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PUC

APPLICATION OF THE CITY OF SAN § BEFORE THE STATE OFFICE
ANTONIO ACTING BY AND THROUGH §
THE CITY PUBLIC SERVICE BOARD §
(CPS ENERGY) TO AMEND ITS § OF
CERTIFICATE OF CONVENIENCE §
AND NECESSITY FOR THE PROPOSED §
SCENIC LOOP 138-KV TRANSMISSION § ADMINISTRATIVE HEARINGS
LINE §

JOINT MOTION TO PARTIALLY EXTEND PROCEDURAL SCHEDULE

Anaqua Springs Homeowners’ Association (“Anaqua Springs HOA”) and Steve and Catherine Cichowski file this Motion to Partially Extend the Procedural Schedule with respect to Route R1 Modified.

The issue of whether Anaqua Springs HOA may propose a modification to Route R1 (“Route R1 Modified”) is on appeal to the Public Utility Commission of Texas (“Commission”). The current Chair of the Commission has resigned pending the appointment of his successor; there are no other commissioners currently sitting on the Commission, and next week the Commission is holding a three-day hearing. Therefore, it is impossible for the Commission to address the issue until after the deadline has passed for cross-rebuttal testimony.

Anaqua Springs HOA does not seek to delay the hearing on the merits. However, given the current configuration of the Commission, Anaqua Springs HOA has no other available option to preserve its substantive rights other than asking for a partial extension of the procedural schedule. Anaqua Springs HOA submits that there is only one issue that may potentially need to be addressed in supplemental intervenor discovery and cross-rebuttal testimony – namely those issues related to Route R1 Modified – so there is no need to extend any deadlines other than to provide for supplemental discovery and cross-rebuttal on that one issue only. Therefore, Anaqua Springs HOA would propose that the ALJs set a deadline for supplemental discovery and cross-

rebuttal contingent on the Commission's ruling on the appeal of the certified issues, in the event the Commission rules that the modification may be considered.

Without this extension, Anaqua Springs HOA's rights will be prejudiced because it will be unable to present its case and its avenues of appeal will be limited. Waiting for the Commission to rule on the certified issue will not prejudice any party as it is not anticipated that the hearing date or any other procedural deadlines would need to change.

For these reasons, Anaqua Springs HOA respectfully requests that the ALJs extend the procedural schedule to allow for supplemental discovery and cross-rebuttal on the issue of Route R1 Modified.

Respectfully submitted,

By: Wendy K. L. Harvel

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INTERVENORS

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been filed with the Commission and served on all other parties via the PUC Interchange on this 19th day of March 2021, pursuant to SOAH Order No. 3 issued in this docket.



Wendy R. L. Harvel