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October 26, 2020

Via Interchange Filing

Honorable Holly Vandrovec
Honorable Robert H. Pemberton
Administrative Law Judges
State Office of Administrative Hearings
300 W. 15th Street
Austin, Texas 78701



RE: PUC Docket No. 51023; SOAH Docket No. 473-21-0247 - *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*

Dear Judges Vandrovec and Pemberton:

At the prehearing conference on October 22, 2020, you requested certain information from CPS Energy. The requested information is being provided to you in this letter. Also, attached to this letter is the procedural schedule agreed to by the parties at the prehearing conference. Although we identified the dates in this schedule at the prehearing conference, we are providing the attached written memorialization for your benefit.

1. Filed Comments and Intervention Requests

Prior to the prehearing conference, Denise Baker and Bruce Reid separately submitted filings in this docket. Those filings had blank intervention forms attached to written comments. However, neither of those filings provided any contact information, including address or email information, that will allow CPS Energy to determine whether these individuals live within the study area or otherwise qualify as an affected person in this proceeding.

CPS Energy has been unable to locate a “Denise Baker” on its notice list; therefore, CPS Energy cannot take a position on whether Denise Baker qualifies as an intervenor in this docket. Moreover, it appears there is no way to properly admit Ms. Baker without any contact information for her.

In contrast, CPS Energy has been able to locate a “Bruce Reid, Jr.” who lives in the study area. His address is 10614 Star Mica, Boerne, Texas, 78006. However, CPS Energy has no way to determine whether this is the same Bruce Reid who submitted Interchange Filing No. 190 in this docket. Therefore, CPS Energy cannot take a position on whether Bruce Reid qualifies as an intervenor in this docket.

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On the morning of the prehearing conference, late-filed motions to intervene were filed by Barbara and Ernie Centeno, as well as Jordan K and Donna K. Reed. CPS Energy has reviewed the motions and does not have any objections to the late-filed motions or the intervention of Barbara and Ernie Centeno or Jordan K. and Donna K. Reed.

2. Discovery Agreements

The attached schedule reflects the following discovery agreements that were agreed to at the prehearing conference:

- All drafts of Testimony and Statements of Position, and email communications transmitting such drafts, are not subject to discovery;
- CPS Energy has 15 calendar days to respond to discovery requests on its direct testimony;
- The following dates are excluded when calculating deadlines for responding to discovery: November 23-29, and December 22 through January 1; and
- Intervenors have 10 calendar days to respond to discovery requests on their direct testimony or statements of position.

3. Service

The parties agreed to service (other than pleadings requiring responsive information) through the Public Utility Commission of Texas Filing Interchange. The following ordering language has been used in a recent transmission line proceeding:

All parties must use the PUC Interchange to review filings. It is possible to request notice of filings by email. At www.puc.texas.gov/industry/filings/Default.aspx, click on “Filings Notification System” and follow the instructions. As a reminder, traditional service has been suspended. The only method for reviewing pleadings and orders (other than discovery directly between parties) is through the Interchange.

Sincerely,

/s/ Kirk Rasmussen

Kirk D. Rasmussen

SCENIC LOOP CCN APPLICATION (PUC DOCKET NO. 51023)
AGREED PROCEDURAL SCHEDULE

EVENT	DATE/DEADLINE
Application Filed ¹	July 22, 2020 (actual)
PUC OPDM Order No. 1	July 23, 2020 (actual)
Staff's Proposed Procedural Schedule (Per Order No. 1)	August 20, 2020 (actual)
Intervention Deadline	September 8, 2020 (actual)
Order of Referral to SOAH/Preliminary Order	September 29, 2020 (actual)
Prehearing Conference ²	October 22, 2020 (actual)
Applicant's Direct Testimony	November 6, 2020 ³
Technical Conference	November 12, 2020
Objections to Applicant's Direct Testimony ⁴	November 13, 2020
Responses to Objections to Applicant's Direct Testimony	November 20, 2020
Statement on Route Adequacy and Request for Route Adequacy Hearing	November 24, 2020
Replies to Statements on Route Adequacy	December 3, 2020
Hearing on Route Adequacy (if necessary)	December 10, 2020

¹ CPS Energy will provide responses to written discovery on its direct case within 15 calendar days following service. The following dates are excluded when calculating deadlines for CPS Energy's response to discovery: November 23-29, and December 22 through January 1. Objections to requests for information and motions to compel and responses to motions to compel will be handled pursuant to PUC Procedural Rule 22.144(d), (e), and (f).

² CPS Energy will post a copy of the current draft intervenor map on the project website at <https://cpsenergy.com/en/about-us/new-infrastructure/scenic-loop-project.html> during the week of October 26-30.

³ All drafts of Applicant, intervenor, and Staff direct and rebuttal testimony and statements of position, and email communications transmitting such drafts, are not subject to discovery.

⁴ Note that objections to testimony are legal objections, not factual objections or disagreements with the substance of the testimony. Disagreements with a party's testimony can be addressed through testimony and cross-examination.

Deadline for Discovery on Applicant's Direct Case	January 11, 2021
Intervenors' Direct Testimony or Statement of Position ⁵	January 12, 2021 ⁶
Objections to Intervenors' Direct Testimony	January 22, 2021
Deadline for Discovery on Intervenor Direct Testimony	January 22, 2021
Staff's Direct Testimony/Intervenors' Cross-Rebuttal Testimony	February 12, 2021
Objections to Staff's Direct Testimony/Intervenors' Cross-Rebuttal Testimony	February 19, 2021
<i>Possible Settlement Conference</i>	February 2021
Response to Objections to Staff's Direct Testimony/Intervenors' Cross-Rebuttal Testimony	February 26, 2021
Deadline for Sending Discovery on Staff's Direct Testimony/Intervenors' Cross-Rebuttal Testimony	February 26, 2021
Applicant Rebuttal Testimony ⁷	March 5, 2021
Objections to Applicant's Rebuttal Testimony	March 12, 2021
Deadline for Serving Discovery on Applicant Rebuttal Testimony (answers subject to deadline in schedule)	March 12, 2021
Deadline for Applicant to Respond to Final Round of Discovery on Rebuttal Testimony	March 25, 2021
Deadline for Declaring Intent to Cross-Examine Intervenor Witnesses ⁸	March 25, 2021
Prehearing Conference	March 26, 2021

⁵ After the filing of intervenor direct testimony and statements of position, CPS Energy will post an updated intervenor map on the project website. If any intervenors elect not to continue participating in the proceeding (following an order removing intervenors), or if other changes occur that require modifications to the intervenor map, CPS Energy will post revised maps on the project website.

⁶ Discovery served on Intervenor Direct testimony is subject to a 10 calendar day response deadline.

⁷ CPS Energy will include workpapers for its rebuttal testimony with the filing of its rebuttal testimony.

⁸ It will not be necessary for parties to declare an intention to cross-examine CPS Energy or Staff witnesses. Such witnesses will be available to all parties for cross-examination at the hearing on the merits.

Hearing on the Merits	March 29-April 1; April 5-6, 2021 ⁹
Post Hearing ¹⁰	
Initial Briefs	April 20, 2021
Reply Briefs/FOF/COL	April 27, 2021
PFD	June 28, 2021 ¹¹
Exceptions/Reply to Exceptions	3 weeks
PUC Open Meeting and Decision	5 weeks
Commission Decision Due	August 23, 2021 ¹²

⁹ The parties agreed that neither Staff Direct nor Applicant Rebuttal will be divided over the weekend. If the hearing cannot be completed by April 1, it is the parties' intent to delay the start of either Staff Direct or Applicant Rebuttal, as applicable, until Monday, April 5, 2021.

¹⁰ Some of these dates are TBD based on the discussions of the parties and approval of the ALJs at the conclusion of the hearing and the schedule of the PUCT.

¹¹ The 60-day period ends on June 26, 2021, which is a Saturday, so the deadline carries over to the next business day.

¹² In agreeing to this schedule, CPS Energy agreed to a 30-day extension of the time period for the Commission's decision in this proceeding.