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DOCKET NO. 51023

APPLICATION OF CITY OF SAN ANTONIO TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE SCENIC LOOP 138-KV TRANSMISSION LINE PROJECT IN BEXAR COUNTY, TEXAS

PUBLIC UTILITY COMMISSION OF TEXAS

COMMISSION STAFF'S RECOMMENDATION ON APPLICATION, NOTICE, AND PROPOSED PROCEDURAL SCHEDULE

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest and files this Staff's Recommendation on Application, Notice, and Proposed Procedural Schedule. In support thereof, Staff shows the following:

I. BACKGROUND

On July 22, 2020, the City of San Antonio, acting by and through the City Public Service Board (CPS Energy) filed an application to amend its certificate of convenience and necessity (CCN) for the Scenic Loop 138-kilovolt (kV) transmission line project in Bexar County, Texas.

On July 31, 2020, the Administrative Law Judge (ALJ) issued Order No. 2, requiring Staff to comment on the sufficiency of the application by August 20, 2020. This pleading is therefore timely filed.

II. APPLICATION SUFFICIENCY

Staff has reviewed the application and, as supported by the attached memorandum of David Bautista, Infrastructure Division, recommends that the application be found sufficient for processing. This recommendation does not address the merits of the application.

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III. NOTICE SUFFICIENCY

CPS Energy filed its affidavit attesting to the provision of notice¹ and affidavit of published notice² on August 11, 2020. Staff has reviewed this notice and proof of published notice and recommends that the text and provision of notice be found to satisfy the requirements of 16 Texas Administrative Code (TAC) § 22.52(a). Therefore, Staff recommends that CPS Energy's notice be deemed sufficient.

IV. PROPOSED PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule:

Event:	Date:
Application Filed	July 9, 2020
Intervention Deadline	September 8, 2020
Deadline for Intervenors to request a hearing on the merits; deadline for Intervenor comments if no hearing is requested	September 8, 2020
If qualified for informal disposition:	
Deadline for Commission Staff to request a hearing on the merits; deadline for Commission Staff's recommendation on final disposition if no hearing on the merits requested	September 15, 2020
Deadline for Applicants to request a hearing or respond to Intervenor comments and Staff recommendation on final disposition; or, deadline for Parties to file a joint proposed order, including proposed findings of fact, conclusions of law, and ordering paragraphs	September 22, 2020
If applicable, administrative review completed — 80 days from date of filing	September 28, 2020

¹ Affidavit of Notice (August 11, 2020).

² Publisher's Affidavit (August 11, 2020)

V. CONCLUSION

For the reasons stated above, Staff respectfully recommends that the application be deemed administratively complete for further processing on the merits, that Applicant's provision of notice be found sufficient, and that the above proposed procedural schedule be adopted.

Dated: August 20, 2020

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Rachelle Nicolette Robles
Division Director

Heath D. Armstrong
Managing Attorney

/s/ Rustin Tawater
Rustin Tawater
State Bar No. 24110430
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7230
(512) 936-7268 (facsimile)
rustin.tawater@puc.texas.gov

DOCKET NO. 51023 CERTIFICATE OF SERVICE

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on August 20, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Rustin Tawater
Rustin Tawater

Public Utility Commission of Texas

Memorandum

TO: Rustin Tawater, Legal Division

FROM: David Bautista, Infrastructure Division

DATE: August 20, 2020

RE: Docket No. 51023, *Application of The City of San Antonio to Amend Its Certificate of Convenience and Necessity (CCN) for the Scenic Loop 138-kV Transmission line in Bexar County.*

On July 22, 2020, the City of San Antonio, acting by and through The City Public Service Board (CPS Energy) filed an application to amend its certificate of convenience and necessity (CCN) for the proposed Scenic Loop 138-kV transmission line in Bexar County. CPS Energy is proposing to design and construct a new substation (the Scenic Loop Substation) and a double-circuit 138-kV transmission line connecting the new Scenic Loop Substation to the electric grid from CPS Energy's existing Ranchtown to Menger Creek 138-kV transmission line. I reviewed the Application for deficiencies and the affidavits of notice for compliance with the notice requirements.

I. Application Sufficiency

- A. I have reviewed the Application including all attachments filed by CPS Energy on July 22, 2020 in this docket for deficiencies. After reviewing the Application and additional filed information, no material deficiencies were found. Therefore, I recommend that the Application be deemed sufficient.

II. Compliance of Notice

- A. I have reviewed the notices provided to county authorities, neighboring utilities, municipal authorities, and landowners (Application Attachments 7, 8, and 9) that were filed on July 22, 2020, as well as the affidavit of proof of notice, filed on August 11, 2020. No material deficiencies were identified. Therefore, I recommend that such notice be found to comply with the requirements of 16 Texas Administrative Code (TAC) 22.52(a)(2)&(3).
- B. I have reviewed the notices provided to Texas Parks and Wildlife Department (Application Attachment 12), the Office of Public Utility Council and the Department of Defense (Application Attachment 10) and the affidavit of proof of notice that was filed on August 11, 2020. No material deficiencies were identified. Therefore, I recommend that such notice be found to comply with the requirements of 16 TAC 22.52 (a)(1)(E) & (2).

C. I have reviewed the published notices included as well as the affidavit of proof of notice by publication, filed on August 11, 2020. No material deficiencies were identified. Therefore, I recommend that such notice be found to comply with the requirements of 16 TAC 22.52(a)(1).