



Control Number: 51023



Item Number: 569

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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 PROPOSED SCENIC
LOOP 138-KV TRANSMISSION
LINE IN BEXAR COUNTY

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BEFORE THE STATE OFFICE

FILED
PUBLIC UTILITY COMMISSION
FILING CLERK

OF

ADMINISTRATIVE HEARINGS

**OBJECTION AND MOTION TO STRIKE BY BEXAR RANCH, L.P.,
BY SAVE HUNTRESS LANE AREA ASSOCIATION
AND BY CLEARWATER RANCH POA
TO THE TESTIMONY REFERRING TO "ROUTE R-1 MODIFIED"**

Intervenors BEXAR RANCH, L.P., SAVE HUNTRESS LANE AREA ASSOCIATION AND CLEARWATER RANCH POA, hereby file this OBJECTION AND MOTION TO STRIKE BY BEXAR RANCH, L.P., BY SAVE HUNTRESS LANE AREA ASSOCIATION AND BY CLEARWATER RANCH POA TO THE TESTIMONY REFERRING TO "ROUTE R-1 MODIFIED" (the "Objection and Motion to Strike") and respectfully show:

1. The Direct Testimony of Sunil Dwivedi, M.D. on behalf of Anaqua Springs HOA (Item No. 502) and the Direct Testimony of Brad Jauer on behalf of Brad Jauer and BVJ Properties, LLC (Item No. 512) each refer to "Route R1 Modified" (sometimes called "modified Route 1," but hereinafter referred to as "Route R1 Modified").

2. No such "Route" exists in these proceedings.

3. Rather, Anaqua Springs HOA and Brad Jauer and BVJ Properties, LLC, who previously launched a route adequacy hearing in December of 2020 with no mention of "Route R1 Modified," have concocted this "Route." As shown below, this "Route" was introduced in a discovery request served by Anaqua Springs HOA on CPS.

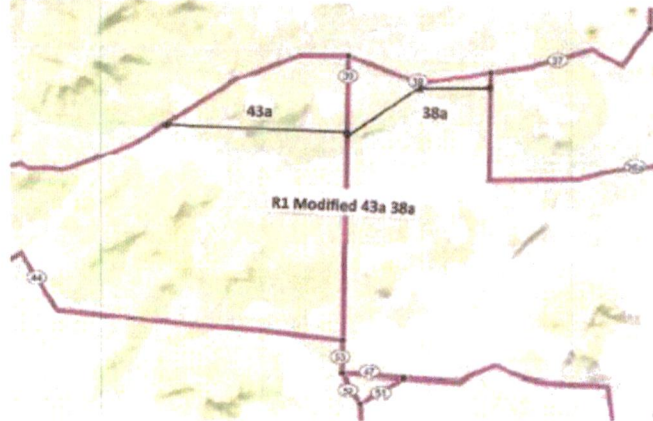
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**CPS ENERGY'S RESPONSE TO ANAQUA SPRINGS HOMEOWNERS'
ASSOCIATION THIRD REQUEST FOR INFORMATION**

Anaquas Springs Question No. 3-1:

Please provide the cost, length, and habitable structure count on a modified Route R1 as follows: Substation 6, Segments 50, 15, 26a, 38 modified and renamed to 38a, and 43a, with modifications as shown on the attached exhibit.

Exhibit:



Response No. 3-1:

“Modified and renamed” segments “43a” and “38a” as shown on the exhibit are not segments included in CPS Energy’s Application or Amended Application in this proceeding. CPS Energy has not identified, evaluated, or compiled data associated with these “modified” and “renamed” segments. Accordingly, CPS Energy does not have, and is therefore unable to provide, information responsive to this request.

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Sponsored By: Lisa B. Meaux

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

4. As shown above, CPS stated in its Response that it has not studied this “Route.”¹ Indeed, this “Route” relies on “Segments” not included in the Application – “Segment 38a” and “Segment 43a.” “Segment 38a” and “Segment 43a” and “Route R1

¹ See CPS Energy’s Response to Anaquas Springs Homeowners’ Association’s Third Request for Information at No. 546.

Modified” are, therefore, not identified, not evaluated, not studied, not included in the Application, and not noticed.

5. Moreover, SAVE HUNTRESS LANE AREA ASSOCIATION (“SHLAA”) and CLEARWATER RANCH POA object to “Segment 38a” and do not consent to “Segment 38a” (which crosses their property).

6. BEXAR RANCH, L.P. objects to “Segment 43a” and does not consent to “Segment 43a” (which crosses its property).

7. Accordingly, the following testimony should be struck from the Direct Testimony of Sunil Dwivedi, M.D. on behalf of Anaqua Springs HOA (Item No. 502):

Page 3: Lines 4-7	“What ... Route 1 Modified.”	Relevance
Page 4: Lines 5-7	“We do not ... proposed.”	Relevance
Page 4: Lines 17-19	“It is my ... properties.”	Relevance
Page 5: Lines 1-3	“The ... lines.”	Relevance

8. The following testimony should be struck from Direct Testimony of Brad Jauer on behalf of Brad Jauer and BVJ Properties, LLC (Item No. 512):

Page 4: Lines 22-23	“..., and why ... factors”	Relevance
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9. It is anticipated that additional testimony filed on the Interchange will include references to “Route R1 Modified” (or something similarly named). Accordingly, this Objection is ongoing as to all such testimony that references “Route 1 Modified” and/or “Segment 38a” and/or “Segment 43a”.²

² In relation to the significant weather experienced in the last ten days, the following is provided. The attorneys representing the movants have each experienced significant loss of power, loss of Wi-Fi, and/or damage to their office technology due to a significant water link in the days leading up to and/or following the deadline to submit direct testimony. Thus, to the extent there is an objection to the timeliness of this Objection and Motion to Strike, movants request leave to file this Objection and Motion to Strike.

PRAYER

WHEREFORE, PREMISES CONSIDERED, BEXAR RANCH, L.P., SAVE HUNTRESS LANE AREA ASSOCIATION AND CLEARWATER RANCH POA respectfully request that the Administrative Law Judges (1) sustain their objections; (2) grant their Motion to Strike the aforementioned testimony; and (3) grant them all other and further relief, both in law and in equity, to which each movant is justly entitled.

Respectfully submitted,
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ATTORNEYS FOR CLEARWATER RANCH POA

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document has been filed in the records of Docket 51023 in the above-captioned proceedings, on this 22nd day of February 2021.



Soledad M. Valenciano