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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 §
§

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SOAH ORDER NO. 11
REQUIRING ADDITIONAL BRIEFING
AND AMENDING DEADLINE FOR REPLY BRIEFS

This case is now assigned to the undersigned ALJs.

The Applicant's initial brief did not separately address the routing issues set out below. Although some matters such as prudent avoidance were touched on, other matters are not addressed. Under PURA § 37.056(c), the Commission's rules, and the Preliminary Order these are issues which the Applicant must address and on which the Applicant bears the burden of proof. Although the ALJs anticipate that the information is in the record, it is the Applicant's duty to marshal its evidence in briefing. The issues are:

- The adequacy of existing service;
- The need for additional service;¹
- The Effect of Granting the Certificate on Brazos Electric and Any Electric Utility Serving the Proximate Area;
- Community Values;
- Park and Recreational Areas;
- Historical Cultural and Aesthetic Values;
- Environmental Integrity;
- Probable Improvement of Service or Lowering of Costs to Consumers;
- Engineering Constraints;
- Costs;
- Use of Compatible Rights-of-Way, Paralleling or Use of Existing Rights-of-Way, and Paralleling of Property Lines; and
- Prudent Avoidance.

¹ The Applicant provided substantial briefing on the adequacy of service and need. Under the Commission's Preliminary Order, however, these two issues are addressed separately from the preceding need section. At times, an applicant will note other matters touching on adequacy or need in these sections. If the Applicant determines there is nothing to add to its existing need analysis for these sections, the ALJs just request that it so state

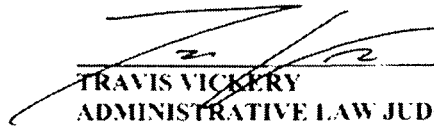
For reference, recent Commission dockets in which the Applicant addressed these matters are: 44837, 46042, and 46234. In the interest of judicial economy, the ALJs would also appreciate the Applicant providing a more thorough procedural history addressing, for example, when the application was filed, supplemented, and found sufficient, the Commission and SOAH ALJs' major orders, the hearing on the merits, etc. The Applicant may also submit proposed findings of fact, conclusions of law, and ordering provisions reconciled with the matters addressed above.

The ALJs require the Applicant to address these matters by **August 25, 2017**, which was the original deadline for reply briefs. As a result, **the current reply briefing deadline is canceled**. The new **deadline for reply briefs is September 15, 2017**.


The ALJs will have two weeks less after reply briefs to issue the proposal for decision on what was already a tight writing schedule. As a result, the ALJs request that the Applicant consider extending the Commission's November 17, 2017 deadline to render a decision under 16 Texas Administrative Code § 25.101(b). To that end, the ALJs find that there is good cause to extend the deadline. If the Applicant agrees to extend the deadline, the ALJs request that the Applicant file a notice with the Commission.

As noted before, the ALJs request that, at the time of filing, the parties submit their briefing in Word to: melissa.ethridge@soah.texas.gov.

SIGNED August 15, 2017.



TRAVIS VICKERY
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS



ELIZABETH DREWS
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS