



Control Number: 51023



Item Number: 433

Addendum StartPage: 0

RECEIVED

2020 DEC 18 AM 11:10

PUBLIC UTILITY COMMISSION
CLERK

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
SAVE HUNTRESS LANE AREA ASSOCIATION**

Pursuant to 16 Tex. Admin. Code § 22.144 and SOAH Order No. 3, Anaqua Springs Homeowners' Association ("Anaqua Springs HOA") requests Save Huntress Lane Area Association ("SHLAA") provide, within 10 days, the information requested in the attached Exhibit A.

Respectfully submitted,

By: Wendy K. L. Harvel

Ann M. Coffin
State Bar No. 00787941
Wendy K. L. Harvel
State Bar No. 00796719
C. Glenn Adkins
State Bar No. 24103097
Coffin Renner LLP
1011 West 31st Street
Austin, TX 78705
(512) 879-0900
(512) 879-0912 (fax)
ann.coffin@crtxlaw.com
wendy.harvel@crtxlaw.com
glenn.adkins@crtxlaw.com

**ATTORNEYS FOR ANAQUA SPRINGS
HOMEOWNERS' ASSOCIATION**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been filed with the Commission and served on all other parties via the PUC Interchange on this the 18th day of December, 2020 pursuant to SOAH Order No. 3 issued in this docket.



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.”

“Aerial Photograph” refers to the aerial photograph attached to these discovery requests.

“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.

“Document” or “Documents” is used in the broadest sense possible and shall mean documents within the possession, custody or control of SHLAA, 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 “SHLAA”, and includes any individual members of SHLAA, employees, agents, attorneys or consultants working directly or indirectly with SHLAA or any of its members, 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 the date construction started on the structure circled on the Aerial Photograph.

Anaqua Springs 1-2

Please provide the street address of the structure circled on the Aerial Photograph.

Anaqua Springs 1-3

Please provide the dates on which electric, water, and wastewater utilities were connected to the structure circled on the Aerial Photograph, and on what date a certificate of occupancy was issued for that same structure.

Anaqua Springs 1-4

Please indicate whether on December 10, 2020, there was a continuous paved roadway from a publicly accessible road to the driveway of the structure circled on the Aerial Photograph.

Anaqua Springs 1-5

Please provide the name of the builder, architect, and purchaser of the structure circled on the Aerial Photograph.

Anaqua Springs 1-6

Please indicate whether the structure circled on the aerial photograph was constructed after a buyer executed a contract or was constructed without a contracted buyer.

Anaqua Springs 1-7

Was construction started on any homes or structures in the Canyons at Scenic Loop within 300 feet of Segment 26 after the open house in October 2019?

Anaqua Springs 1-8

If the answer to Anaqua Springs 1-7 is yes, please provide the locations of those homes either by street address, Bexar County parcel number, or CPS Attachment 6 parcel number.

Anaqua Springs 1-9

Was construction started on any homes or structures within 300 feet of the centerline of Segment 26 after CPS provided landowner notice of the Application?

Anaqua Springs 1-10

Please provide the date the road allowing access to the structure circled on the Aerial Photograph was paved.

