

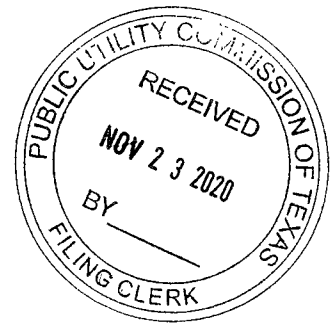


Control Number: 51023



Item Number: 389

Addendum StartPage: 0



**SOAH DOCKET NO. 473-21-0247
PUC 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 STATE OFFICE OF ADMINISTRATIVE HEARINGS
------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------	-----------------------------------------------------------------------------

**SOAH ORDER NO. 2
ADOPTING PROCEDURAL SCHEDULE; SETTING HEARING ON THE MERITS
AND PREHEARING CONFERENCES; AND ORDERING FILING OF
PROPOSAL ON ZOOM PROCEDURES**

A prehearing conference was held on October 22, 2020, in which the parties agreed to, and the Administrative Law Judges adopted, a proposed procedural schedule. The procedural schedule adopted is as follows:

EVENT	DATE/DEADLINE
Application Filed	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	October 22, 2020 (actual)
Applicant's Direct Testimony	November 6, 2020
Technical Conference	November 12, 2020
Objections to Applicant's Direct Testimony	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
Deadline for Discovery on Applicant's Direct Case	January 11, 2021
Intervenors' Direct Testimony or Statement of Position	January 12, 2021
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	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	March 25, 2021
Prehearing Conference	March 26, 2021
Hearing on the Merits	March 29-April 1; April 5-6, 2021
Post Hearing ¹	
Initial Briefs	April 20, 2021
Reply Briefs/FOF/COL	April 27, 2021
PFD	June 28, 2021 ²

¹ The parties indicate that 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 Public Utility Commission of Texas.

² The 60-day period ends on June 26, 2021, which is a Saturday, so the deadline carries over to the next business day.

Exceptions/Reply to Exceptions	3 weeks
PUC Open Meeting and Decision	5 weeks
Commission Decision Due	August 23, 2021 ³

Any intervenor who does not file direct testimony or a statement of position by the deadline set out above is subject to being stricken as a party under 16 Texas Administrative Code §§ 22.124 and 22.161.

Additionally, the ALJs adopt the following special provisions, agreed to by the parties, which shall be in effect in this proceeding:

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. 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.
5. Discovery served on Intervenor Direct testimony is subject to a 10 calendar day response deadline.
6. CPS Energy will include workpapers for its rebuttal testimony with the filing of its rebuttal testimony.
7. 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.

³ 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.

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

The hearing on the merits will convene at **9:00 a.m. on March 29, 2021, via the Zoom Videoconferencing platform (Zoom)**. The hearing is expected to take six days (no hearing will occur on April 2, 2021), ending on March 6, 2021. Zoom meeting details will be included in a separate order closer to the hearing date.

A prehearing conference will convene at **10:00 a.m. on March 26, 2021, via Zoom**. Zoom meeting details will be included in a separate order closer to the hearing date.

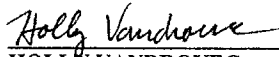
Finally, the parties are **ORDERED** to confer regarding procedural issues related to holding the hearing on the merits by Zoom. The parties are further **ORDERED** to file a proposal regarding Zoom procedures by **March 1, 2021**, that addresses the following:

The following matters will be discussed:

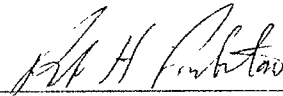
1. Procedural issues relating to holding the hearing on the merits by Zoom, including:
 - a. Procedures for filing and exchanging all exhibits, including cross-examination exhibits, prior to the hearing;
 - b. Handling of confidential documents;
 - c. Calling of witnesses;
 - d. Ensuring that witnesses have access to all documents necessary for their participation;
 - e. Providing record and appeals copies of exhibits to SOAH and the court reporter; and
 - f. Processes that may streamline the hearing, including waiver of witnesses.
2. Any other matters that may assist in the disposition of this case in a fair and efficient manner.

If the parties are unable to come to an agreement on the above issues, the ALJs will review the various proposals and issue an order establishing guidelines.

SIGNED November 23, 2020.



HOLLY VANDROVEC
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS



ROBERT H. PEMBERTON
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS