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SOAH DOCKET NO. 473-21-0247
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2021 FEB 25 AM 9:18

APPLICATION OF THE CITY OF	§	BEFORE THE STATE OFFICE
SAN ANTONIO ACTING BY AND	§	
THROUGH THE CITY PUBLIC	§	
SERVICE BOARD (CPS ENERGY)	§	
TO AMEND ITS CERTIFICATE OF	§	OF
CONVENIENCE AND NECESSITY	§	
FOR THE PROPOSED SCENIC	§	
LOOP 138-KV TRANSMISSION	§	
LINE IN BEXAR COUNTY	§	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 OF MARK D. ANDERSON 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 OF MARK D. ANDERSON REFERRING TO "ROUTE R-1 MODIFIED" (the "Objection and Motion to Strike") and respectfully show:

1. The Direct Testimony Mark D. Anderson on behalf of Anaqua Springs Homeowners' Association, Brad Jauer, and BVJ Properties, LLC (Item No. 564) refers to "Route R1 Modified" (sometimes called "modified Route R1," but hereinafter referred to as "Route R1 Modified").

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

3. Rather, Anaqua Springs Homeowners' Association, Brad Jauer, and BVJ Properties, LLC, who previously proffered Mr. Anderson as their key witness in their December 2020 route adequacy hearing (with no mention of "Route R1 Modified" at that time) have, at this late hour, concocted a "Route" that they prefer.

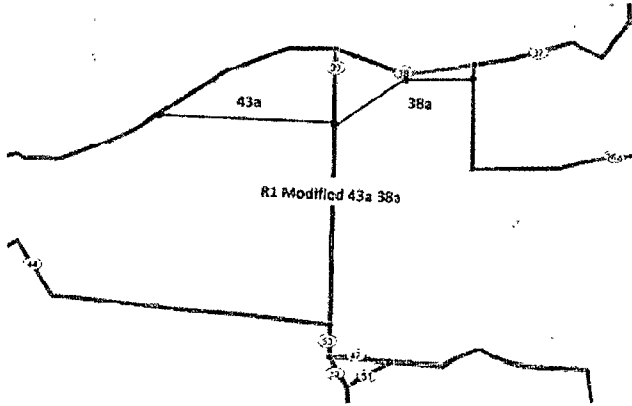
4. As shown below, this "Route" was introduced in a recent discovery request served by Anaqua Springs HOA on Applicant, CPS Energy ("CPS").

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

Anaqua 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.

5. 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."

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

6. “Segment 38a” and “Segment 43a” and “Route R1 Modified” are, therefore, not identified, not evaluated, not studied, not included in the Application, and not noticed.

7. 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).

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

9. Accordingly, the following testimony should be struck from the Direct Testimony of Mark Anderson (Item No. 564) and otherwise given no evidentiary weight:

Line and Page	Reference	Objection
Page 7: Lines 16-20	“Based ...is not considered, then”	Relevance
Page 10: Lines 9-19	“My opinion is ...line of”	Relevance
Page 11: Lines 1 -23	“Tract No. F-021 ... miles long.”	Relevance
Page 12: Lines 3-21	“Multiplying ...when”	Relevance
Page 13: Lines 1-15	“the routes ... my testimony.”	Relevance
Page 14: Lines 15-18	“Yes. ... Z1.”	Relevance
Page 15: Lines 1-15	Table MDA-1 <u>and</u> “Table MDA-1 ... adjacent subdivision”	Relevance
Page 16: Lines 1-3	“Relative ... under consideration.”	Relevance
Page 17: Lines 1-2	“These additional ... Route R1 Modified.”	Relevance
Page 17: Lines 7-8	“Route R1 Modified ... expensive.”	Relevance
Page 18: Lines 11-14	“No. ... in fact.”	Relevance
Page 19: Lines 1-5	Table MDA-2 <u>and</u> “Table MDA-2 ... Route R1 Modified.”	Relevance

Page 29: Lines 23-25	"Thus, ... Beauregard."	Relevance
Page 33: Lines 5-7	"There is ... Route R1 Modified."	Relevance
Page 33: Lines 8-16	"X. Modification ... cost."	Relevance
Page 34: Line 18	"If the modification ... Route R1,"	Relevance
Page 36: Lines 12-23	"Using Route R1 Modified ... and schools,"	Relevance
Page 37: Lines 1-2	"and avoids ... approved."	Relevance
Page 113	Exhibit MDA-4	Relevance
Page 114	Attachment 6 Amended	Relevance


10. To the extent these Intervenor, or others, continue to advance testimony, whether subsequently filed, in errata, or by rebuttal testimony, including references to, or otherwise advancing and/or supporting "Route R1 Modified" and/or "Segment 38a" and/or "Segment 43a" (or something similarly named), movants state that this Objection and Motion to Strike is ongoing as to all such testimony and/or references.

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 24th day of February 2021.

A handwritten signature in black ink, appearing to read 'Soledad M. Valenciano', written over a horizontal line.

Soledad M. Valenciano