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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 SCENIC LOOP 138-KV §
TRANSMISSION LINE IN BEXAR §
COUNTY, TEXAS §

BEFORE THE PUBLIC UTILITY COMMISSION
FILING CLERK

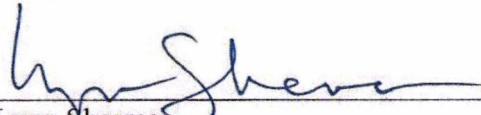
PUBLIC UTILITY COMMISSION

OF TEXAS

**BRAD JAUER'S & BVJ PROPERTIES, L.L.C.'S
SECOND SET OF REQUESTS 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 (the "Parties Agreements"), Brad Jauer and BVJ Properties, L.L.C. request the City of San Antonio acting by and through the City Public Service Board ("CPS") provide, within 15 days (as adjusted for Thanksgiving in accordance with the Parties Agreements), the information requested in Attachment A.

Respectfully submitted,

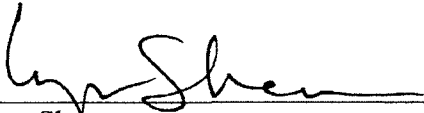


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CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of January 2021, 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.



Lynn Sherman

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.”

“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 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 Brad Jauer and BVJ Properties, L.L.C., please identify the document with sufficient specificity to allow Brad Jauer and BVJ Properties, L.L.C. 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

Brad Jauer & BVJ Properties RFI 2-1

Regarding CPS's responses to RFI AS 2-4 and 2-5, given CPS's definition of "engineering constraints" and the proximity Habitable Structure 81 to Segment 54 (*i.e.*, 32 feet to the edge of the right-of-way and 82 feet to the center of right-of-way, referencing Table 4-7 of EA Attachment 2), how close to the edge of a segment's right-of-way ("ROW") does a home have to be to be considered an engineering constraint that would require either that the house be condemned or that the line be rerouted, or other the employment of other protective measures?

Brad Jauer & BVJ Properties RFI 2-2

According to the Scenic Loop CE Spreadsheet Final 12-18-2020, Segment 54 is predicted to have a 75-foot ROW. However, the answers to RFIs AS 2-4 and 2-5 appear to be based on a 100-foot ROW. Please clarify.

Brad Jauer & BVJ Properties RFI 2-3

Please describe CPS's policy regarding condemnation and relocation or purchasing and demolishing homes or other habitable structures that prove to be a constraint to routing transmission lines in a "safe, efficient and cost effective" manner. Does CPS anticipate that condemnations of homes such as Habitable Structure 81 will be necessary?

Brad Jauer & BVJ Properties RFI 2-4

Please describe where contingency for condemnation is located in the project cost estimates and how it was calculated. Does this amount vary between rural and urban settings? What recent actual project cost experience is this based on?

Brad Jauer & BVJ Properties RFI 2-5

CPS's response to numerous RFIs is that its standard ROW is 100 feet, but various work streams have not yet been completed to provide for the delineation of where a narrower ROW will be considered or where pole structures will be located or how many will be used. However, Scenic Loop CE Spreadsheet Final 12-18-2020 contains columns for lineal feet of 75-foot ROW width, as well as lineal feet of 100-foot ROW width. Please explain how CPS has both responded that it does not know where a 75-foot ROW will be used, yet has provided a spreadsheet indicating the precise segments where CPS plans to use a 75-foot ROW. Please identify the constraints that led CPS to assume a 75 foot ROW in certain segments (*i.e.*, Segment 54 is 100% 75-foot ROW).

Brad Jauer & BVJ Properties RFI 2-6

Along segments shown as using a 75-foot right-of-way in Spreadsheet Final 12-18-2020, does CPS plan to use a portion of the road right-of-way, and if so, how much in each instance?

Brad Jauer & BVJ Properties RFI 2-7

Regarding CPS response to AS 2-6, please identify the point where the 292-foot measurement was taken. Please advise why Habitable Structure 56 (the Rose Palace) does not appear in any of Tables 4-6 through 4-36 in EA Amended Attachment 2. What are the distances to the edge and

center of ROW to the nearest corner of the sheet metal roof? What protective measures, such as grounding the sheet metal roof and metal pipe fencing, are contemplated to protect the inhabitants during events?

Brad Jauer & BVJ Properties RFI 2-8

CPS response to AS 2-12 states in part: “As a prudent utility operator CPS Energy will ensure appropriate grounding, if necessary, for any of the facilities proposed for the construction of the Project.” Please state how CPS determines if appropriate grounding is necessary? Do CPS easements convey the right to enter properties and test and install grounding systems? Does CPS disclose up front when initial easement negotiations take place with impacted homeowners that grounding may be necessary, what potential dangers will be mitigated, and how this grounding will be maintained? Please describe CPS’s typical cathodic protection for steel natural gas or water pipelines.

Brad Jauer & BVJ Properties RFI 2-9

Please advise if homes, playground equipment fences, metal roofing, gutter and downspouts, etc. along Toutant Beauregard where there is 75-foot ROW anticipated, including Segments 14, 54, 20 and 36 or any other location where there is a planned 75-foot right-of-way would need grounding systems installed to protect inhabitants from induced currents. What dangers exist for homeowners if the installed grounding systems fail? Where has CPS included grounding costs in their estimates?

Brad Jauer & BVJ Properties RFI 2-10

Regarding AS 2-16 and 2-17, substation site 7, parcel A-078 is just slightly larger than 7 acres and is irregularly pie shaped with a maximum width of just over 400 feet. CPS figure 1-6 shows a squarish boundary with equal clearance to the fence for all components. How would altering CPS standard design to fit within this narrow parcel change the response to these RFI’s? Would the entire parcel need to be clear cut of all vegetation? Would the substation security fence generally be located at the lot lines, and is there any setback required for perimeter fencing?

Brad Jauer & BVJ Properties RFI 2-11

In addition to the response provided to AS 2-25 and 2-26, please provide draft documents, emails, and any other documents that were prepared, reviewed, or discussed prior to developing final content, including but not limited to Segment 54 and Substation site 7.

Brad Jauer & BVJ Properties RFI 2-12

Referring to CPS Energy Electric Transmission Line Routing/Substation Siting General Process Manual, 4.A.1.a, where it is stated: “Existing residential areas and subdivisions will be avoided when possible. Habitable structures will be avoided wherever feasible.” Please describe how Segment 54 complies with this requirement.

Brad Jauer & BVJ Properties RFI 2-13

Referring to CPS Energy Electric Transmission Line Routing/Substation Siting General Process Manual, 4.A.2.h re: Neighborhood Impact, where it is stated: “The substation site will be located to minimize impact on churches, schools, parks, residences, etc.” Please describe how

Substation Site 7 minimizes impacts on nearby residences given its location within a populated/mature residential neighborhood.

Brad Jauer & BVJ Properties RFI 2-14

Referring to CPS Energy Electric Transmission Line Routing/Substation Siting General Process Manual, 4.A.2.n, where it is stated: "Potential noise will be considered when the location of substations is being determined." Please advise what considerations were given to noise impacts on the nearby neighbors along Segments 14, 54, 20, 32, 36, 42 and 35.

Brad Jauer & BVJ Properties RFI 2-15

Referring to Table 4-2, please indicate what type of existing right-of-way 0.85 mile of Segment 43 is parallel to. Please also indicate whether the 0.65 mile of length of ROW parallel and adjacent to apparent property lines is included or separate from the 0.85 mile of other right-of-way. Please indicate on Figure 4-1 the approximate location of each of those paralleling rights-of-way.

Brad Jauer & BVJ Properties RFI 2-16

Regarding the pipeline or other utility service line currently marked with yellow paint and flags on the north side of Toutant Beauregard along Segment 20, please provide its (e.g., the pipeline's) owner, size (e.g., diameter), composition or material (e.g., metal, polyvinyl, etc., including type thereof), and type (e.g. water, natural gas, etc., as well as whether it is a distribution or transmission line), and please indicate whether CPS is the entity currently having that pipeline or other utility service marked.

Brad Jauer & BVJ Properties RFI 2-17

Is the habitable structure currently located between Habitable Structures 93 and 94 included in the Application, as amended? What is the distance from that habitable structure to the centerline of the right-of-way on Segment 54?

Brad Jauer & BVJ Properties RFI 2-18

How close is the existing San Antonio Water System ("SAWS") water well to the centerline of Segment 5, Segment 14 and/or Segment 13? Has SAWS been notified of those segments and their proximity to the water well? Please provide any related.

Brad Jauer & BVJ Properties RFI 2-19

Was Segment 35, as drawn before the open house, closer to McAndrew School than Segment 42, which was added after the open house and after an easement was donated to accommodate it?