



Control Number: 51023



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SOAH DOCKET NO. 473-21-0247
PUC DOCKET NO. 51023

APPLICATION OF THE CITY OF SAN ANTONIO ACTING BY AND THROUGH THE CITY PUBLIC SERVICE BOARD (CPS ENERGY) TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE PROPOSED SCENIC LOOP 138-KV TRANSMISSION LINE

§ BEFORE THE STATE OFFICE
§
§
§ OF
§
§ ADMINISTRATIVE HEARINGS
§

**ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION
FIRST REQUEST FOR INFORMATION TO
CITY OF SAN ANTONIO ACTING BY AND THROUGH
THE CITY PUBLIC SERVICE BOARD**

Pursuant to 16 Tex. Admin. Code § 22.144 and the parties' agreements made at the prehearing conference, Anaqua Springs Homeowners' Association ("Anaqua Springs HOA") requests that City of San Antonio acting by and through the City Public Service Board ("CPS Energy") provide, within 15 days, the information requested in the attached Exhibit A.

Respectfully submitted,

By: Wendy K. L. Harvel

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**ATTORNEYS FOR ANAQUA SPRINGS
HOMEOWNERS' ASSOCIATION**

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CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of October 2020, notice of the filing of this document was provided to all parties of record via electronic mail in accordance with the Order Suspending Rules issued in Project No. 50664.



Wendy K. L. Harvel

EXHIBIT A

I. DEFINITION OF TERMS

The singular herein includes the plural and vice versa; the words “and” and “or” shall be construed as “and/or” in order to bring all information within the scope of the Request. The words, “each,” “all,” and “any,” mean “any and all” or “each and every.”

“Anaqua Springs and/or HOA” refers to Anaqua Springs Homeowners’ Association, a homeowners association owning real property that may be impacted by the proposed transmission routes.

“Application” means the Application filed as PUC Docket No. 51023.

“Commission” shall mean the Public Utility Commission of Texas.

“Communication” shall include all meetings, telephone calls, conversations, discussions, letters, memoranda, notes, and other forms of communication.

“Conservation Easement” refers to the easement in the study area owned or held by the Pond Foundation, the Nature Conservancy, and/or the United States.

“Document” or “Documents” is used in the broadest sense possible and shall mean documents within the possession, custody or control of CPS Energy, and includes, but is not limited to, every writing or record of every type and description, such as drafts, corrections, memoranda, letters, tapes, stenographic or handwritten notes, studies, publications, work papers, books, pamphlets, diaries, desk calendars, interoffice communications, records, reports, analyses, bills, receipts, checks, check stubs, checkbooks, invoices, requisitions, papers and forms filed with a court or governmental body, notes, transportation and expense logs, work papers, contracts, statistical and financial statements, corporate records of any kind, charts, graphs, pictures, photographs, photocopies, films, voice recordings, and any other written, recorded or graphic material, however denominated, by whomever prepared, and to whomever addressed, which are in your possession, custody or control. The term “document” also includes all electronic and magnetic data, including e-mail. The term “document” includes all copies of every such writing or record that are not identical copies of the original or that contain any commentary, notes, or markings that do not appear on the original.

“Including” means “including but not limited to” and “including without limitation.”

“Identify” means to state as much information as you now have or that is now subject to your control, or that you may hereafter come to have or that hereafter becomes subject to your control, including the following:

- a. when used in reference to a natural person, state the person’s full name, title, present (or last known) address, telephone number, occupation, present business affiliation or employer, business address, and exact duties and responsibilities of such individual;

- b. when used in reference to an entity, state the full name of the company, organization, association, partnership, or other business enterprise; and
- c. when used in reference to a document, state the date and title of the document and, if already produced in this case, the Bates-number of such document.

“Relate” or “relating to” includes referring to, mentioning, reflecting, containing, pertaining to, evidencing, involving, describing, discussing, responding to, supporting, opposing, constituting or being a draft, copy or summary of, in whole or in part.

“You” and “Your” refers to “CPS Energy” and/or City of San Antonio acting by and through the City Public Service Board, and includes any employees, agents, attorneys or consultants working directly or indirectly with CPS Energy, including, but not limited to, individuals, partnerships, associations, corporations or other legal or business entities, and any of the attorneys or law firms that purport to represent you in this case.

II. INSTRUCTIONS

1. Each request herein extends to any documents or information in your possession and the possession of any of the attorneys or law firms that purport to represent you in this case.
2. Each and every non-identical copy of a document, whether different from the original because of indications of the recipient(s), handwritten notes, marks, attachments, marginalia, or any other reason, is a separate document that must be produced.
3. If you object to any portion of a request on the ground of privilege, answer the nonprivileged portion of the Request by providing such non-privileged information as is responsive.
4. If you object to any portion of a request on any ground other than privilege, you should still provide documents responsive to the remaining non-objectionable portion.
5. Separately for each request to which you object in whole or in part, describe in detail and itemize each basis of your objection.
6. If the basis of an objection to any request, or any portion thereof, is a statute, contract or other agreement, or any other obstacle to production that you claim is based in the law, please identify the basis of that purported obstacle with specificity.
7. Each request herein shall be construed independently, and no request shall be viewed as limiting the scope of any other request. Please indicate where any portion of your document production in response to a request has been covered in your production in response to another request, and please specify the request numbers at issue.
8. If you claim that any document responsive to any request is lost or destroyed, (a) identify and describe such document, (b) describe how the document was lost or destroyed, and (c) identify when the document was lost or destroyed.
9. If you claim that any documents responsive to any request are already in the possession of Anaqua Springs, please identify the document with sufficient specificity to allow Anaqua Springs to locate the document.
10. The requests shall be deemed continuing so as to require additional answers if, after answering such requests, you obtain information upon the basis of which you determine that the answer was incorrect when made, or you become aware that the answer, though correct when made, is no longer true, and the circumstances are such that failure to amend the answer is in substance a knowing concealment.
11. Any document that is withheld from production pursuant to a claim of attorney/client, work product, party communication or investigative privilege shall be identified and shall be segregated and maintained for in camera submission, and a list identifying such withheld documents shall be furnished at the time and place of production. Such list shall state with respect to each document: (a) the privilege under which the document is being withheld; (b) a description of the type of document; (c) a description of the subject matter and purpose of the document; (d) the date the document was prepared; (e) the author and/or signatory

of the document; (f) the identity of the persons to whom the document was sent; and (g) the present custodian of the document.

12. As part of the response to each request for information, please state, at the bottom of the answer, the name and job position of each person who participated in any way, other than providing clerical assistance, in the preparation of the response. Please also state the name of the witness in this docket who will sponsor the answer to the request and may verify the truth of the response.

III. REQUESTS FOR INFORMATION

Anaqua Springs 1-1

Please provide all documents regarding the Conservation Easement.

Anaqua Springs 1-2

Please provide all documents regarding any rights or other interests in the Conservation Easement referenced in Anaqua Springs 1-1 that have been granted to or are otherwise held by the United States government, including without limitation the Air Force and/or the Army.

Anaqua Springs 1-3

Please provide all documents related to the decision to remove Segment 12 from the Application.

Anaqua Springs 1-4

Please provide the approximate date upon which CPS became aware of the federal interest in the Conservation Easement.

Anaqua Springs 1-5

Please provide all documents related to alternatives considered to Segment 12 after it was eliminated from consideration as a segment in the Application.

Anaqua Springs 1-6

Please provide all documents related to existing or considered routes that run north of Anaqua Springs HOA that do not impact Toutant Beauregard.

Anaqua Springs 1-7

Please provide the cost data for each type of transmission tower structure (tangent, angle, or dead end) expected to be used by CPS.

Anaqua Springs 1-8

Please provide all documents regarding any formal or informal agreements with owners of land being considered for substation sites.

Anaqua Springs 1-9

Please provide a list of all locations considered for substations prior to filing the Application.

Anaqua Springs 1-10

For the response to 1-9, please provide any documents related to the decision to not include those locations in the Application.

Anaqua Springs 1-11

Please provide all documents related to the negotiations regarding the donation of the easement on Segment 42.

Anaqua Springs 1-12

Please provide the straight-line distance between the site proposed for Substation 6 and the La Sierra to UTSA B Tap transmission line.

Anaqua Springs 1-13

Please provide the straight-line distance between the site proposed for Substation 6 and the Ranchtown to Menger Creek transmission line.

Anaqua Springs 1-14

Please provide approximate length, cost and habitable structure count for a route consisting of Segments 46, 41, 34, 30, and 28, with a substation located close to the location where Segment 17 makes a turn due west.

Anaqua Springs 1-15

Please provide approximate length, cost and habitable structure count for a route consisting of Segments 40, 29, and 28, with a substation located close to the location where Segment 17 makes a turn due west, including an estimate of the right-of-way and land acquisition cost for the substation.

Anaqua Springs 1-16

Please specify any system distribution constraints that would prohibit a substation from being located near the location where Segment 17 turns due west, giving due consideration to the fact that distribution upgrades will be required for any of the prospective substation locations and provide all documents responsive to this question.

Anaqua Springs 1-17

Please specify any system distribution constraints that would prohibit a substation being located near the location where Babcock Road intersects Scenic Loop Road, giving due consideration to the fact that distribution upgrades will be required for any of the prospective substation locations and provide all documents responsive to this question.

Anaqua Springs 1-18

Are there any transmission or distribution lines currently on the Maverick ranch property that is the subject of the Conservation Easement? Please provide the type of line and location.

Anaqua Springs 1-19

Did CPS make an offer to purchase an easement from the Nature Conservancy?

Anaqua Springs 1-20

Did CPS seek the approval of the Nature Conservancy for an easement across the Conservation Easement?

Anaqua Springs 1-21

Please provide approximate length, cost and habitable structure count for a route consisting of Segments 44, 53, 47, 27, 57, and 56.

Anaqua Springs 1-22

Please provide an estimate for the right-of-way and land acquisition cost for a substation located southwest of the location where Segments 16, 55 and 56 meet.

Anaqua Springs 1-23

Please provide an estimate for the right-of-way and land acquisition cost for a substation located where Segment 56 turns west.

Anaqua Springs 1-24

Please provide approximate length, cost and habitable structure count for a route consisting of Segments 56 from the point where it turns west, 57, 27, 47, 53, and 44.

Anaqua Springs 1-25

Please provide the straight-line distance from the location where Segment 56 turns to the west and the Ranchtown to Menger Creek transmission line.

Anaqua Springs 1-26

Please provide the straight-line distance from the location where Segment 56 turns to the west and the La Sierra to UTSA B Tap transmission line.