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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 §

BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS

UTILITY COMMISSION
CLERK

**CLEARWATER RANCH POA'S RESPONSE TO ANAQUA SPRINGS
HOMEOWNERS' ASSOCIATION FIRST REQUEST FOR INFORMATION**

TO: Anaqua Springs Homeowners' Association, by and through its attorneys of record, Ann M. Coffin, Wendy K. L. Harvel, and C. Glenn Adkins, COFFIN RENNER LLP, 1011 West 31st Street, Austin, Texas 78705.

Pursuant to the orders in this docket, P.U.C. PROC. R. 22.144, and other applicable Commission rules, Clearwater Ranch POA and those Intervenors who have appointed Clearwater Ranch POA as their authorized representative ("Clearwater Ranch") hereby serves their Responses to Anaqua Springs Homeowners' Association ("Anaqua") First Request for Information. The responses to these questions may be treated as though provided under oath.

Respectfully submitted,

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**ATTORNEYS FOR CLEARWATER RANCH
POA**

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on March 22, 2021 in accordance with Public Utility Commission Procedural Rule 22.74 and the Orders in the above-captioned proceedings.

/s/Carly Barton

Carly Barton

REQUESTS FOR INFORMATION

Anaqua Springs 1-1

Please provide a list of all Clearwater Ranch witnesses who do not have a habitable structure within 300 feet of the proposed transmission line and are not crossed by the proposed line.

Objection: Clearwater Ranch objects to the relevance of this request as all Clearwater Ranch witnesses or their predecessors in title have been granted intervenor status by the ALJs in this docket and have therefore been recognized as being impacted by proposed alternative transmission line routes. Subject to and without waiving the foregoing objection, Clearwater Ranch offers the following.

Response: Although we do not have exact measurements, based on our knowledge and belief the following Clearwater Ranch witnesses do not have habitable structures within 300 feet of the proposed transmission line and are not crossed by the proposed line: Joe R. Acuna, L.W. Arbuthnot, Byron and Gina Eckhart, Max and Peggy Garoutte, Gume Garza, Carlos and Rosa Guzman, Gregory Hamon, Casey and Molly Keck, and Kurt and Brenda Orhmundt.

Prepared by: Carly Barton

Sponsored by: Clearwater Ranch POA

Anaqua Springs 1-2

Please provide all documentation showing that the individuals who filed testimony on behalf of Clearwater Ranch POA have the authority to speak on behalf of the POA.

Response: Clearwater Ranch has no document responsive to this request. As members of the Clearwater Ranch POA, it is within their personal knowledge and awareness to know the position of their Board.

Prepared by: Carly Barton

Sponsored by: Clearwater Ranch POA

Anaqua Springs 1-3

For the witnesses who testified regarding Segment 42a and Sarah McAndrew Elementary, please provide your understanding of the distance between Segment 42a and the closest areas where elementary school children play.

Response: The witnesses have not measured the exact distance between Segment 42a and the closest areas where elementary school children play. They were making general statements as to any concerns they had over Segment 42a and its proximity to Sarah McAndrew Elementary.

Prepared by: Carly Barton
Sponsored by: Clearwater Ranch POA

Anaqua Springs 1-4

Please provide all documentation showing the habitable structures completed in Clearwater Ranch at the time of the open house in October 2019.

Objection: Clearwater Ranch objects to the relevance of this request as the number of habitable structures completed at the time of open house in 2019 does not have any tendency to make a fact more or less probable since the number of habitable structures at the time of the filing of the CCN is what is important to the transmission line routing case. Additionally, the request is overly broad and unduly burdensome.

Prepared by: Carly Barton
Sponsored by: Clearwater Ranch POA

Anaqua Springs 1-5

For the Garouttes. Please provide any documentation that the routing of the transmission line would not permit your property to be included in the wildlife tax exemption program.

Response: Clearwater Ranch has no documents responsive to this request.

Prepared by: Carly Barton
Sponsored by: Clearwater Ranch POA

Anaqua Springs 1-6

On Page 6, line 38, of Francis and Marianna VanWisse's testimony, they claim to have a well is within "the 100 ft boundary of the proposed construction line."

- How was the distanced measured?
- For what purposes is the well currently used?
- Is the well permitted or registered? If so, please provide copies of each permit and registration.
- Please provide the driller's logs for the well and any other documents that you have related to it.

Response: The distance was measured by the VanWisse's based on their observation skills and knowledge of their property. Their well is currently used for agricultural purposes as it attached to their barn.

Objection: Clearwater Ranch objects to the 3rd and 4th subpart of this request as the permitted or registered status of well or the driller’s log has no relevance to a transmission line routing case.

Prepared by: Carly Barton
Sponsored by: Clearwater Ranch POA

Anaqua Springs 1-7

Please list each witness testifying for Clearwater Ranch who has either a habitable structure within 300 feet of the transmission line or is crossed by the transmission line, and please indicate whether each witness has one or both.

Response: Although we do not have exact measurements, based on our knowledge and belief the following Clearwater Ranch witnesses have habitable structures within 300 feet of the proposed transmission line and are crossed by the proposed line: Michael and Shawn Stevens, Mariana and Francis Van Wisse, and Carlos and Christina Garcia. The following Clearwater Ranch witnesses are crossed by a proposed transmission line: Jeffrey B. Audley and Darrell R. Cooper, Robert Garza, Samer and Elizabeth Ibrahim, Sven and Sofia Kuestermann, Alejandro Medina, Peter and Melanie Morawiec, Kurt and Adrianna Rohlmeier, and Michael and Rosalinda Sivilli. Russell and Brook Harris and Paolo Salvatore have habitable structures within 300 feet of the proposed transmission line.

Prepared by: Carly Barton
Sponsored by: Clearwater Ranch POA

Anaqua Springs 1-8

Please provide all documentation showing registered wildlife tax exemptions or conservation easements in Clearwater Ranch, including the dates any such exemptions or easements were claimed or recorded.

Objection: Clearwater Ranch objects to this request as overly broad and unduly burdensome as it asking for all documents related to the property taxes of every landowner in Clearwater Ranch. This request is also vague and fails to define what is meant by “registered” and “exemption”. Furthermore, any conservation easements in Clearwater Ranch would be filed in the Bexar County real property records and therefore equally available for Anaqua Springs to obtain. Similarly, information regarding the 1-d-1 open-space agricultural valuation for property taxes of properties in Clearwater Ranch is available to the public through the Bexar Central Appraisal District website.

Prepared by: Carly Barton
Sponsored by: Clearwater Ranch POA

Anaqua Springs 1-9

Please provide all agreements between you and CPS.

Response: None related to this proceeding.

Prepared by: Carly Barton

Sponsored by: Clearwater Ranch POA

Anaqua Springs 1-10

Please provide all communications regarding agreements or any agreements between or among you, Save Huntress Lane Area Association, Bexar Ranch and/or the Chadler and Putnam parties.

Response: None.

Prepared by: Carly Barton

Sponsored by: Clearwater Ranch POA

Anaqua Springs 1-11

Admit or deny that no homeowners in Clearwater Ranch are directly impacted by any route using Substation 6 and running south on Segment 16.

Response: Admit.

Prepared by: Carly Barton

Sponsored by: Clearwater Ranch POA