



Control Number: 51023



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THE TEXAS STATE OFFICE OF ADMINISTRATIVE HEARINGS

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In re 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

Docket Number: 51023
SOAH Docket No. 473-21-0247
PATRICK CLEVELAND'S
FIRST REQUEST FOR INFORMATION
AND ADMISSIONS TO
LISA CHANDLER, CLINTON R.
CHANDLER AND PAMELA AND CHIP
PUTNAM REGARDING THE TESTIMONY
OF BRIAN C. ANDREWS

I, Patrick Cleveland, pursuant to 16 Tex. Admin. Code § 22.141 - § 22.144 and the parties' agreements made at the prehearing conference, respectfully request that you provide the following information and admissions of fact under oath.

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, experts employees, agents, and persons acting on your behalf. To the extent anv information responsive to a general

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1 question is also responsive to another more specific question, provide the information in
2 response to the more specific request.

3 If you are unable to answer any request fully and completely after exercising due diligence to
4 make inquiry and to secure information, you are to answer such request as fully and completely
5 as you can and to specify the portions which you are unable to answer in such request. In
6 addition to specifying those portions, you are to state with regard to each portion:

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

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

12 If you deny any question, please explain the reason you are denying it and if the question
13 involves a mistake in numbers, identify the correct number(s).

14 ALJ refers to Administrative Law Judges in the Texas State Office of Administrative Hearings.

15 The words “you” and “your” refer to Lisa Chandler, Clinton R. Chandler, and Chip and Pamela
16 Putnam, and any and all of their attorneys, employees, consultants, contractors, experts, or
17 representatives.

18 “PUC” or “Commission” means the Public Utility Commission of Texas.

19 ROW means right of way.

20 The words “The Testimony” refer to the testimony of Brian C. Andrews in this docket.

21 The words “this docket” refer to PUC Docket No. 51023 / SOAH Docket No. 473-21-0247.

1
2
3 **Request for Information and Admissions**
4

5 1. In PUC Case No. 30168, which was referred to in The Testimony, please admit that the route
6 selected by the Commission did not cross, bisect, or encroach on any actively managed tract
7 within the LBJ Grasslands.

8
9 2. In PUC Case No. 30168, which was referred to in The Testimony, please admit that none of
10 the proposed segments crossed a recreational area.

11
12 3. In PUC Case No. 37464, which was referred to in The Testimony, please admit that
13 Commission selected a route that was approximately \$6,000,000 more than the route selected by
14 the ALJ's.

15 4. In PUC Case No. 37464, which was referred to in The Testimony, please admit that the route
16 selected by the ALJ's would have crossed the Lampasas River at a previously undisturbed site,
17 while the route the Commission selected crossed it at a previously disturbed site.

18
19 5. In PUC Case No. 37464, which was referred to in The Testimony, please admit that the route
20 selected by the Commission did not have any length within the foreground visual zone of park
21 and recreation areas.

22 6. In PUC Case No. 38230, which was referred to in The Testimony, please admit that the route
23 selected by the Commission had 25 habitable structures within 500 feet of the centerline, which
24 was the second best among all proposed routes.

25
26 7. In PUC Case No. 38230, which was referred to in The Testimony, please admit that the route
27 selected by the Commission did not cross any park or recreational areas.
28

1 8. In PUC Case No. 38354, which was referred to in The Testimony, please admit that the cost of
2 the route selected by the Commission was approximately \$84.2 million more than the preferred
3 route of the electric utility company.

4
5 9. In PUC Case No. 38354, which was referred to in The Testimony, please admit that the
6 Commission found that the lower cost of the electric utility's preferred route did not outweigh
7 the benefits associated with paralleling more ROW.

8 10. In PUC Case No. 38354, which was referred to in The Testimony, please admit that none of
9 the most favorable routes fragmented a recreational area.

10
11 11. In PUC Case No. 47808, which was referred to in The Testimony, please admit that the route
12 selected by the Commission had two habitable structures within 300 feet of its centerline.

13
14 12. In PUC Case No. 47808, which was referred to in The Testimony, please admit that out of all
15 of the 144 proposed routes, the highest number of habitable structures within 300 feet of the
16 centerline of any route was four.

17 13. In PUC Case No. 47808, which was referred to in The Testimony, please admit that the route
18 selected by the Commission did not cross any parks or recreational areas.

19
20 14. In PUC Case No. 38597, which was referred to in The Testimony, please admit that the
21 route selected by the Commission cost \$19,225,000 more than the preferred route of the electric
22 utility company.

23
24 15. In PUC Case No. 38597, which was referred to in The Testimony, please admit that the route
25 selected by the Commission had less habitable structures within 500 feet of the centerline than
26 the route preferred by the electric utility.

1 16. In PUC Case No. 38597, which was referred to in The Testimony, please admit that the route
2 selected by the Commission did not cross any parks or recreation areas, while the route preferred
3 by the electric utility company crossed 8,285 feet of parks and recreation areas.

4
5 17. Please state and describe any certifications or licenses issued to Brian C. Andrews by any
6 government body in Texas.

7
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9
10 Respectfully submitted this 11th day of March 2021.

11
12
13 /Patrick Cleveland/

14
15 Patrick Cleveland
16 State Bar #24101630
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19 Boerne, TX 78006
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CERTIFICATE OF SERVICE

21 I certify that notice of the filing of this document was provided to all parties of record via
22 electronic mail on March 11, 2021, in accordance with the Order Suspending Rules, issued in
23 Project No. 50664.

24
25
26 /Patrick Cleveland/

27
28 Patrick Cleveland