



Control Number: 50383



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PUC DOCKET NO. 50383

PETITION OF THE CITY OF HEARNE
FOR A DECLARATORY ORDER
REGARDING SERVICE TO THE GATX
CORPORATION FACILITY IN
HEARNE, TEXAS

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§
§

BEFORE THE
PUBLIC UTILITY COMMISSION
OF TEXAS



**CITY OF HEARNE'S RESPONSES TO
COMMISSION STAFF'S FIRST REQUESTS FOR INFORMATION**

COMES NOW the City of Hearne, Texas ("Hearne"), and timely submits these Responses to Commission Staff's First Requests for Information ("RFIs").

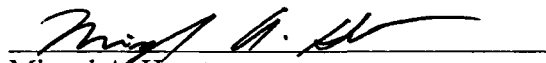
WRITTEN RESPONSES

Commission Staff propounded discovery on Hearne on March 3, 2020. Attached hereto and incorporated herein by reference are Hearne's written responses to the aforementioned RFIs. Such responses are made in the spirit of cooperation without waiving Hearne's right to contest the admissibility of any such matters upon hearing. Hearne hereby stipulates that these responses may be treated by all parties as if they were filed under oath. Commission Staff's First RFIs were served on Hearne on March 3, 2020. These responses have been delayed due the City's response to the ongoing Covid-19 situation and the building where undersigned counsel receives mail being closing due to a tenant testing positive for Covid-19. This delay was not intentional and not meant to unduly burden other parties to the proceeding.

Respectfully Submitted,

LAW OFFICE OF MIGUEL A. HUERTA, PLLC
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Austin, Texas 78735
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By:


Miguel A. Huerta
State Bar No. 00787733

ATTORNEYS FOR HEARNE, TEXAS

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of April 2020 a true and correct copy of the above and foregoing document is being served via electronic mail to all parties of record.



Miguel A. Huerta

STAFF RFI NO. 1-1:

Please provide a map or maps of the certificated area of interest, including the CCN boundaries of the Hearne, ETI, and other nearby certificate holders in Robertson County; the location(s) of the customer's request(s) at issue; the location of Hearne's planned route of a new line to be used to serve GATX; and other relevant information.

RESPONSE:

Please see the following attachments.

Attachment 1 – Map 52.13: Docket No. 52, Staff Exhibit 13.

This is an oversize map which is being provided to the Parties digitally. The original map is on file with the Public Utility Commission with the maps associated with Docket No. 52.

This map shows the CCN boundaries in Robertson County, Texas prepared by the PUC Staff for use in Docket No. 52 as Staff Exhibit 13. The base map was the 1969 General Highway Map prepared by the Texas State Highway Department with highway revisions through March 1, 1975. This map shows that the CCN boundary in the area follows the Hearne municipal boundary. This was the map approved by the Commission's Order in Docket No. 52.

Attachment 2 – Map 30081.1

This is an oversize map which is being provided to the Parties digitally. The original map is on file with the Public Utility Commission with the maps associated with CCN No. 30081.

This is the City of Hearne's Exhibit I in EM 3.1-76 (Electric Matter 3.1 1976), which later became Docket No. 52. This map shows the City of Hearne's electric system, including generation, transmission, and distribution facilities in place at the time the CCN was issued for purposes of the corridor rule. It also shows the Hearne municipal boundary using a more precise marking than that used in Map 52.13.

Attachment 3 – Map 30081.2

This is an oversize map which is being provided to the Parties digitally. The original map is on file with the Public Utility Commission with the maps associated with CCN No. 30081.

This is the City of Hearne's Exhibit H in EM 3.1-76 (Electric Matter 3.1 1976), which later became Docket No. 52. This map shows the City of Hearne's municipal boundary and requested CCN area.

Attachment 4 – 1988 Robertson County Mylar Map

This is an oversize map which is being provided to the Parties digitally. The original map is on file with the Public Utility Commission with the maps associated with Robertson County.

This map shows the CCN boundaries for all utilities in Robertson County, Texas. The map was prepared by PUC engineering personnel and was approved by PUC Engineers Mel Eckhoff and Harold Hughes on May 6, 1988. The base map was the 1969 General Highway Map prepared by the Texas State Highway Department with highway revisions through March 1, 1986. This map shows the CCN boundaries in Robertson County as established by Docket No. 52 and amended by Docket No. 2862 (1979), Docket No. 5819 (1984), and Docket 7474 (1987).

Attachment 4A – 1988 Robertson County Mylar Map Closeup

This is a copy of the area in question on the 1988 Mylar Map shown at 400% magnification.

The underlying map for both 52.13 and the 1988 Robertson County Mylar map is the 1969 General Highway Map. The biggest difference between the underlying maps is that the version of the map used for 52.13 shows data as of March 1, 1975 and the map used for the 1988 Robertson County Mylar map shows data as of March 1, 1986 – 11 years later. The Texas Department of Transportation map used as the basis for the for the 1988 PUC map shows the GATX railyard, including a rail spur that crosses from the GSM (now ETI) CCN area into the Hearne CCN area. This rail spur is identified by a red arrow on Hearne Exhibit 4A. On the map, the rail spur not only crosses the CCN line, but also terminates in the dot shaded area used to show Hearne's municipal territory.

While the red arrow has been added by Hearne in preparing this response, the underlying map – including the location of the GATX railyard – was prepared by TxDOT engineers, and the CCN boundary lines were prepared by PUC engineers.

Attachment 5 – Hearne Service Areas

This map is response to Staff's request for the location of Hearne's planned route of a new line to be used to serve GATX.

The purpose of this proceeding is to obtain a ruling that the City may legally serve the GATX facility as that facility is partially within the City's CCN boundary. As a small Texas municipality with a fiscal responsibility to its citizens, the City is waiting on such a determination prior to committing City resources to develop a formal engineering plan to serve the GATX facility. However, the City is currently serving areas immediately adjacent to the GATX

property and has facilities in place that could be used to serve the GATX facility. Please see Attachment 5 to this response.

Attachment 5 shows the GATX facility shaded in red and labeled "G". The City is now serving a supermarket, the School District administrative offices, the elementary school, the junior high school, and the high school in the area shaded in orange and labeled "H1". The City is also serving the residential area shaded in blue and labeled "H2". Both area H1 and area H2 are contiguous with the GATX property and share a property line with the facility. In addition, the City is also serving the area shaded in yellow and labeled "H3". Although not contiguous, this area is immediately across the highway from the GATX facility and runs along the Hearne electric facility on file with the Commission at the time the CCN was granted. Each of these areas provide the City with methods of being able to reach the GATX facility with no difficulty.

Prepared by: Miguel A. Huerta
Witness: Dale A. Jones, P.E.

Docket No. 50383

Hearne Response to Staff First RFI

Attachments 1 – 4

These Attachments are oversize maps that public records already on file with the Public Utility Commission of Texas' Central Records Division and are available from Central Records upon request.

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Attachment 4A

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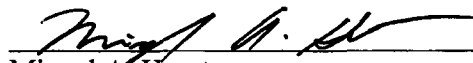
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Attachment 4A

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HM



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Docket No. 50383
Hearne Response to Staff First RFI
Attachment 5

