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PUC DOCKET NO. 51023

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APPLICATION OF THE CITY OF	§	BEFORE THE STATE OFFICE
SAN ANTONIO TO AMEND ITS	§	OF
CERTIFICATE OF CONVENIENCE	§	ADMINISTRATIVE HEARINGS
AND NECESSITY FOR THE	§	
SCENIC LOOP 138-KV TRANSMISSION	§	
LINE IN BEXAR COUNTY	§	

**CPS ENERGY’S RESPONSE TO PATRICK CLEVELAND’S
SECOND REQUEST FOR INFORMATION TO CPS ENERGY**

COMES NOW the City of San Antonio, acting by and through the City Public Service Board (CPS Energy) and files this Response to Patrick Cleveland’s Second Request for Information (RFI). This Response is timely filed. CPS Energy agrees and stipulates that all parties may treat these responses as if the answers were filed under oath.

Respectfully submitted,

/s/ Kirk D. Rasmussen

Kirk D. Rasmussen
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ATTORNEYS FOR CPS ENERGY

Handwritten signature/initials

CERTIFICATE OF SERVICE

I certify that a copy of this document was served on all parties of record on this date via the Commission's Interchange in accordance with SOAH Order No. 3.

/s/ Kirk D. Rasmussen

Kirk D. Rasmussen

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Patrick Cleveland Question No. 2-1:

With respect to Segment 49a, please provide any and all maps and overlays used to calculate the acreage of Golden Cheeked Warbler habitat referred to on page 3-27 of Power Engineer’s Environmental Assessment, specifically, the statement, “GIS applications, Model C habitat data and route segments were superimposed on 2010 . . . and 2019 . . . arial imagery”

Response No. 2-1:

Documents responsive to this request are being made available electronically in their native format to the requesting party. An index of responsive documents is provided below.

Document Index:

GCW_Route_Impacts_20201210.cpg	GCW_Segment_Impacts_20201210.cpg
GCW_Route_Impacts_20201210.dbf	GCW_Segment_Impacts_20201210.dbf
GCW_Route_Impacts_20201210.lyr	GCW_Segment_Impacts_20201210.lyr
GCW_Route_Impacts_20201210.prj	GCW_Segment_Impacts_20201210.prj
GCW_Route_Impacts_20201210.sbn	GCW_Segment_Impacts_20201210.sbn
GCW_Route_Impacts_20201210.sbx	GCW_Segment_Impacts_20201210.sbx
GCW_Route_Impacts_20201210.shp	GCW_Segment_Impacts_20201210.shp
GCW_Route_Impacts_20201210.shp.xml	GCW_Segment_Impacts_20201210.shp.xml
GCW_Route_Impacts_20201210.shx	GCW_Segment_Impacts_20201210.shx

Prepared By: Lisa B. Meaux
Sponsored By: Lisa B. Meaux

Title: Project Manager, POWER Engineers, Inc.
Title: Project Manager, POWER Engineers, Inc.

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Patrick Cleveland Question No. 2-2:

Was the map of Golden Cheeked Warbler Habitat in Bexar County, (published in the Diamond, D.D., L.F. Elliot, and R. Lea. 2010 Golden-cheeked Warbler Habitat Up-date, Final Report to Texas Parks & Wildlife, Austin, Texas, USA), used as an overlay or otherwise used to calculate the acreage of Golden Cheeked Warbler habitat in the project area?

Response No. 2-2:

Yes. The Golden Cheeked Warbler Habitat in Bexar County was used to calculate the acreage of golden-cheeked warbler habitat in the project area. Please also note that, as stated on page 3-27 of the Environmental Assessment attached to CPS Energy’s Application as Attachment 1, POWER biologists identified obvious vegetation alterations in areas designated as potential suitable habitat by the Model C. Examples of obvious vegetation alterations included newly constructed infrastructure (e.g., roads, transmission lines, and pipelines), commercial/residential developments, and clear-cut or thinned vegetation. Unaltered areas (no obvious alterations of vegetation) were assumed to remain the same quality and retained their Model C value designation.

Prepared By: Lisa B. Meaux
Sponsored By: Lisa B. Meaux

Title: Project Manager, POWER Engineers, Inc.
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Patrick Cleveland Question No. 2-3:

Please delineate on the appropriate maps in Attachment 6 to the Amended Application the locations on Segment 49a identified as Golden Cheeked Warbler habitat designated as 3-Moderate High and 4–High Quality, and 1-Low and 2-Moderate Low Quality, with each of the two categories delineated in different colors.

Response No. 2-3:

POWER did not produce the maps in Attachment 6 to the Amended Application. The information provided in response to Patrick Cleveland Question No. 2-1 can be used to identify the location of the golden-cheeked warbler habitat requested in this question.

Prepared By: Lisa B. Meaux	Title: Project Manager, POWER Engineers, Inc.
Sponsored By: Lisa B. Meaux	Title: Project Manager, POWER Engineers, Inc.

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Patrick Cleveland Question No. 2-4:

Please explain how the adjustment of Map ID 17 in the Amendment to CPS Energy’s Application in the above captioned case, which changed the description from “Commercial” to “School” impacts Routes C1 and Y but not Route AA1, Route G1, Route J1 and Route EE.

Response No. 2-4:

Map Number 17, identified as a “School,” was measured within 300 feet of Segment 35, which is part of the segment combination for Routes C1, Y, DD and EE. Routes AA1, G1, and J1 do not include Segment 35 and therefore the school is not identified as a habitable structure within 300 feet of these routes. These routes use Segment 42a, which is not within 300 feet of the school.

Prepared By: Lisa B. Meaux
Sponsored By: Lisa B. Meaux

Title: Project Manager, POWER Engineers, Inc.
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Patrick Cleveland Question No. 2-5:

Please state whether the estimated total costs of the routes in Attachment 3 of the Amended Application factor in donated ROW.

Response No. 2-5:

Yes. The estimated total costs of the routes presented in Attachment 3 of the Application Amendment take into account the right-of-way that has been agreed to be donated.

Prepared By: Scott D. Lyssy
Sponsored By: Scott D. Lyssy

Title: Manager Civil Engineering
Title: Manager Civil Engineering

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Patrick Cleveland Question No. 2-6:

Please explain the difference, if there is one, between ROW that is donated and ROW that is available as referred to in the table on page 2 in Attachment 1 of the Amended Application.

Response No. 2-6:

There is no difference in this proceeding. The right-of-way that CPS Energy considers “available” in this proceeding is the right-of-way that has been agreed to be donated by landowners.

Prepared By:	Scott D. Lyssy	Title:	Manager Civil Engineering
	Adam R. Marin	Title:	Regulatory Case Manager
Sponsored By:	Scott D. Lyssy	Title:	Manager Civil Engineering
	Adam R. Marin	Title:	Regulatory Case Manager

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**CPS ENERGY’S RESPONSE TO PATRICK CLEVELAND’S
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Patrick Cleveland Question No. 2-7:

Are Developers (the conglomeration of Toutant Ranch, Ltd., Pinson Interests, Ltd., and Crighton Development Co.) required to donate land along Route Z1 to make Route Z1 \$57,133 less expensive than Route AA1, ? If so, what is the length of right of way that must be donated?

Response No. 2-7:

No. The agreement between CPS Energy and Toutant Ranch, Ltd., Pinson Interests, Ltd., and Crighton Development Co. (the Developers) is set forth in the agreement attached to Developers’ filing in this docket on November 24, 2020. As can be seen in the agreement, there is no reference or obligations related to a specific route of the Project, including Route Z or Route Z1. The length of right-of-way that has been agreed to be donated is set forth in the Application Amendment CPS Energy filed in this docket on December 22, 2020. Refer to Attachment 1, Question 6 for the specific lengths.

When CPS Energy was negotiating with the Developers, the agreement reached was that any modifications to Segment 49 requested by Developers should not result in routing that is estimated to cost more than the original alignment. Thus, if the modified routes using Segment 49 were estimated to cost more than the original alignments, the Developers are required to donate right-of-way to maintain the cost of the original alignment. The difference between the routes using Segment 49 and Route Z was used as a measuring point because Route Z was originally estimated to cost the least amount of the routes proposed. Thus, the Developers have no obligation regarding donation of right-of-way with respect to Route Z1 resulting from the Application Amendment. The original donation agreement regarding Segment 42 (now Segment 42a) remains in place, however.

Prepared By:	Scott D. Lyssy	Title: Manager Civil Engineering
	Adam R. Marin	Title: Regulatory Case Manager
Sponsored By:	Scott D. Lyssy	Title: Manager Civil Engineering
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Patrick Cleveland Question No. 2-8:

If the answer to the previous question is yes, why isn’t this donated land reflected in the table on page 2 in Attachment 1 of the Amended Application?

Response No. 2-8:

Refer to CPS Energy’s response to Patrick Cleveland Question No. 2-7.

Prepared By: Scott D. Lyssy	Title: Manager Civil Engineering
Sponsored By: Scott D. Lyssy	Title: Manager Civil Engineering

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**CPS ENERGY’S RESPONSE TO PATRICK CLEVELAND’S
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Patrick Cleveland Question No. 2-9:

Are Developers (the conglomeration of Toutant Ranch, Ltd., Pinson Interests, Ltd., and Crighton Development Co.) required to donate land along Route Z1 to make Route Z1 \$57,133 less expensive than Route EE? If so, what is the length of right of way that must be donated?

Response No. 2-9:

No. Refer to CPS Energy’s response to Patrick Cleveland Question No. 2-7.

Prepared By: Scott D. Lyssy
Sponsored By: Scott D. Lyssy

Title: Manager Civil Engineering
Title: Manager Civil Engineering

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**CPS ENERGY’S RESPONSE TO PATRICK CLEVELAND’S
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Patrick Cleveland Question No. 2-10:

If the answer to the previous question is yes, why isn’t this donated land reflected in the table on page 2 in Attachment 1 of the Amended Application?

Response No. 2-10:

Refer to CPS Energy’s response to Patrick Cleveland Question No. 2-7.

Prepared By: Scott D. Lyssy	Title: Manager Civil Engineering
Sponsored By: Scott D. Lyssy	Title: Manager Civil Engineering

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Patrick Cleveland Question No. 2-11:

Please provide your calculation of the length of Segment 49a that crosses Property B-006.

Response No. 2-11:

The estimated length of Segment 49a that crosses Property B-006 is approximately 3,581 feet or approximately 0.68 mile.

Prepared By: Lisa B. Meaux
Sponsored By: Lisa B. Meaux

Title: Project Manager, POWER Engineers, Inc.
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**CPS ENERGY’S RESPONSE TO PATRICK CLEVELAND’S
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Patrick Cleveland Question No. 2-12:

Please provide your calculation of the length of Segment 49a that crosses Property B-004.

Response No. 2-12:

The estimated length of Segment 49a that crosses Property B-004 is approximately 3,551 feet or approximately 0.67 mile.

Prepared By: Lisa B. Meaux	Title: Project Manager, POWER Engineers, Inc.
Sponsored By: Lisa B. Meaux	Title: Project Manager, POWER Engineers, Inc.