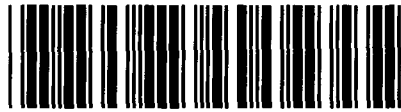


Control Number: 48909



Item Number: 21

Addendum StartPage: 1

The Commission is required to render a decision approving or denying an application for a CCN within one year of the date of filing a complete application for such certificate.

II. Notice

Applicants must give notice of its intent to secure a CCN as required by 16 Texas Administrative Code (TAC) § 22.52(a):

1. Applicants must have held at least one public meeting prior to the filing of its licensing application if 25 or more persons would be entitled to receive direct mail notice of the application. The utility must also have provided written notice to the Department of Defense Siting Clearinghouse of the public meeting. In the event that no public meeting was held, the utility must have provided written notice to the Department of Defense Siting Clearinghouse of the planned filing of an application prior to completion of the routing study.
2. Applicants must have mailed notice upon or before filing the application to the landowners directly affected by the requested certificate. For purposes of this paragraph, land is directly affected if an easement would be obtained over all or any part of it, or if it contains a habitable structure that would be within 300 feet of the centerline of a transmission project of 230-kV or less, or within 500 feet of the centerline of a transmission project greater than 230-kV; and
3. Applicants must publish notice once of its intent to secure a CCN in a newspaper having general circulation in the counties where a CCN is being requested, within one week after filing the application with the Commission;
4. Applicants must have mailed notice upon filing the application, to municipalities within five miles of the requested territory or facility, and to neighboring utilities providing the same utility service within five miles of the requested territory or facility;
5. Applicants must have mailed notice upon filing the application to the county government(s) of all counties in which any part of the proposed facility or requested territory is located;
6. Applicants must notify the Commission if any directly affected landowner has not received actual notice at least three weeks before the intervention deadline. Applicants must indicate in its filing the name and address of any such landowner and the date and method of notice.

The notice must state the intervention deadline established for the proceeding (45 days after the filing of the formal application with the Commission). In this proceeding the intervention deadline

is **February 2, 2019**. The deadline for intervenors to request a hearing on the merits is **February 2, 2019**.

Applicants must provide proof of notice by mail by filing an affidavit listing the names and addresses of the entities notified by mail and the date the notice was mailed to these entities. A copy of the letter and map sent to the entities must be included. Applicants must file its proof of notice by mail by **January 18, 2019**. Applicants must provide proof of publication by filing a publisher's affidavit specifying each county where the newspaper is of general circulation. Applicants must file its proof of publication by **January 22, 2019**.

By copy of this Order, the Office of Public Utility Counsel is notified of this proceeding.

III. Texas Parks and Wildlife

In 2009, the Texas Legislature amended the Texas Parks and Wildlife Code to require that an agency with statewide jurisdiction respond in writing to each recommendation or informational comment made by the Texas Parks and Wildlife Department (TPWD) under § 12.0011(c).¹ The Commission's statutory duty to respond in writing applies to all TPWD recommendations and informational comments made on or after September 1, 2009. Accordingly, the Commission will include an issue to be addressed in its orders related to TPWD's recommendations and comments. Applicants is required to provide a copy of the application to TPWD within seven days of filing the application.

IV. Alternatives to Project

The Commission requests that the following issues be addressed in all CCN dockets:

1. Has the Electric Reliability Council of Texas (ERCOT) recommended the proposed transmission project as necessary to alleviate "existing and potential transmission and distribution constraints and system needs within ERCOT" in the annual report filed under PURA² § 39.155(b)? If not, is there a need for the proposed transmission project?

¹ Tex. Parks & Wild. Code § 12.0011(c).

² Public Utility Regulatory Act, Tex. Util. Code §§ 11.001–66.016.

2. If such a need exists, is the proposed transmission project the best option to meet the need, based on an analysis taking into account considerations of efficiency, reliability, costs, and benefits?
3. For utilities subject to the unbundling requirements of PURA § 39.051, is the proposed transmission project the best option when compared to employing distribution facilities to meet the specified need?
4. For utilities not subject to the unbundling requirements of PURA § 39.051, is the proposed transmission project the best option when compared to employing distribution facilities, distributed generation, and/or energy efficiency to meet the specified need?

Applicants is required to file responses to the above issues by **January 18, 2019**.

V. Recommendation on Deficiencies, Notice, and Procedural Schedule

If material deficiencies exist in an application, the presiding officer will issue a written order within 35 days of the application's filing. The 35th day after the application's filing in this proceeding is **January 23, 2019**.

Therefore by **January 23, 2019**, Commission Staff must review the application and file recommendations or comments on the following:

1. Any deficiencies in the application;
2. Compliance with notice requirements; and
3. A proposed procedural schedule.

Any other party may file recommendations or comments on these issues subject to the same deadline. The applicant must file any reply to the recommendations or comments on these issues by **January 24, 2019**.

VI. Other Procedural Matters

Any proper motion for intervention will be granted unless an objection is filed within five working days from the date of receipt of the motion to intervene. Responses to the objections to intervene must be filed within three working days from the date of receipt of the objection. Rulings will be based upon the written pleadings unless it is determined that a prehearing conference is necessary.

Persons who have filed motions to intervene have all the rights and obligations of a party pending the presiding officer's ruling on the motion to intervene.

Discovery may proceed informally; however, objections to requests for information (RFIs) must be filed and served within ten days of receiving the RFI. Objections must include a statement that negotiations were conducted diligently and in good faith. If the parties are unable to resolve a discovery dispute, a motion to compel a response to an RFI must be filed and served within five working days of receipt of an objection. The motion to compel must specify the grounds for the motion.

Service of pleadings is governed by 16 TAC § 22.74. Unless otherwise specified, responses or replies to any motion or other pleading must be filed within five working days after the date on which the motion or other pleading was received by the responding party. Failure to file a timely response will be considered acquiescence to the relief requested.

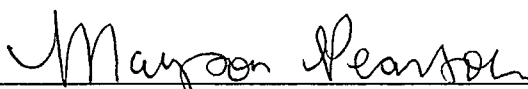
All parties must provide their current address, telephone and fax numbers, if available, to all other parties and the Commission by filing and serving all parties with such information. Each party must provide the Commission and all parties with updated address, telephone, and fax information if such information changes. The telephone and fax numbers will be placed on the service list for the convenience of the parties. Parties are responsible for updating their own service lists to reflect changed information and the addition of any other parties.

Unless otherwise specified, an original and ten copies of documents relating to this proceeding must be filed with the Commission filing clerk according to 16 TAC § 22.71. A copy of each document filed with the Commission must also be served on all parties under 16 TAC § 22.74.

Questions concerning this order or any other order must be submitted in writing, filed with the Commission, and served on all parties of record.

Signed at Austin, Texas the 15th day of January 2019.

PUBLIC UTILITY COMMISSION OF TEXAS



MAYSON PEARSON
ADMINISTRATIVE LAW JUDGE