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SOAH DOCKET NO. 473-17-1552  
PUC DOCKET NO. 46429

APPLICATION OF BRAZOS ELECTRIC POWER COOPERATIVE, INC. TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY FOR A 138-KV TRANSMISSION LINE IN COLLIN COUNTY, TEXAS	§ § § § § § §	BEFORE THE STATE OFFICE    OF   ADMINISTRATIVE HEARINGS
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**SOAH ORDER NO. 10  
REGARDING POST-HEARING BRIEFING**

At the hearing on the merits, the parties agreed to file initial briefs on **August 11, 2017**. Reply briefs are due on **August 25, 2017**. The Applicant will file proposed findings of fact, conclusions of law, and ordering provisions with its initial brief. Parties may file responsive proposed findings of fact, conclusions of law, and ordering provisions with their reply briefs.

For all parties except the Applicant,<sup>1</sup> **initial briefs are limited to 25 pages.**<sup>2</sup> **Reply briefs are limited to 15 pages.**<sup>3</sup> Page limits only apply to the parties' argument. For example, discussions of uncontested matters for clarity,<sup>4</sup> charts, tables, summaries,<sup>5</sup> images, diagrams, and proposed findings and conclusions do not count toward the page total. The ALJs request that the parties limit tables, charts, and summaries to the routes in contention.

All parties shall address the issues in the order they appear in the Commission's preliminary order. Other than the Applicant, parties need only address the issues that are contested.

The ALJs request that the parties cite to the record and authority be provided in single space footnotes. For authority, the ALJs request the parties use standard Commission form. For record cites, however, the ALJs request that the parties use the simplest form possible as follows:

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<sup>1</sup> The Applicant bears the burden of proof on all issues, whether contested or uncontested.

<sup>2</sup> Parties are encouraged to use 1.5 spacing, in Times New Roman, 12 point, but this is not a requirement. As noted at the hearing, minor deviations from the page limits are acceptable.

<sup>3</sup> This page limit may be exceeded if necessary to address matters raised in initial briefs.

<sup>4</sup> For instance, if Staff addresses uncontested issues for the benefit of the ALJs (with a recitation of the rules applicable to each issue or tables for instance), those portions of Staff's briefing will not count toward the argument total.

<sup>5</sup> Such as a summary of parties in support of or opposed to a particular route or routes.

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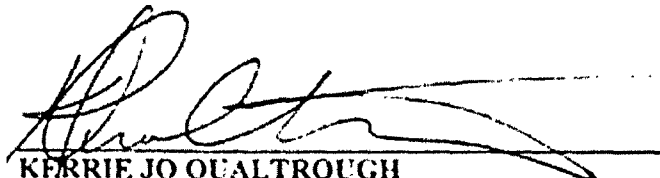
Cites to the transcript do not require line or witness identification (Tr. at 25-27);

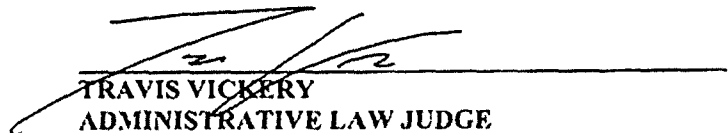
- Cites to exhibits do not require witness identification – they need only provide the exhibit number and bates page (or other identifying page number) (BEC Ex. 4 at 25); and
- Attachments shall be identified as simply as possible (McKinney Ex. 1, App. A, Ex. JRD-9 at 48).

The ALJs are endeavoring to issue the proposal for decision such that the Commission will have two open meetings to consider the proposal for decision. According to the open meeting calendar available at the close of the hearing, the last open meeting date for the Commission to consider the proposal for decision is November 17, 2017. This is also the deadline for the Commission to issue a final order. Staff argued very strongly for the extension of this deadline to provide the Commission more time to issue a final order. The Applicant, however, expressly acknowledged that the Commission will likely request more time, to which the Applicant indicated it was amenable. The ALJs leave this matter to be discussed at the Commission's open meetings.

As noted at hearing, the ALJs will adopt and insert some of the parties' briefing in the proposal for decision. As a result, the ALJs request that, at the time of filing, the parties submit their briefing in Word to: [melissa.ethridge@soah.texas.gov](mailto:melissa.ethridge@soah.texas.gov).

**SIGNED July 20, 2017.**

  
KERRIE JO QUALTROUGH  
ADMINISTRATIVE LAW JUDGE  
STATE OFFICE OF ADMINISTRATIVE HEARINGS

  
TRAVIS VICKERY  
ADMINISTRATIVE LAW JUDGE  
STATE OFFICE OF ADMINISTRATIVE HEARINGS