same procedures. Recipient may make notes of CEII, which shall be treated as CEII notes if they contain CEII.

6. Recipient must return CEII to SCT or destroy CEII within fifteen days of a written request by SCT to do so, except that CEII notes may be retained in accordance with Paragraph 5, above. Within such time period, Recipient, if requested to do so, shall also submit to SCT an affidavit stating that, to the best of his or her knowledge, all CEII has been returned or destroyed and that CEII notes have either been returned, destroyed or are being maintained by Recipient in accordance with Paragraph 5.
7. Recipient remains bound by these provisions unless SCT rescinds one or more of these provisions or a court of competent jurisdiction finds that the information does not qualify as CEII.
8. SCT will notify LCG and ERCOT of each Recipient that signs this NDA. **Each Recipient must also be eligible for and execute the Confidential Certification under the Protective Order issued in PUCT Docket No. 45624.**
9. SCT or ERCOT may audit Recipient's compliance with this NDA.
10. Violation of this NDA may result in criminal or civil sanctions against Recipient.
11. I hereby certify my understanding that access to Critical Energy Infrastructure Information (CEII) is provided to me pursuant to the terms and restrictions of the above CEII provisions, that I have been given a copy of and have read the provisions, and that I agree to be bound by them. I understand that the contents of the CEII, any notes or other memoranda, or any other form of information that copies or discloses CEII shall not be disclosed to anyone other than another person who has been granted access to these same materials. I acknowledge that a violation of this agreement may result in criminal or civil sanctions. I agree that my compliance with this agreement is subject to audit by SCT or ERCOT.

By: \_\_\_\_\_  
Signature

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Representing: \_\_\_\_\_

Date: \_\_\_\_\_