

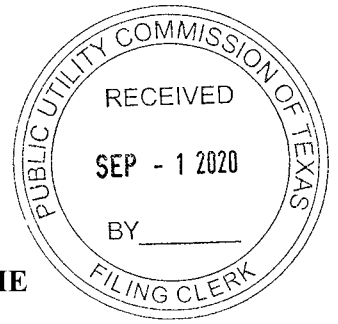


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P.U.C. DOCKET NO. 51023

APPLICATION OF THE CITY OF SAN §  
ANTONIO TO AMEND ITS §  
CERTIFICATE OF CONVENIENCE §  
AND NECESSITY FOR THE SCENIC §  
LOOP 138-KV TRANSMISSION LINE §  
IN BEXAR COUNTY §

BEFORE THE  
PUBLIC UTILITY COMMISSION  
OF TEXAS

**MOTION TO INTERVENE OF PRIMARILY PRIMATES INC.**

Pursuant to 16 TAC §§ 22.101, 22.103 and 22.104, Primarily Primates, Inc. (“Primarily Primates”) files this Motion to Intervene in the above-referenced proceeding and in support would respectfully show as follows:

**I. LEGAL REPRESENTATIVES**

The name, mailing address, telephone number, and e-mail address of Primarily Primates’ authorized representative are:

Andres Medrano  
Ph: 512.542.7013  
Fax: 512-542-7100  
[amedrano2@foley.com](mailto:amedrano2@foley.com)

FOLEY & LARDNER LLP  
600 Congress Avenue, Suite 3000  
Austin, TX 78701

Primarily Primates request that all pleadings, orders, correspondence, and filings, including all discovery responses be served on its legal representative as identified above.

**II. BASIS FOR INTERVENTION**

Primarily Primates has a justiciable interest that may be adversely affected by the outcome of this docket and on that basis seek to intervene. Primarily Primates owns property located in Bexar County and have been notified by the City of San Antonio, acting by and through the City Public Service Board (“CPS Energy”) that the property may be directly affected, as that term is defined in 16 TAC § 22.52(a)(3), by the proposed transmission line that

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is the subject of this docket. Specifically, Primarily Primates is potentially impacted by Segment No. 13 and Substation 1. As a directly affected property owner, Primarily Primates has standing to intervene under 16 TAC § 22.103(b)(2) of the Commission's Procedural Rules. This Motion to Intervene is timely filed prior to the intervention deadline of September 8, 2020. Primarily Primates request that this Motion to Intervene be granted and that they be recognized as an intervening party.

### **III. REQUEST FOR HEARING**

Pursuant to Order No. 1 in this Docket, Primarily Primates requests a Hearing on the Merits. September 8, 2020 is the deadline for filing a request for hearing and this request is timely filed.

Numerous parties have intervened in this matter and it does not appear to be suited to a disposition by administrative review at this time. However, Primarily Primates will work with CPS Energy and the intervening parties to reach a settlement of any contested matters in this docket, including agreement on transmission line routing, if possible. Pending such settlement negotiations, Primarily Primates requests that this Docket be referred to the State Office of Administrative Hearings and set for a prehearing conference to establish a contested procedural schedule.

### **IV. CONCLUSION AND PRAYER**

WHEREFORE, PREMISES CONSIDERED. Primarily Primates respectfully request that this Motion to Intervene be granted, that Primarily Primates be allowed to participate in this proceeding as a party with all rights thereof to the full extent that Primarily Primates desire to do so, and for such further relief to which Primarily Primates may be entitled.

Respectfully submitted,

By: /s/ Andres Medrano  
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600 Congress Avenue, Suite 3000  
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COUNSEL FOR PRIMARILY PRIMATES, INC.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was served on all parties on the 1<sup>st</sup> day of September, 2020.

/s/ Andres Medrano  
Andres Medrano