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SOAH DOCKET NO. 473-21-0247


PUC DOCKET NO. 51023 2021 MAR 30 PM 4:48

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 IN BEXAR COUNTY § BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS

BEXAR RANCH, L.P.'S FIRST SUPPLEMENTAL RESPONSES TO BRAD JAUER'S & BVJ PROPERTIES, LLC'S FIRST SET OF REQUESTS FOR INFORMATION TO BEXAR RANCH, L.P. (RFI NOS. 1-4, 1-6, AND 1-18)

Bexar Ranch, L.P., provides the following First Supplemental Responses to Brad Jauer's & BVJ Properties, LLC'S First Requests for Information to Bexar Ranch, L.P. (RFI Nos. 1-4, 1-6 and 1-18). These responses may be treated as if they were filed under oath.

Respectfully submitted,
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ATTORNEYS FOR BEXAR RANCH, L.P.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document has been filed in the records of Docket 51023 on this 30th day of March, 2021.


 Soledad M. Valenciano

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BEXAR RANCH, L.P.’S FIRST SUPPLEMENTAL RESPONSES TO BRAD JAUER’S & BVJ PROPERTIES, LLC’S FIRST SET OF REQUESTS FOR INFORMATION TO BEXAR RANCH, L.P. (RFI NOS. 1-4, 1-6, AND 1-18)

QUESTION NO. 1-4:

Regarding each water well located on Bexar Ranch:

Bexar Ranch objects to each subpart of this Request as seeking information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence and as harassing. Subject to and without waiver of the foregoing objection(s), Bexar Ranch states the following:

- Is the well permitted or registered? If so, please provide copies of each permit and registration.

RESPONSE: Unknown.

FIRST SUPPLEMENTAL RESPONSE: Without waiving its previously asserted objections, Bexar Ranch states as follows: Despite our diligence, including discussions with extended family members and our well contractor, we have been unable to confirm whether the wells on Bexar Ranch, L.P., are permitted or registered or not. Despite our diligence, we have been unable to identify or obtain any documents responsive to this request. In understanding our efforts, please note that with respect to inquiring with our well contractor, we are not optimistic that we will receive substantive responses from him any time soon. Given the recent winter storm, he is completely backlogged. In fact, one of the wells in question supplies water to the home of our ranch hand. It has been inoperable since the storm, leaving our ranch hand and his family without running water in their home. This is because our well contractor has not yet been able to schedule a time to service the well given his current, heavy workload. Our well servicer indicated a couple of weeks ago that it would be April before he could service this particular well.

- Please provide the driller's logs for the well and any other documents that you have related to it.

RESPONSE: We have located no documents responsive to this request but reserve the right to supplement.

FIRST SUPPLEMENTAL RESPONSE: Without waiving its previously asserted objections, Bexar Ranch states as follows: Despite our diligence, including discussions with extended family members and our well contractor, we have been unable to identify or obtain any documents responsive to this request.

- Please specify the purpose(s) for which the well is currently used.

RESPONSE: Wells are used for livestock and/or domestic use.

Prepared by: Michael Bitter and Sarah Bitter, with assistance from counsel

Sponsored by: Michael Bitter

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BEXAR RANCH, L.P.’S FIRST SUPPLEMENTAL RESPONSES TO BRAD JAUER’S & BVJ PROPERTIES, LLC’S FIRST SET OF REQUESTS FOR INFORMATION TO BEXAR RANCH, L.P. (RFI NOS. 1-4, 1-6, AND 1-18)

QUESTION NO. 1-6:

How many total acres of Bexar Ranch are in cultivation of any kind, currently and on average annually in the past? In addition, please breakdown your answer by acreage under cultivation according to crop type (again both currently and on average annually in the past).

RESPONSE: Currently none.

FIRST SUPPLEMENTAL RESPONSE: For over 15 years there has been no cultivation on the ranch. In years before that, it was customary to plant oats in the area we still call the “oat field” despite no cultivation now. The “oat field” is located in the central area of the ranch, approximately 600 yards north of segment 45 and is approximately 8.5 acres, more or less.

Prepared by: Michael Bitter and Sarah Bitter

Sponsored by: Michael Bitter

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QUESTION NO. 1-18:

Please provide the locations of each of the identified or known springs on Bexar Ranch, by GPS /longitude and latitude (or similar means), or by drawing them on figure 4-1 of Attachment 1 of the EA.

RESPONSE: Bexar Ranch objects to this Request as requiring the respondent to create a document, which is beyond the scope of permissible discovery. Subject to and without waiver of the foregoing objection(s), Bexar Ranch states: No document exists identifying all springs on Bexar Ranch.

FIRST SUPPLEMENTAL RESPONSE:

Without waiving its previously asserted objections, Bexar Ranch states as follows: In the north central portion of Bexar Ranch, segment 43 crosses over or crosses immediately adjacent to one of the dams on Bexar Ranch, upstream and less than 300 feet from which there is a natural spring and/or a natural seep. On the east side of the ranch, segment 45 passes within 400 feet of one of the most consistent springs on the ranch and approximately 150 feet from another spring and/or seep. These measurements are approximate, in part because we do not know exactly where on the ranch each proposed segment would or could actually be built, in part because we do not know from what point to measure, and in part because it is difficult to determine the actual limits of a particular spring or seep. With respect to our reference above to a particular area being a spring or a seep, we are not able to distinguish one from the other in these instances, as both are wet areas.

Prepared by: Michael Bitter and Sarah Bitter, with the assistance of counsel

Sponsored by: Michael Bitter