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

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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 §

**CPS ENERGY'S FIRST SET OF REQUESTS FOR  
INFORMATION TO THE  
SAN ANTONIO ROSE PALACE, INC. AND STRAIT PROMOTIONS, INC.**

COMES NOW the City of San Antonio, acting by and through the City Public Service Board (CPS Energy) and requests that you provide the information and answer the attached questions under oath. It is further requested that the questions be answered in the order in which they are asked with as much detail so as to fully present all of the relevant facts.

**Instructions**

Please answer the attached questions on separate pages and copy the question immediately above the answer to each question. Following each answer, please identify the witness or witnesses who will sponsor each of your answers at the hearing in this PUC Docket No. 51023. These questions are continuing in nature and, should there be a change in circumstances that would modify or change any of your answers, then, in such case, please change or modify such answer and submit such changed answer as a supplement to the original answer within five (5) working days of your discovery that such change or modification is appropriate.

In answering these requests for information, you are requested to furnish such information as is available to you, including information which you are able to obtain by due diligence from your present or former attorneys, accountants, investigators, consultants, employees, agents, and persons acting on your behalf. **To the extent any information responsive to a general question is also responsive to another more specific question, provide the information in response to the more specific request.**

If you are unable to answer any request fully and completely after exercising due diligence to make inquiry and to secure information, you are to answer such request as fully and

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completely as you can and to specify the portions which you are unable to answer in such request. In addition to specifying those portions, you are to state with regard to each portion:

1. The fact on which you base the contention that you are unable to answer that portion;
2. The knowledge, information, and belief you have concerning that portion; and
3. The acts done and inquiries made by you in attempting to answer such request.

The singular includes the plural and the plural includes the singular.

Masculine, feminine, or neuter pronouns do not exclude the other genders.

The words “document” and “documents” have the broadest meaning that can be ascribed to them pursuant to the Texas Rules of Civil Procedure. Among other things, the words “document” and “documents” mean the final form and **all drafts and revisions of any kind** of written or graphic matter, original or reproduced copy, however produced or reproduced, of any kind and of every kind, and all copies there from that are different in any way from the original regardless of whether designated “confidential,” “privileged,” or otherwise restricted. Without limiting the generality of the foregoing, the words “document” and “documents” also include information stored or maintained on, or which could be reproduced from, any form of storage or storage device including, without limitation, film, microfilm, computer printout, disk or diskette, magnetic tape, cassette, phonographic disc, videotape, compact disk, DVD, or similar means.

The words “and” and “or” shall be construed conjunctively or disjunctively as necessary to bring within each request all documents which might otherwise be construed as outside its scope.

The words “communication” and “communications” include, without limitation of their generality, both written and oral: statements, representations, discussions, conversations, speeches, meetings, remarks, questions, answers, panel discussions and symposia. These words include, without limitation of their generality, both communications and statements that are face-to-face and those that are transmitted by any writing or document or by media such as intercoms, telephones, television or radio. These words also include any communications and statements that are transmitted electronically or wirelessly, through means such as, but not limited to, email or text messages.

The words “identify” and “identification,” when used with respect to a natural person or persons, mean to state the name, address(es) and telephone number(s) of each such person. If any of the foregoing information is not available, state any other available means of identifying such person.

The words “identify” and “identification,” when used in reference to a person other than a natural person, mean to set forth its:

- (1) full name or title;
- (2) nature or organization, including the state under which the same was organized or incorporated;
- (3) address and telephone number (with area code prefix); and
- (4) principal line of business.

If any of the foregoing information is not available, state any other available means of identifying such person.

The words “identify” and “describe,” when used in reference to a fact, mean to state not only the fact itself, but also:

- (1) its date, time, and place;
- (2) the name, address, and telephone number of each person with knowledge of the fact;
- (3) whether the act is supported by an oral communication, a document, or other event; and
- (4) any other evidence that supports such fact.

The words “identify” and “identification,” when used in reference to a document, mean to state:

- (1) its date;
- (2) its author;
- (3) its addressee;
- (4) the type of document (e.g., letter, memorandum, receipt, invoice, schedule, report, telegram, chart, photograph, etc.); and
- (5) its present location and identity of its custodian. If any document was, but is no longer, in your possession, custody, or control, or is no longer in existence, explain why.

If any of the foregoing information is not available, state any other available means of identifying such document. If a document is one of a series of pages contained in a book, pamphlet, binder, folder, microfilm (or other storage device), include in your identification of such document(s) any available numerical reference (or other aid) to the pages and line or other portion thereof at which the information referred to can be found. A true and correct copy of any document may be produced and filed with your Answers hereto in lieu of the above information.

The words “identify” and “describe,” when used with respect to an oral communication, mean:

- (1) to state the substance of each such oral communication;
- (2) to state the exact words used by each person participating in the oral communication;
- (3) to identify each speaker;
- (4) to identify each person present at the making or reception of such oral communication;
- (5) to specify the date, time, and place of each oral communication;
- (6) to identify each person repeating such oral communication;
- (7) to identify every document which records, memorializes, or relates to all or part of such communication; and
- (8) to identify the mode of such communication (e.g., telephone, face-to-face, etc.).

The words “person” and “persons” as used herein, mean all individuals and entities, and shall be deemed to include natural persons, firms, partnerships, associations, organizations, joint ventures, corporations, and any other entities.

The words “relate,” “related,” “relates,” and “relating,” as used herein, mean involving, relating to, referring to, having any relationship to, pertaining to, evidencing or constituting evidence of, in whole or in part.

All computer readable data should be provided on the ShareFile site for this Project. CPS Energy will provide upload access to any party upon request before time for your response.

If you have any question concerning the attached Questions or any of these instructions, please contact Kirk Rasmussen at (512) 236-2310.



### **ADDITIONAL DEFINITIONS**

1. The words “Rose Palace,” “you,” and “your” refer to the San Antonio Rose Palace, Inc., and Strait Promotions, Inc., and any and all of its attorneys, employees, consultants, contractors, or representatives.
2. “Project” means the proposed transmission project that is the subject of the application in this docket.
3. The words “CPS Energy” and “Applicant” refer to the City of San Antonio, acting by and through the City Public Service Board.
4. “PUC” or “Commission” means the Public Utility Commission of Texas.
5. “POWER” means POWER Engineers, Inc.
6. “EA” or “Environmental Assessment” collectively includes the *Scenic Loop 138 kV Transmission Line and Substation Project Environmental Assessment and Alternative Route Analysis, Bexar County, Texas* and the *Scenic Loop 138 kV Transmission Line and Substation Project Environmental Assessment and Alternative Route Analysis AMENDMENT Bexar County, Texas*, both of which were prepared by POWER.
7. “BVJ/Jauer” means Brad Jauer and BVJ Properties, L.L.C. and any of its attorneys, employees, consultants, contractors, or representatives.
8. “Anaqua Springs HOA” means the Anaqua Springs Home Owners’ Association and any and all of its residents/members, attorneys, employees, consultants, contractors, or representatives.
9. “This docket” refers to PUC Docket No. 51023 / SOAH Docket No. 473-21-0247.

## QUESTIONS

- 1.1 Identify all Public Utility Commission of Texas dockets where Mr. Jason E. Buntz has provided written testimony.
- 1.2 Identify all electric transmission line routing analysis in which Mr. Buntz participated on behalf of an electric utility.
- 1.3 Provide a professional resume or CV for Mr. Buntz.
- 1.4 Identify and provide all documents, tangible things, reports, models, or data compilations that have been provided to, reviewed by, or prepared by or for Mr. Buntz in anticipation of his testimony in this docket.
- 1.5 Identify and provide all workpapers, draft analyses, evaluations, notes, and any other factual information related to or forming the basis of Mr. Buntz' mental impressions and opinions in connection with this docket.
- 1.6 Identify and fully describe any bias Mr. Buntz has as it relates to this docket or any parties thereto.
- 1.7 Identify and provide all communications between you and BVJ/Jauer or Anaqua Springs HOA regarding your testimony.
- 1.8 Identify and provide all communications between Mr. Buntz and counsel for the Rose Palace, BVJ/Jauer, or the Anaqua Springs HOA regarding Mr. Buntz' testimony.
- 1.9 Identify each site visit Mr. Buntz made to the study area in anticipation of his testimony.
- 1.10 Provide all photographs taken by or under the direction of Mr. Buntz, or otherwise utilized by Mr. Buntz, of any of the features in the study area discussed in his testimony.
- 1.11 Provide all field notes prepared by or under the direction of Mr. Buntz during or resulting from any site visits in anticipation of his testimony.
- 1.12 Identify and provide all communications between Mr. Buntz and any federal, state, county, or local agency, commission, non-profit entity, or group in association with Mr. Buntz' testimony in this proceeding.
- 1.13 Does Mr. Buntz agree with the conclusions on page 34, lines 8-16 of Mr. Mark Anderson's testimony that Segment 36 can be improved by locating it across the Heidemann Ranch Historic District and spanning the property?

- 1.14 Provide a copy of all electric transmission line environmental assessments and routing analysis studies in which Mr. Buntz participated in the preparation.
- 1.15 Identify all other transmission line certificate of convenience and necessity proceedings of which Mr. Buntz is aware that a utility applicant consulted and included data from TxDOT's historic districts and properties GIS map and included such information in its application materials.
- 1.16 Identify all additional historic resources in the study area that Mr. Buntz believes should have been included in the EA that were not.
- 1.17 Identify all additional data that Mr. Buntz believes should have been included in the EA that was not.
- 1.18 Identify whether Mr. Buntz believes the "Scenic Loop-Boerne Stage-Toutant-Beauregard Historic Corridor" is a single historic resource. If not, please identify each separate historic resource that makes up the "Scenic Loop-Boerne Stage-Toutant-Beauregard Historic Corridor" as referenced in Mr. Buntz' testimony.
- 1.19 Identify all instances, in the study area, of which Mr. Buntz is aware in which development has been altered, limited, or impacted directly by the existence of the "Scenic Loop-Boerne Stage-Toutant-Beauregard Historic Corridor" identified in Mr. Buntz' testimony.
- 1.20 Identify whether Mr. Buntz believes the "Old Spanish Trail" is a single historic resource. If not, please identify each separate historic resource that makes up the "Old Spanish Trail" as referenced in Mr. Buntz' testimony.
- 1.21 Identify all instances, in the study area, of which Mr. Buntz is aware in which development has been altered, limited, or impacted directly by the existence of the "Old Spanish Trail" identified in Mr. Buntz' testimony, including, but not limited to the lighted San Antonio Rose Palace Sign and large digital marquee.
- 1.22 Identify all existing utility structures, lines, and/or other facilities of which Mr. Buntz is aware within the "Scenic Loop-Boerne Stage-Toutant-Beauregard Historic Corridor" identified in Mr. Buntz' testimony, including, but not limited to the lighted San Antonio Rose Palace Sign and large digital marquee.
- 1.23 Identify all existing utility structures, lines, and/or other facilities of which Mr. Buntz is aware within the "Old Spanish Trail" identified in Mr. Buntz' testimony.
- 1.24 Identify all ways in which the siting and long-term operation of a substation and 138 kV transmission line changes the character of a rural area.

- 1.25 Identify all ways in which the siting and long-term operation of a substation and 138-kV transmission line is expected to change the character of the Scenic Loop area.
- 1.26 Identify all relevant direct or indirect impacts to historic resources or Historical Values that you believe were omitted from the EA.
- 1.27 Identify any location in which any portion of the Heidemann Ranch historic property is crossed by any portion of the Project.
- 1.28 Refer to page 14, lines 14-15 of Mr. Buntz' testimony. Identify all ways in which a 138 kV transmission line would "alter the rural setting of the Historic District."
- 1.29 Identify all information Mr. Buntz contends is missing from the EA that is necessary for compliance with PURA § 37.056(c) and PUC Subst. R. 25.101(b)(3)(B).
- 1.30 Refer to page 15 of Mr. Buntz' testimony. Excluding the selection of a route that would have a purported lesser impact, please identify all mitigation measures Mr. Buntz believes should be taken to "lessen the indirect impacts to the Heidemann Ranch Historic District."
- 1.31 Identify all "community resources" in the study area that Mr. Buntz believes were omitted from the EA.
- 1.32 Identify all factors used to determine a "community resource" and the analysis Mr. Buntz contends is required to make such determination.
- 1.33 Identify all "community values" in the study area that Mr. Buntz believes were omitted from the EA.
- 1.34 Is it Mr. Buntz' contention that all roadways with historic value must be one of the following: (1) a high-quality aesthetic resource; (2) a designated view; or (3) a designated scenic road or highway.
- 1.35 Identify all ways in which the inclusion of the San Antonio Rose Palace as a cultural resource in the EA should have impacted the analysis of the Project or the development of routes or substation sites.
- 1.36 Describe in detail all ways in which the architecture and operation of the San Antonio Rose Palace is consistent with the historic nature of the Scenic Loop-Boerne Stage-Toutant-Beauregard Historic Corridor. In responding to this question, specifically address the over 30 foot tall lighted San Antonio Rose Palace sign with large digital marquee.

- 1.37 Is the “Mixed Use Neighborhood Center” described by Ms. Lucia Zeevaert for the southeast corner of Scenic Loop Road and Toutant Beauregard Road consistent with the historic nature of the Scenic Loop-Boerne Stage-Toutant-Beauregard Historic Corridor? If your answer is “no,” describe in detail all efforts of the Rose Palace to stop Ms. Zeevaert’s development to preserve the Scenic Loop-Boerne State-Toutant-Beauregard Historic Corridor.
- 1.38 Admit or deny that CPS Energy has stated a willingness to construct and operate any of the routes included in its application to meet the needs for the project.
- 1.39 As between Substation Site 1, Substation Site 2, Substation Site 3, or Substation Site 7, does the Rose Palace have a preference regarding which site has the least impact to its operations?
- 1.40 Describe any and all impacts the Rose Palace believes will occur to its facilities and operations if the Project is approved, constructed, and operated at Substation Site 1, Substation Site 2, Substation Site 3, Substation Site 4, or Substation Site 7.
- 1.41 Does the Rose Palace require the reliable delivery of electricity for its operations of the Rose Palace facilities?