



Control Number: 51023



Item Number: 489

Addendum StartPage: 0



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

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

**FILING OF NOTICE WAIVER FOR
BEXAR APPRAISAL DISTRICT TRACT 1057955**

COMES NOW the City of San Antonio, acting by and through the City Public Service Board (CPS Energy) and files the attached Notice Waiver for Tract 1057955. On December 22, 2020, CPS Energy filed an Amendment to CPS Energy’s Application (Amendment) related to the above-referenced proceeding (the Project). At the time of the Amendment filing, CPS Energy determined that all landowners directly affected by the route modifications contained in the Amendment, as stated on the current Bexar County tax rolls, had been previously mailed notice of the proceeding pursuant to the requirements of 16 Tex. Admin. Code § 22.52.

Subsequent to the Amendment filing, CPS Energy learned that Tract 1059755 on the Bexar County tax rolls (Tract F-113), which is 25152 Clearwater Creek, San Antonio, Texas 78255, had been sold to Mr. Peter John Moraweic. Mr. Moraweic has been informed about the Project and has voluntarily waived his right to receive direct mail notice for the Project. Mr. Moraweic does not request a delay or extension of the procedural schedule as currently established. Mr. Moraweic’s signed Notice Waiver is included hereto as Attachment “A”. CPS Energy understands that Mr. Moraweic may elect to participate in this proceeding as a member of the Clearwater Ranch POA. CPS Energy does not object to Mr. Moraweic’s participation.

489

Respectfully submitted,

/s/ Kirk D. Rasmussen

Kirk D. Rasmussen

State Bar No. 24013374

Craig R. Bennett

State Bar No. 00793325

Jackson Walker LLP

100 Congress Avenue, Suite 1100

Austin, Texas 78701

(512) 236-2000

(512) 691-4427 (fax)

Email: krasmussen@jw.com

Email: cbennett@jw.com

ATTORNEYS FOR CPS ENERGY

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

ATTACHMENT "A"
(Signed Notice Waiver)



Kirk D. Rasmussen
(512) 236-2310 (Direct Dial)
(512) 391-2120 (Direct Fax)
krasmussen@jw.com

February 9, 2021
via Hand Delivery

Mr. Peter John Morawiec
19211 Terra Rock
San Antonio, Texas 78255

Re: **Notice Waiver** Related to 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 Project in Bexar County, Texas*

Dear Mr. Morawiec:

On December 22, 2020, the City of San Antonio, acting by and through the City Public Service Board (CPS Energy) submitted an application amendment to the Public Utility Commission of Texas (Commission) regarding its application to construct a 138-kV transmission line in Bexar County, Texas in the above-referenced proceeding (the Project). The application amendment directly affects property that you recently purchased in Bexar County, Texas at 25152 Clearwater Creek, San Antonio, TX 78255, which is shown generally on Attachment A as Tract F-113 (on the CPS Energy mapping) and Tract 1057955 (on the Bexar County Appraisal District Mapping).

CPS Energy recently became aware of your purchase of property that is directly affected (crossed) by a route modification included in the recently filed application amendment (Segment 26a). As such, you are entitled to direct mail notice of the project and an opportunity to intervene and participate in this proceeding. We understand that you have been informed about the project and are willing to waive your right to receive direct mail notice of the Project. We additionally understand that you are willing to participate in the current proceeding under the established schedule without request for further delays or extensions. In order to formalize your waiver and agreement, I kindly request that you acknowledge and agree as follows:


- a) You are the owner of Tract 1057955 as reflected on the current Bexar County tax rolls;
- b) You are informed about the Project and understand that you are entitled to direct mail notice of the Project regarding proposed route Segment 26a that is identified on the western boundary of Tract 1057955 (also known as Tract F-113) as shown on Attachment A;

Mr. Peter John Morawiec
February 9, 2021
Page 2

- c) You waive your right to formal notice of the Project by CPS Energy;
- d) You do not desire or request a delay or extension of the procedural schedule currently established in SOAH Docket No. 473-21-0247; PUC Docket No. 51023; and
- e) You understand that this agreement will be filed at the Commission, offered into evidence in CPS Energy's application proceeding, and will otherwise be available to parties to that proceeding, the administrative law judges, and the Commission in evaluating the Project.

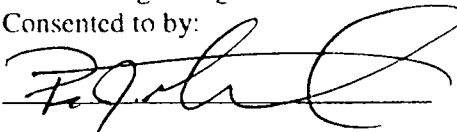
Your signature below constitutes your acknowledgement, agreement, and consent to paragraphs a) through e), above.

Sincerely,



Kim D. Rasmussen
Authorized Representative of
CPS Energy

Acknowledged, Agreed, and
Consented to by:



Name: Peter John Morawiec

Date: 2-9-2021