



Control Number: 51023



Item Number: 703

Addendum StartPage: 0



SOAH DOCKET NO. 473-21-0247
PUC DOCKET NO. 51023

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 CERTIFICATE § OF
OF CONVENIENCE AND NECESSITY FOR §
THE PROPOSED SCENIC LOOP 138-KV §
TRANSMISSION LINE § ADMINISTRATIVE HEARINGS

BEXAR RANCH, L.P.'S SECOND SUPPLEMENTAL RESPONSES TO ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION'S FIRST REQUEST FOR INFORMATION AND ADMISSIONS TO BEXAR RANCH, L.P. (RFI NO. 1-17)

Bexar Ranch, L.P. provides the following Second Supplemental Responses to Anaqua Springs Homeowners' Association's First Requests for Information and Admissions to Bexar Ranch, L.P. (RFI No. 1-17). Pursuant to agreement with counsel for Anaqua Springs Homeowners' Association, Anaqua Springs Homeowners' Association is not seeking attorney-client privileged documents, and except for one document dated April 27, 1965 that was located with the 1965 easement with CPS Energy, the time frame for production is limited to the past three years. Pursuant to the Public Utility Commission's Procedural Rules, these responses may be treated as if they were filed under oath.

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Respectfully submitted,

SPIVEY VALENCIANO, PLLC
McAllister Plaza – Suite 130
9601 McAllister Freeway
San Antonio, Texas 78216
Telephone: (210) 787-4654
Facsimile: (210) 201-8178

By: 

James K. Spivey
jkspivey@svtxlaw.com
State Bar No. 00794680
Soledad M. Valenciano
State Bar No. 24056463
svalenciano@svtxlaw.com

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

SOAH DOCKET NO. 473-21-0247
PUC DOCKET NO. 51023

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	§	

**BEXAR RANCH, L.P.'S SECOND SUPPLEMENTAL RESPONSES TO ANAQUA
SPRINGS HOMEOWNERS' ASSOCIATION'S FIRST REQUEST FOR INFORMATION
AND ADMISSIONS TO BEXAR RANCH, L.P. (RFI NO. 1-17)**

Anaqua Springs 1-17

Please provide all documentation supporting the contention in Michael Bitter's testimony at page 26, line 21- page 27, line 2 that Bexar Ranch is already burdened with a CPS transmission line.

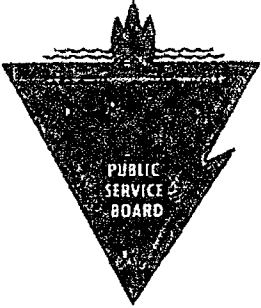
RESPONSE: Bexar Ranch objects to this Request as overly broad and seeking information that is of public record. Subject to and without waiver of the foregoing objection(s), Bexar Ranch states: This easement can be found in the real property records of Bexar County, Texas. See also CPS Application Figure 2-4 (amended constraints map).

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

FIRST SUPPLEMENTAL RESPONSE: See attached production.

SECOND SUPPLEMENTAL RESPONSE: See attached production.

Prepared by: Michael Bitter
Sponsored by: Michael Bitter



CITY PUBLIC SERVICE BOARD
of
SAN ANTONIO, TEXAS

April 27, 1965

Navarro at Villa
P O Box 1771
San Antonio Texas 78206
Capital 7 3211

Mr. John H. White
209 Soledad Street
San Antonio, Texas

Dear Mr. White:

This letter is in reference to the proposed electric transmission line to be built by the City Public Service Board across the White Ranch which contains approximately 8,200 acres of land located on the north side of Bandera Road in Bexar County, Texas.

We assure you that we will maintain the right-of-way needed for the electric transmission line to the extent that the right-of-way shall be kept in as near the same condition as the land adjoining the right-of-way on both sides, except the City Public Service Board will remove all trees or parts thereof or other obstructions which will endanger or interfere with the efficiency or safety of the electric line or its appurtenances.

Sincerely yours,

C. G. Krause, Manager
Engineering Department

CGK:mr

Michael Bitter

From: Joseph Bitter <josephbitter@att.net>
Sent: Saturday, July 22, 2017 1:13 PM
To: jglabus@cpsenergy.com
Cc: Michael Bitter; 'Sarah Bitter'; 'Stephen Pearson Bitter'
Subject: Bexar Ranch Right-of-Way Agreement

Joyce,

Last week a CPS contractor, self-identified as Manuel Castillo (Arbor Experts) interrupted a family gathering driving through private parts of Bexar Ranch. Purportedly he and his associate had been trimming trees on the right-of-way. This is a violation of our agreement and it poses concern as this has occurred several times in the past when family was present. I must assume it also occurs when family is not present and thus unknown to us. Even though we keep the gate locked (there is also a CPS lock on the gate) we have experienced theft at our house and poaching of wildlife. Multiple violation of the right-of-way creates suspicion of CPS employees and contractors and potential liability for CPS. We will be reviewing our Right-of-Way agreement to see if a penalty is warranted but the main reason for this email is to ask CPS to remind all employees and contractors that they must restrict their activities to the agreed right-of-way and no guns, alcohol or unofficial activities are permitted on the property.

With the retirement of Barbara Broll we also request the contact information for the person who should be our first line of contact with CPS, if that is someone other than yourself. Thank you for your assistance.

Joseph W. Bitter

Michael Bitter

From: Broll, Barbara A. <BABroll@CPSEnergy.com>
Sent: Thursday, September 6, 2018 5:42 PM
To: Joseph W. Bitter; Michael Bitter
Cc: Hasty, Gerald A.
Subject: Ranch access Friday 9/7

I received a call from our transmission maintenance group that there has been some trouble indicated by our system operator on the transmission line on the Bexar Ranch. Weather permitting, they will enter the ranch from the North tomorrow to look for this trouble. Usually there are problems on the towers caused by lightning strikes during storms. If follow up work is needed I will let you know.

Call me if you have any questions.

210-827-0596

Barbara Broll

Sent from my iPhone

Michael Bitter

From: Broll, Barbara A. <BABroll@CPSEnergy.com>
Sent: Monday, September 17, 2018 10:32 AM
To: Joseph W. Bitter (josephbitter@att.net); Michael Bitter
Cc: Hasty, Gerald A.; Sekula, Andrew D.
Subject: Ranch access still needed
Attachments: BitterNotice091718.pdf

The problem that was previously reported by the System Operator has still not been found. We are hoping the weather will clear up this week and an attempt to complete this inspection will be done on Wednesday of this week. Thank you for your patience.

Barbara Broll

**Barbara Broll, RW/NAC, SR/WA
Right-of-Way Agent 3
ROW Management
210-353-3477 ofc
210-827-0596 cell
210-353-2965 fax**

Regular Mailing Address:

**CPS Energy
Attn: Barbara Broll
Mail Drop 100504
P. O. Box 1771
San Antonio, Texas 78296-1771**

Overnight or Hand Delivery Address:

**CPS Energy
145 Navarro
Attn: Barbara Broll
Mail Drop 100504
San Antonio, TX 78205**





September 17, 2018

Dr. Joseph W. Bitter
446 County Rd. 115
Edna, Texas 77957

Via e-mail (josephbitter@att.net)

Dear Dr. Bitter,

I am providing you this notice for access to the North Bexar Ranch and the existing ingress and egress easements for CPS Energy personnel to perform continued inspections of the transmission lines located upon your parcel and upon the MWM Ranch to find the source of issues that were reported by our System Operators during recent bad weather. The inspections I recently verbally notified you of have not been completed due to the weather. The Transmission Maintenance personnel will be on the ranch on Wednesday, September 19, 2018, weather permitting. If repairs need to be made, you will receive further notification.

Please don't hesitate to call me if you have any questions. I can be reached at 210-353-3477 (office) or 210-827-0596 (cell).

Sincerely,
Barbara Broll
Senior Right-of-Way Agent

Copy: Mr. Michael W. Bitter
Via e-mail (mbitter@7750law.com)

Michael Bitter

From: Michael Bitter
Sent: Monday, September 17, 2018 11:34 AM
To: Broil, Barbara A.; Joseph W. Bitter (josephbitter@att.net)
Cc: Hasty, Gerald A.; Sekula, Andrew D.
Subject: RE: Ranch access still needed

Barbara –

Please do keep us posted as to when they will be going out there.

Also, while they are out there, please ask them to review the condition of the easement and schedule maintenance. I was out there this weekend and predictably all this rain has played havoc on the right of way. Specifically, in the area where our main road intersects with the west fence line, there is substantial erosion that needs to be repaired. Also, about 100-150 yards north (downhill) from there, there is a place where CPS has repaired before due to erosion where runoff drains into a dry creek bed immediately across the fence. The water has found its way around rock work CPS did before and is eroding under the fence. They need to be careful as I could not see just how far back under the surface the erosion goes.

Michael

Michael W. Bitter
Hayden & Cunningham, PLLC
7750 Broadway
San Antonio, Texas 78209
Tel: (210) 826-7750
Fax: (210) 822-0916
e-mail: mbitter@7750law.com

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IRS CIRCULAR 230 NOTICE: This document was not intended or written to be used, and it cannot be used, for the purpose of avoiding tax penalties that may be imposed. In addition, this information cannot be used in promoting, marketing or recommending to another party any transaction or matter addressed herein.

From: Broil, Barbara A. [mailto:BABroll@CPSEnergy.com]
Sent: Monday, September 17, 2018 10:32 AM
To: Joseph W. Bitter (josephbitter@att.net) <josephbitter@att.net>; Michael Bitter <mbitter@7750law.com>
Cc: Hasty, Gerald A. <GAHasty@CPSEnergy.com>; Sekula, Andrew D. <ADSekula@CPSEnergy.com>
Subject: Ranch access still needed

The problem that was previously reported by the System Operator has still not been found. We are hoping the weather will clear up this week and an attempt to complete this inspection will be done on Wednesday of this week. Thank you for your patience.

Barbara Broil
**Barbara Broil, RW/NAC, SR/WA
Right-of-Way Agent 3
ROW Management**

210-353-3477 ofc
210-827-0596 cell
210-353-2965 fax

Regular Mailing Address:

CPS Energy
Attn: Barbara Broll
Mail Drop 100504
P. O. Box 1771
San Antonio, Texas 78296-1771

Overnight or Hand Delivery Address:

CPS Energy
145 Navarro
Attn: Barbara Broll
Mail Drop 100504
San Antonio, TX 78205



Michael Bitter

From: Broll, Barbara A. <BABroll@CPSEnergy.com>
Sent: Monday, September 17, 2018 11:47 AM
To: Michael Bitter; Joseph W. Bitter (josephbitter@att.net)
Cc: Hasty, Gerald A.; Sekula, Andrew D.; Lyssy, Scott D.
Subject: RE: Ranch access still needed

Thank you. Gerald Hasty noticed some of this when he was out there last week. We have notified the civil engineering group that they need to perform an inspection of the ROW and the fence and I have copied their Manager on this email. They will let me know when they can schedule a trip and I will notify you both accordingly.

Barbara

From: Michael Bitter [mailto:mbitter@7750law.com]
Sent: Monday, September 17, 2018 11:34 AM
To: Broll, Barbara A. <BABroll@CPSEnergy.com>; Joseph W. Bitter (josephbitter@att.net) <josephbitter@att.net>
Cc: Hasty, Gerald A. <GAHasty@CPSEnergy.com>; Sekula, Andrew D. <ADSekula@CPSEnergy.com>
Subject: [InternetMail]RE: Ranch access still needed

****THIS EMAIL IS FROM AN EXTERNAL SENDER OUTSIDE OF THE CPS ENERGY NETWORK. Be cautious before clicking links or opening attachments from unknown sources. Do not provide personal or confidential information (i.e. usernames or passwords).****

Barbara –

Please do keep us posted as to when they will be going out there.

Also, while they are out there, please ask them to review the condition of the easement and schedule maintenance. I was out there this weekend and predictably all this rain has played havoc on the right of way. Specifically, in the area where our main road intersects with the west fence line, there is substantial erosion that needs to be repaired. Also, about 100-150 yards north (downhill) from there, there is a place where CPS has repaired before due to erosion where runoff drains into a dry creek bed immediately across the fence. The water has found its way around rock work CPS did before and is eroding under the fence. They need to be careful as I could not see just how far back under the surface the erosion goes.

Michael

Michael W. Bitter
Hayden & Cunningham, PLLC
7750 Broadway
San Antonio, Texas 78209
Tel: (210) 826-7750
Fax: (210) 822-0916
e-mail: mbitter@7750law.com

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IRS CIRCULAR 230 NOTICE: This document was not intended or written to be used, and it cannot be used, for the purpose of avoiding tax penalties that may be imposed. In addition, this information cannot be used in promoting, marketing or recommending to another party any transaction or matter addressed herein.

From: Broll, Barbara A. [<mailto:BABroll@CPSEnergy.com>]
Sent: Monday, September 17, 2018 10:32 AM
To: Joseph W. Bitter (josephbitter@att.net) <josephbitter@att.net>; Michael Bitter <mbitter@7750law.com>
Cc: Hasty, Gerald A. <GAHasty@CPSEnergy.com>; Sekula, Andrew D. <ADSekula@CPSEnergy.com>
Subject: Ranch access still needed

The problem that was previously reported by the System Operator has still not been found. We are hoping the weather will clear up this week and an attempt to complete this inspection will be done on Wednesday of this week. Thank you for your patience.

Barbara Broll

**Barbara Broll, RW/NAC, SR/WA
Right-of-Way Agent 3
ROW Management
210-353-3477 ofc
210-827-0596 cell
210-353-2965 fax**

Regular Mailing Address:

**CPS Energy
Attn: Barbara Broll
Mail Drop 100504
P. O. Box 1771
San Antonio, Texas 78296-1771**

Overnight or Hand Delivery Address:

**CPS Energy
145 Navarro
Attn: Barbara Broll
Mail Drop 100504
San Antonio, TX 78205**



Michael Bitter

From: Broll, Barbara A. <BABroll@CPSEnergy.com>
Sent: Wednesday, September 19, 2018 5:43 PM
To: Joseph W. Bitter (josephbitter@att.net); Michael Bitter
Subject: Road inspection notice for 9/25-26/2018
Attachments: bitter notice 091918.pdf

Call me if you have any questions. Civil engineering personnel could not make it to the ranch today along with Transmission personnel, so we are scheduling it for next week, with proper notice, weather permitting. They may not need two days to complete the inspection, but given the weather, these two days will be set aside for those inspections.

Barbara Broll

**Barbara Broll, RW/NAC, SR/WA
Right-of-Way Agent 3
ROW Management
210-353-3477 ofc
210-827-0596 cell
210-353-2965 fax**

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145 Navarro
Attn: Barbara Broll
Mail Drop 100504
San Antonio, TX 78205**





September 19, 2018

Dr. Joseph W. Bitter
446 County Rd. 115
Edna, Texas 77957

Via certified mail & e-mail (josephbitter@att.net)

Dear Dr. Bitter,

I am providing you this notice for access to the South and North Bexar Ranch and the existing ingress and egress easements for CPS Energy personnel to perform inspections of the rights-of-ways and ingress and egress easements located upon your parcels. A CPS Energy Civil Engineering representative will accompany our civil engineering maintenance contractor to the ranch on Tuesday, September 25 and Wednesday, September 26, 2018, weather permitting. If repairs or maintenance needs to be performed, you will receive further notification of the timeline and details for these repairs/maintenance.

Please don't hesitate to call me if you have any questions. I can be reached at 210-353-3477 (office) or 210-827-0596 (cell).

Sincerely,

Barbara Broll

Barbara Broll, RW/NAC, SRWA
Right-of-Way Agent 3

Copy: Mr. Michael W. Bitter
Via e-mail (mbitter@7750law.com)

Michael Bitter

From: Mayo, Margaret <mmayo@cpsenergy.com>
Sent: Monday, November 26, 2018 9:10 AM
To: josephbitter@att.net; Michael Bitter
Subject: BitterNotice11262018.pdf
Attachments: BitterNotice11262018.pdf

Good morning Dr. Bitter and Michael Bitter,
I am the new Right-of-Way agent that will providing notice of entrance to the Bitter Ranch from CPS Energy.
Please see attached notice for this week.

If you have any questions or concerns please don't hesitate to contact me.

Thank you,

Maggie Mayo

Right-of-Way Agent I – ROW Management
CPS Energy – 145 Navarro St., San Antonio, Texas 78205 - MD: 100504
Office: 210.353.3973 - Mobile: 210.468.9210
cpsenergy.com



November 26, 2018

Dr. Joseph W. Bitter
446 County Rd. 115
Edna, Texas 77957

Via certified mail & e-mail (josephbitter@att.net)

Dear Dr. Bitter,

I am providing you this notice for access to the South and North Bexar Ranch and the existing ingress and egress easements for CPS Energy personnel to inspect and perform repairs of transmission facilities located within the easements on Wednesday, November 28, 2018 and Thursday, November 29, 2018.

Please don't hesitate to call me if you have any questions. I can be reached at 210-353-3973 (office) or 210-468-9210 (cell).

Sincerely,

Maggie Mayo
Right-of-Way Agent 1

Copy: Mr. Michael W. Bitter
Via e-mail (mbitter@7750law.com)

Michael Bitter

From: Mayo, Margaret <mmayo@cpsenergy.com>
Sent: Monday, February 11, 2019 5:27 PM
To: josephbitter@att.net
Cc: Michael Bitter
Subject: 48 hour notice and Maintenance Schedule
Attachments: BitterNotice02112019.pdf; Feb 2019 Maintenance Plan.pdf

Dr. Bitter,
Please see the attached pdf's for the maintenance to be performed on your parcel.

If you have any questions or concerns please don't hesitate to contact me.

Thank you,

Maggie Mayo

Right-of-Way Agent I – ROW Management
CPS Energy – 145 Navarro St., San Antonio, Texas 78205 - MD: 100504
Office: 210.353.3973 - Mobile: 210.468.9210
cpsenergy.com



February 11, 2019

Dr. Joseph W. Bitter
446 County Rd. 115
Edna, Texas 77957

Via certified mail & e-mail (josephbitter@att.net)

Dear Dr. Bitter,

I am providing you this notice for access to the South and North Bexar Ranch and the existing ingress and egress easement for CPS Energy personnel to perform maintenance as discussed with CPS Energy personnel on Monday, February 11, 2019. A CPS Energy Civil Engineering representative will accompany our maintenance crew to the ranch on Wednesday, February 13, 2019, weather permitting. Please see the attached work schedule of events. The work week consists of four (4) work days, Monday through Thursday and is estimated to be complete by Wednesday, March 13, 2019. If additional repairs or maintenance needs to be performed, you will receive further notification of the timeline and details for these repairs/maintenance.

Please don't hesitate to call me if you have any questions. I can be reached at 210-353-3973 (office) or 210-468-9210 (cell).

Sincerely,

Maggie Mayo

Maggie Mayo
Right-of-Way Agent 1

Copy: Mr. Michael W. Bitter
Via certified mail/e-mail (mbitter@7750law.com)

1 attachment

Work Schedule:

Work to begin 02/13/2019

- Mobilizing team and materials.
- Hauling base material to the work site, staging the material just inside the high fence on Bitter's property.
- Transporting the material from the staging area to the individual diversion berms.
- Placing and compacting the base material at each diversion berm.
- Remove built-up sediment from the concrete road surface at the low water crossing.
- Silt removal from the dam.

We expect a total duration of 3 to 4 weeks.

Michael Bitter

From: Michael Bitter
Sent: Tuesday, February 19, 2019 6:12 PM
To: Mayo, Margaret
Cc: josephbitter@att.net
Subject: RE: 48 hour notice and Maintenance Schedule

Margaret –

I exchanged messages with Tom Digby today. Apparently they have delayed the work due to an erosion issue we brought to their attention, and he indicated you would have to send us a new notice once they work out a new schedule. Please be sure to also have them supply a revised maintenance plan as well, with enough detail that we can understand the scope of work to be performed.

Thanks,

Michael

Michael W. Bitter
Hayden & Cunningham, PLLC
7750 Broadway
San Antonio, Texas 78209
Tel: (210) 826-7750
Fax: (210) 822-0916
e-mail: mbitter@7750law.com

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From: Mayo, Margaret [mailto:mmayo@cpsenergy.com]
Sent: Monday, February 11, 2019 5:27 PM
To: josephbitter@att.net
Cc: Michael Bitter <mbitter@7750law.com>
Subject: 48 hour notice and Maintenance Schedule

Dr. Bitter,
Please see the attached pdf's for the maintenance to be performed on your parcel.

If you have any questions or concerns please don't hesitate to contact me.

Thank you,

Maggie Mayo
Right-of-Way Agent I – ROW Management

CPS Energy – 145 Navarro St., San Antonio, Texas 78205 - MD: 100504
Office: 210.353.3973 - Mobile: 210.468.9210
cpsenergy.com

Michael Bitter

From: Mayo, Margaret <mmayo@cpsenergy.com>
Sent: Tuesday, February 19, 2019 9:01 PM
To: Michael Bitter
Cc: josephbitter@att.net
Subject: RE: 48 hour notice and Maintenance Schedule

Michael,

Yes sir. Tom and I spoke about it this afternoon. I will get with him and Joe to get a revised work schedule and will send it in our 24 hour notice. Please let me know if you need anything else.

If you have any questions or concerns please don't hesitate to contact me.

Thank you,

Maggie Mayo

Right-of-Way Agent I – ROW Management
CPS Energy – 145 Navarro St., San Antonio, Texas 78205 - MD: 100504
Office: 210.353.3973 - Mobile: 210.468.9210
cpsenergy.com

From: Michael Bitter [mailto:mbitter@7750law.com]
Sent: Tuesday, February 19, 2019 6:12 PM
To: Mayo, Margaret <mmayo@cpsenergy.com>
Cc: josephbitter@att.net
Subject: [InternetMail]RE: 48 hour notice and Maintenance Schedule

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Margaret –

I exchanged messages with Tom Digby today. Apparently they have delayed the work due to an erosion issue we brought to their attention, and he indicated you would have to send us a new notice once they work out a new schedule. Please be sure to also have them supply a revised maintenance plan as well, with enough detail that we can understand the scope of work to be performed.

Thanks,

Michael

Michael W. Bitter
Hayden & Cunningham, PLLC
7750 Broadway
San Antonio, Texas 78209
Tel: (210) 826-7750

Fax: (210) 822-0916
e-mail: mbitter@7750law.com

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From: Mayo, Margaret [<mailto:mmayo@cpsenergy.com>]
Sent: Monday, February 11, 2019 5:27 PM
To: josephbitter@att.net
Cc: Michael Bitter <mbitter@7750law.com>
Subject: 48 hour notice and Maintenance Schedule

Dr. Bitter,
Please see the attached pdf's for the maintenance to be performed on your parcel.

If you have any questions or concerns please don't hesitate to contact me.

Thank you,

Maggie Mayo
Right-of-Way Agent I – ROW Management
CPS Energy – 145 Navarro St., San Antonio, Texas 78205 - MD: 100504
Office: 210.353.3973 - Mobile: 210.468.9210
cpsenergy.com

Michael Bitter

From: Mayo, Margaret <mmayo@cpsenergy.com>
Sent: Thursday, February 28, 2019 2:15 PM
To: josephbitter@att.net
Cc: Michael Bitter
Subject: 48 hour notice
Attachments: BitterNotice02282019.pdf

Dr. Bitter/Michael Bitter,

Please see the attached 48 hour notice. The hard copies are in the mail.

If you have any questions or concerns please don't hesitate to contact me.

Thank you,

Maggie Mayo

Right-of-Way Agent I – ROW Management

CPS Energy – 145 Navarro St., San Antonio, Texas 78205 - MD: 100504

Office: 210.353.3973 - Mobile: 210.468.9210

cpsenergy.com



February 28, 2019

Dr. Joseph W. Bitter
446 County Rd. 115
Edna, Texas 77957

Via certified mail & e-mail (josephbitter@att.net)

Dear Dr. Bitter,

I am providing you this notice for access to the South and North Bexar Ranch and the existing ingress and egress easement for CPS Energy personnel to perform maintenance as discussed with CPS Energy personnel on Monday, February 11, 2019. A CPS Energy Civil Engineering representative will accompany our maintenance crew to the ranch on Monday, March 4, 2019, weather permitting. Please see the attached work schedule of events. The work week consists of four (4) work days, Monday through Thursday and is estimated to be partially complete by Wednesday, March 13, 2019, in observance of the Golden Cheeked Warbler Season. Our crew will complete as much work as possible in that time and resume repairs in late August/early September of 2019 to complete the scope of work, at which time I will notify you 48 hours in advance prior to their start date. If additional repairs or maintenance needs to be performed, you will receive further notification of the timeline and details for these repairs/maintenance.

Please don't hesitate to call me if you have any questions. I can be reached at 210-353-3973 (office) or 210-468-9210 (cell).

Sincerely,

Maggie Mayo

Maggie Mayo
Right-of-Way Agent 1

Copy: Mr. Michael W. Bitter
Via certified mail/e-mail (mbitter@7750law.com)

1 attachment

Work to begin 03/04/2019

- Mobilizing team and materials.
- Hauling base material to the work site, staging the material just inside the high fence on Bitter's property.
- Transporting the material from the staging area to the individual diversion berms.
- Placing and compacting the base material at each diversion berm.
- Remove built-up sediment from the concrete road surface at the low water crossing.
- Silt removal from the dam at southern bridge crossing.
- Northern creek erosion under fence – Proposed repair: gain access to the adjacent property, extend the existing limestone block headwall to the south approximately 6', build headwall up to bottom of fence, repair bent steel post at creek crossing.
- Trim overhanging brush as needed along the ROW.
- Clean out corrugated pipes approximately four (4) pipes.

We expect a total duration of 5 to 6 weeks.

This work is to be conducted by a CPS Energy contractor and will be escorted by a CPS employee or representative at all times.

Michael Bitter

From: Joseph Bitter <josephbitter@att.net>
Sent: Saturday, March 2, 2019 12:28 AM
To: 'Mayo, Margaret'
Cc: Michael Bitter; 'Sarah Bitter'
Subject: RE: 48 hour notice

Maggie Mayo,

Please confirm which days your crew will be working on north right-of-way and which days on south right-of-way. We would like to know the solution you are proposing for the erosion between our property and Miss Tuleta White's property on the north end of your easement. Thank you.

Joseph W. Bitter

From: Mayo, Margaret [mailto:mmayo@cpsenergy.com]
Sent: Thursday, February 28, 2019 2:15 PM
To: josephbitter@att.net
Cc: Michael Bitter <mbitter@7750law.com>
Subject: 48 hour notice

Dr. Bitter/Michael Bitter,

Please see the attached 48 hour notice. The hard copies are in the mail.

If you have any questions or concerns please don't hesitate to contact me.

Thank you,

Maggie Mayo

Right-of-Way Agent I – ROW Management

CPS Energy – 145 Navarro St., San Antonio, Texas 78205 - MD: 100504

Office: 210.353.

3973 -

Mobile:

210.468.92

10

cpsenergy.com

Michael Bitter

From: Mayo, Margaret <mmayo@cpsenergy.com>
Sent: Monday, March 4, 2019 7:56 AM
To: Joseph Bitter
Cc: Michael Bitter; Sarah Bitter
Subject: Re: [InternetMail]RE: 48 hour notice

Good morning Dr. Bitter, I spoke with our foreman and they will be working on North Bear until the 13th at which time they will pull out and come back in August. They will be working on the right-of-way.

Margaret Mayo

On Mar 2, 2019, at 00:28, Joseph Bitter <josephbitter@att.net> wrote:

****THIS EMAIL IS FROM AN EXTERNAL SENDER OUTSIDE OF THE CPS ENERGY NETWORK. Be cautious before clicking links or opening attachments from unknown sources. Do not provide personal or confidential information (i.e. usernames or passwords).****

Maggie Mayo,

Please confirm which days your crew will be working on north right-of-way and which days on south right-of-way. We would like to know the solution you are proposing for the erosion between our property and Miss Tuleta White's property on the north end of your easement. Thank you.

Joseph W. Bitter

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Cc: Michael Bitter <mbitter@7750law.com>
Subject: 48 hour notice

Dr. Bitter/Michael Bitter,

Please see the attached 48 hour notice. The hard copies are in the mail.

If you have any questions or concerns please don't hesitate to contact me.

Thank you,

Maggie Mayo

Right-of-Way Agent I – ROW Management
CPS Energy – 145 Navarro St., San Antonio, Texas 78205 - MD: 100504

Office: 210.353.

3973 -

Mobile:

210.468.9

210

cpsenergy.com

Michael Bitter

From: Mayo, Margaret <mmayo@cpsenergy.com>
Sent: Monday, May 20, 2019 9:18 AM
To: josephbitter@att.net; Michael Bitter
Subject: 48 Hour Notice
Attachments: BitterNotice05202019.pdf

Dr. Bitter/Michael Bitter,

Please see the attached 48 hour notice. The hard copies are in the mail.

If you have any questions or concerns please don't hesitate to contact me.

Thank you,

Maggie Mayo

Right-of-Way Agent I – ROW Management

CPS Energy – 145 Navarro St., San Antonio, Texas 78205 - MD: 100504

Office: 210.353.3973 - Mobile: 210.468.9210

cpsenergy.com



May 20, 2019

Dr. Joseph W. Bitter
446 County Rd. 115
Edna, Texas 77957

Via certified mail & e-mail (josephbitter@att.net)

Dear Dr. Bitter,

I am providing you this notice for access to the South and North Bexar Ranch and the existing ingress and egress easements for CPS Energy personnel to perform inspections of the rights-of-ways and ingress and egress easements located upon your parcels. A CPS Energy Civil Engineering representative will accompany our civil engineering maintenance contractor to the ranch on Thursday, May 23rd, 2019, weather permitting, and returning on Tuesday, May 28th, 2019 to complete inspections, if needed. If repairs or maintenance needs to be performed, you will receive further notification of the timeline and details for these repairs/maintenance.

Please don't hesitate to call me if you have any questions. I can be reached at 210-353-3973 (office) or 210-468-9210 (cell).

Sincerely,

Maggie Mayo

Maggie Mayo
Right-of-Way Agent 1

Copy: Mr. Michael W. Bitter
Via e-mail (mbitter@7750law.com)

Michael Bitter

From: Mayo, Margaret <mmayo@cpsenergy.com>
Sent: Thursday, June 6, 2019 9:40 AM
To: josephbitter@att.net; Michael Bitter
Subject: BITTER RANCH - CONTINUED REPAIRS
Attachments: BitterNotice06062019 - courtesy email.pdf

Dr. Bitter,
Please see the attached notification.

If you have any questions or concerns please don't hesitate to contact me.

Thank you,

Maggie Mayo
Right-of-Way Agent I – ROW Management
CPS Energy – 145 Navarro St., San Antonio, Texas 78205 - MD: 100504
Office: 210.353.3973 - Mobile: 210.468.9210
cpsenergy.com



June, 2019

Dr. Joseph W. Bitter
446 County Rd. 115
Edna, Texas 77957

Via e-mail (josephbitter@att.net)

Dear Dr. Bitter,

I am reaching out to let you know we have not forgotten about you. Our engineers and maintenance technicians will be out at your property in late July for a site visit. I will provide you with a notice 48 hour prior to their visit. CPS Energy personnel will perform inspections of the rights-of-ways and ingress and egress easements located upon your parcels. A CPS Energy Civil Engineering representative will accompany our civil engineering maintenance contractor to the ranch for the site visit and will return again in August, at the end of Warbler Season, to complete the repairs.

Please don't hesitate to call me if you have any questions. I can be reached at 210-353-3973 (office) or 210-468-9210 (cell).

Sincerely,

Maggie Mayo

Maggie Mayo
Right-of-Way Agent 1

Copy: Mr. Michael W. Bitter
Via e-mail (mbitter@7750law.com)

Michael Bitter

From: Mayo, Margaret <mmayo@cpsenergy.com>
Sent: Wednesday, August 7, 2019 11:39 AM
To: josephbitter@att.net; Michael Bitter
Subject: 48 Hour Notification - Continued Repairs
Attachments: BitterNotice08072019.pdf

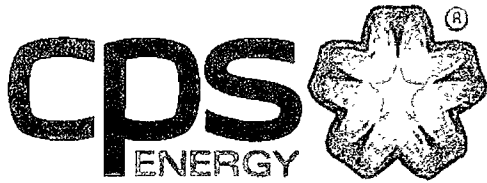
Dr. Bitter,
Please see the attached notification.

If you have any questions or concerns please don't hesitate to contact me.

Thank you,

Maggie Mayo

Right-of-Way Agent I – ROW Management
CPS Energy – 145 Navarro St., San Antonio, Texas 78205 - MD: 100504
Office: 210.353.3973 - Mobile: 210.468.9210
cpsenergy.com



August 7, 2019

Dr. Joseph W. Bitter
446 County Rd. 115
Edna, Texas 77957

Via certified mail & e-mail (josephbitter@att.net)

Dear Dr. Bitter,

I am providing you this notice for access to the South and North Bexar Ranch and the existing ingress and egress easements for CPS Energy personnel to perform inspections of the rights-of-ways and ingress and egress easements located upon your parcels. A CPS Energy Civil Engineering representative will accompany our civil engineering maintenance contractor, as well as Barbara Broll and myself, to the ranch on Monday, August 12th, 2019, weather permitting, and returning on Thursday, August 15th, 2019, with the contractor representatives to complete inspections. Mobilization to begin maintenance and repairs of the rights-of-way will begin on Tuesday, September 3rd, 2019. I will send you written notice 48 hours prior to the start of the repairs along with a work schedule and timeline.

Please don't hesitate to call me if you have any questions. I can be reached at 210-353-3973 (office) or 210-468-9210 (cell).

Sincerely,

Maggie Mayo

Maggie Mayo
Right-of-Way Agent 1

Copy: Mr. Michael W. Bitter
Via e-mail (mbitter@7750law.com)

Michael Bitter

From: Michael Bitter
Sent: Thursday, August 22, 2019 8:23 AM
To: Mayo, Margaret; Broll, Barbara A.
Cc: josephbitter@att.net
Subject: RE: 48 Hour Notification - Continued Repairs

Maggie & Barbara –

Can you indicate what the result of the inspections were? As I was unable to be there, I just want to confirm the repairs to be done are consistent with what our own inspections have disclosed. Also, do you still expect repairs to begin September 3?

Thanks,

Michael

Michael W. Bitter
Hayden & Cunningham, PLLC
7750 Broadway
San Antonio, Texas 78209
Tel: (210) 826-7750
Fax: (210) 822-0916
e-mail: mbitter@7750law.com

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From: Mayo, Margaret [mailto:mmayo@cpsenergy.com]
Sent: Wednesday, August 07, 2019 11:39 AM
To: josephbitter@att.net; Michael Bitter <mbitter@7750law.com>
Subject: 48 Hour Notification - Continued Repairs

Dr. Bitter,
Please see the attached notification.

If you have any questions or concerns please don't hesitate to contact me.

Thank you,

Maggie Mayo
Right-of-Way Agent I – ROW Management
CPS Energy – 145 Navarro St., San Antonio, Texas 78205 - MD: 100504

Office: 210.353.3973 - Mobile: 210.468.9210
cpsenergy.com

Michael Bitter

From: Mayo, Margaret <mmayo@cpsenergy.com>
Sent: Thursday, August 22, 2019 11:27 AM
To: Michael Bitter; Broll, Barbara A.
Cc: josephbitter@att.net
Subject: RE: 48 Hour Notification - Continued Repairs

Good morning Michael,

I am working with Civil Engineering to get a list of all repairs and will get back to you soon. It shouldn't be a whole lot different than the last list I sent you but we will get you an updated list.

If you have any questions or concerns please don't hesitate to contact me.

Thank you,

Maggie Mayo

Right-of-Way Agent I – ROW Management
CPS Energy – 145 Navarro St., San Antonio, Texas 78205 - MD: 100504
Office: 210.353.3973 - Mobile: 210.468.9210
cpsenergy.com

From: Michael Bitter <mbitter@7750law.com>
Sent: Thursday, August 22, 2019 8:23 AM
To: Mayo, Margaret <mmayo@cpsenergy.com>; Broll, Barbara A. <BABroll@CPSEnergy.com>
Cc: josephbitter@att.net
Subject: [InternetMail]RE: 48 Hour Notification - Continued Repairs

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Maggie & Barbara –

Can you indicate what the result of the inspections were? As I was unable to be there, I just want to confirm the repairs to be done are consistent with what our own inspections have disclosed. Also, do you still expect repairs to begin September 3?

Thanks,

Michael

Michael W. Bitter
Hayden & Cunningham, PLLC
7750 Broadway
San Antonio, Texas 78209
Tel: (210) 826-7750

Fax: (210) 822-0916
e-mail: mbitter@7750law.com

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From: Mayo, Margaret [<mailto:mmayo@cpsenergy.com>]
Sent: Wednesday, August 07, 2019 11:39 AM
To: josephbitter@att.net; Michael Bitter <mbitter@7750law.com>
Subject: 48 Hour Notification - Continued Repairs

Dr. Bitter,
Please see the attached notification.

If you have any questions or concerns please don't hesitate to contact me.

Thank you,

Maggie Mayo
Right-of-Way Agent I – ROW Management
CPS Energy – 145 Navarro St., San Antonio, Texas 78205 - MD: 100504
Office: 210.353.3973 - Mobile: 210.468.9210
cpsenergy.com

Michael Bitter

From: Mayo, Margaret <mmayo@cpsenergy.com>
Sent: Friday, August 23, 2019 12:39 PM
To: josephbitter@att.net; Michael Bitter
Cc: Broll, Barbara A.
Subject: FW: 48 Hour Notification - Continued Repairs

Good afternoon Dr. Bitter/Michael Bitter,
Here are the items our team will be working on:

1	Grade, Fill and Compact Access Road Washout Areas
2	Remove built-up sediment from concrete road surface at low water crossing
3	At Southern Bridge crossing remove silt build up along Bridge
4	Northern Creek Erosion under fence - Extend existing limestone block wall approx. 6' & build headwall up to fence bottom
5	Trim Overhanging Brush along ROW as needed

Also, I have been asked if the contractors would be allowed to work on Saturdays as well but I wanted to get with you both first and see if this would be ok or if we would be in conflict with family events happening. Do you have any preferences for days that they would be working? I will be sending out our 48 hour notice next week for our crews to start work on September 3rd and will have a schedule included. Please let me know if you have any objections to them working on the weekends.

If you have any questions or concerns please don't hesitate to contact me.

Thank you,

Maggie Mayo

Right-of-Way Agent I – ROW Management
CPS Energy – 145 Navarro St., San Antonio, Texas 78205 - MD: 100504
Office: 210.353.3973 - Mobile: 210.468.9210
cpsenergy.com

From: Mayo, Margaret
Sent: Thursday, August 22, 2019 11:27 AM
To: 'Michael Bitter' <mbitter@7750law.com>; Broll, Barbara A. <BABroll@CPSEnergy.com>
Cc: josephbitter@att.net
Subject: RE: 48 Hour Notification - Continued Repairs

Good morning Michael,

I am working with Civil Engineering to get a list of all repairs and will get back to you soon. It shouldn't be a whole lot different than the last list I sent you but we will get you an updated list.

If you have any questions or concerns please don't hesitate to contact me.

Thank you,

Maggie Mayo

Right-of-Way Agent I – ROW Management
CPS Energy – 145 Navarro St., San Antonio, Texas 78205 - MD: 100504
Office: 210.353.3973 - Mobile: 210.468.9210
cpsenergy.com

From: Michael Bitter <mbitter@7750law.com>
Sent: Thursday, August 22, 2019 8:23 AM
To: Mayo, Margaret <mmayo@cpsenergy.com>; Broll, Barbara A. <BABroll@CPSEnergy.com>
Cc: josephbitter@att.net
Subject: [InternetMail]RE: 48 Hour Notification - Continued Repairs

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Maggie & Barbara –

Can you indicate what the result of the inspections were? As I was unable to be there, I just want to confirm the repairs to be done are consistent with what our own inspections have disclosed. Also, do you still expect repairs to begin September 3?

Thanks,

Michael

Michael W. Bitter
Hayden & Cunningham, PLLC
7750 Broadway
San Antonio, Texas 78209
Tel: (210) 826-7750
Fax: (210) 822-0916
e-mail: mbitter@7750law.com

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From: Mayo, Margaret [<mailto:mmayo@cpsenergy.com>]
Sent: Wednesday, August 07, 2019 11:39 AM

To: josephbitter@att.net; Michael Bitter <mbitter@7750law.com>

Subject: 48 Hour Notification - Continued Repairs

Dr. Bitter,

Please see the attached notification.

If you have any questions or concerns please don't hesitate to contact me.

Thank you,

Maggie Mayo

Right-of-Way Agent I – ROW Management

CPS Energy – 145 Navarro St., San Antonio, Texas 78205 - MD: 100504

Office: 210.353.3973 - Mobile: 210.468.9210

cpsenergy.com

Michael Bitter

From: Mayo, Margaret <mmayo@cpsenergy.com>
Sent: Friday, August 30, 2019 10:12 AM
To: josephbitter@att.net; Michael Bitter
Subject: 48 Hour Notice for access and repairs - 09/03/2019
Attachments: BitterNotice08302019.pdf

Dr. Bitter/Michael Bitter,
Please see the attached 48 hour notice. I have included the work schedule.

Dr. Bitter,
I hope you are doing well and on the mend. Continued prayers.

If you have any questions or concerns please don't hesitate to contact me.

Thank you,

Maggie Mayo

Right-of-Way Agent I – ROW Management
CPS Energy – 145 Navarro St., San Antonio, Texas 78205 - MD: 100504
Office: 210.353.3973 - Mobile: 210.468.9210
cpsenergy.com



August 30, 2019

Dr. Joseph W. Bitter
446 County Rd. 115
Edna, Texas 77957

Via certified mail & e-mail (josephbitter@att.net)

Dear Dr. Bitter,

I am providing you this notice for access to the South and North Bexar Ranch and the existing ingress and egress easements for CPS Energy personnel to perform repairs and routine maintenance of the rights-of-ways and ingress and egress easements located upon your parcels. A CPS Energy Civil Engineering representative will accompany our civil engineering maintenance contractor to the ranch on Tuesday, September 3rd, 2019 and be mobilized by Monday, September 9th, 2019, weather permitting. All work should be completed by October 14th, 2019. I will send you written notice 48 hours prior to the start of the repairs along with a work schedule and timeline.

Please don't hesitate to call me if you have any questions. I can be reached at 210-353-3973 (office) or 210-468-9210 (cell).

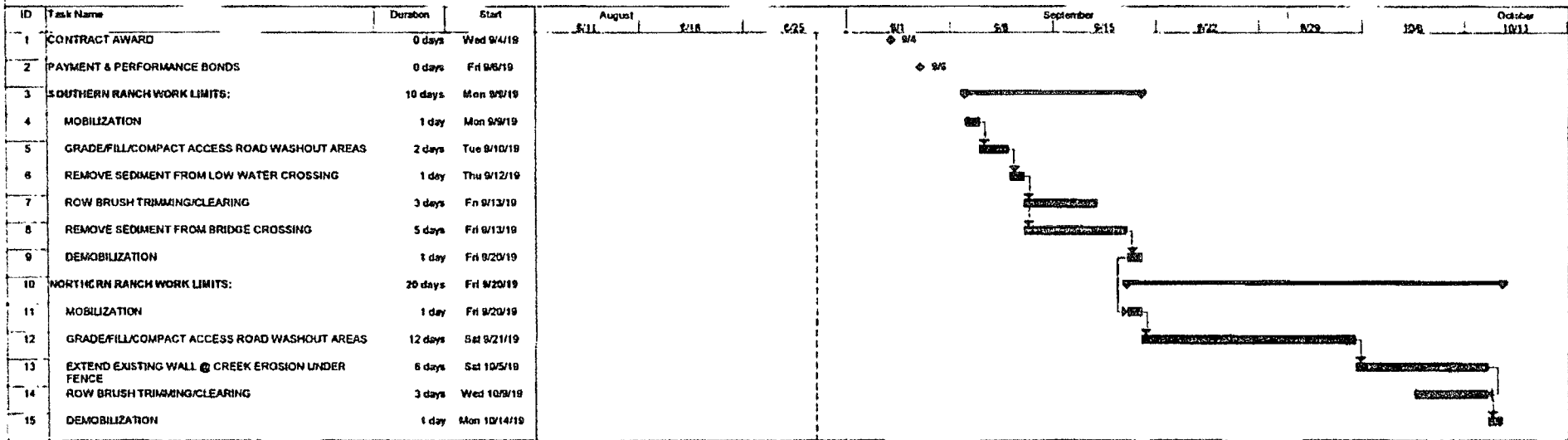
Sincerely,

Maggie Mayo

Maggie Mayo
Right-of-Way Agent 1

Copy: Mr. Michael W. Bitter
Via e-mail (mbitter@7750law.com)

CAGNON TO KENDALL TRANSMISSION LINE ROW IMPROVEMENTS



Bexar Ranch, L.P. Second Supplemental Production to Anagua Springs 46

<p>CPS Energy Shepherd Road Substation Paving</p>	<p>Task </p> <p>Spl </p> <p>Milestone </p> <p>Summary </p>	<p>Project Summary </p> <p>External Tasks </p> <p>External Milestone </p> <p>Inactive Milestone </p>	<p>Inactive Summary </p> <p>Manual Task </p> <p>Duration-only </p> <p>Manual Summary Rollup </p>	<p>Manual Summary </p> <p>Start-only </p> <p>Finish-only </p> <p>External Tasks </p>	<p>External Milestone </p> <p>Progress </p> <p>Deadline </p>
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Michael Bitter

From: Michael Bitter
Sent: Wednesday, September 18, 2019 12:59 PM
To: Mayo, Margaret
Cc: josephbitter@att.net; Sarah Ann Bitter (sbitte01@yahoo.com); Stephen Bitter
Subject: RE: 48 Hour Notice for access and repairs - 09/03/2019

Maggie –

I was out at the ranch and reviewed some of the work performed so far, brush clearing, and I need your contractor to correct a couple of things, specific to their clearing of cedar trees:

1. They have left stumps of cedar trees protruding above the ground in many places. They need to be cut off even with the ground. To the contrary, they are hazards that remain for many years and both CPS and the Bitter Family can expect damaged tires to result.
2. In instances where they are trimming the majority of a cedar tree, please ask them to just take the complete tree.
3. To the extent practical, please have them cut cedar branches back to the trunk or main limb, as opposed to leaving many limbs cut off arbitrarily. Their work will last much longer if they will do this.

If there is someone else I should visit with to address this, please let me know. While at the ranch, I was also reviewing work done by our ranch hand to clear a road near the CPS right of way and the difference was very notable.

Thanks,

Michael

Michael W. Bitter
Hayden & Cunningham, PLLC
7750 Broadway
San Antonio, Texas 78209
Tel: (210) 826-7750
Fax: (210) 822-0916
e-mail: mbitter@7750law.com

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From: Mayo, Margaret [mailto:mmao@cpsenergy.com]
Sent: Friday, August 30, 2019 10:12 AM
To: josephbitter@att.net; Michael Bitter <mbitter@7750law.com>
Subject: 48 Hour Notice for access and repairs - 09/03/2019

Dr. Bitter/Michael Bitter,
Please see the attached 48 hour notice. I have included the work schedule.

Dr. Bitter,

I hope you are doing well and on the mend. Continued prayers.

If you have any questions or concerns please don't hesitate to contact me.

Thank you,

Maggie Mayo

Right-of-Way Agent I – ROW Management

CPS Energy – 145 Navarro St., San Antonio, Texas 78205 - MD: 100504

Office: 210.353.3973 - Mobile: 210.468.9210

cpsenergy.com

Michael Bitter

From: Mayo, Margaret <mmayo@cpsenergy.com>
Sent: Wednesday, September 18, 2019 1:21 PM
To: Michael Bitter
Cc: josephbitter@att.net; Sarah Ann Bitter (sbitte01@yahoo.com); Stephen Bitter
Subject: RE: 48 Hour Notice for access and repairs - 09/03/2019

Thank you Michael. I will get with our civil engineers and vegetation management and make sure they are aware of these items. Please let me know if you have any other issues.

If you have any questions or concerns please don't hesitate to contact me.

Thank you,

Maggie Mayo

Right-of-Way Agent I – ROW Management
CPS Energy – 145 Navarro St., San Antonio, Texas 78205 - MD: 100504
Office: 210.353.3973 - Mobile: 210.468.9210
cpsenergy.com

From: Michael Bitter <mbitter@7750law.com>
Sent: Wednesday, September 18, 2019 12:59 PM
To: Mayo, Margaret <mmayo@cpsenergy.com>
Cc: josephbitter@att.net; Sarah Ann Bitter (sbitte01@yahoo.com) <sbitte01@yahoo.com>; Stephen Bitter <bitt_s@yahoo.com>
Subject: [InternetMail]RE: 48 Hour Notice for access and repairs - 09/03/2019

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Maggie –

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1. They have left stumps of cedar trees protruding above the ground in many places. They need to be cut off even with the ground. To the contrary, they are hazards that remain for many years and both CPS and the Bitter Family can expect damaged tires to result.
2. In instances where they are trimming the majority of a cedar tree, please ask them to just take the complete tree.
3. To the extent practical, please have them cut cedar branches back to the trunk or main limb, as opposed to leaving many limbs cut off arbitrarily. Their work will last much longer if they will do this.

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Thanks,

Michael

Michael W. Bitter
Hayden & Cunningham, PLLC
7750 Broadway
San Antonio, Texas 78209
Tel: (210) 826-7750
Fax: (210) 822-0916
e-mail: mbitter@7750law.com

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From: Mayo, Margaret [<mailto:mmayo@cpsenergy.com>]
Sent: Friday, August 30, 2019 10:12 AM
To: josephbitter@att.net; Michael Bitter <mbitter@7750law.com>
Subject: 48 Hour Notice for access and repairs - 09/03/2019

Dr. Bitter/Michael Bitter,
Please see the attached 48 hour notice. I have included the work schedule.

Dr. Bitter,
I hope you are doing well and on the mend. Continued prayers.

If you have any questions or concerns please don't hesitate to contact me.

Thank you,

Maggie Mayo

Right-of-Way Agent I – ROW Management
CPS Energy – 145 Navarro St., San Antonio, Texas 78205 - MD: 100504
Office: 210.353.3973 - Mobile: 210.468.9210
cpsenergy.com

Michael Bitter

From: Michael Bitter
Sent: Wednesday, October 2, 2019 4:31 PM
To: Mayo, Margaret
Cc: josephbitter@att.net; Sarah Ann Bitter (sbitte01@yahoo.com); Stephen Bitter
Subject: RE: 48 Hour Notice for access and repairs - 09/03/2019

Maggie –

I was back out at the ranch and reviewed work being done on the north end of our property. I am happy to report that the clearing work appears much better than what I saw before. Your contractor had begun the road work and I have a few comments:

- They are using a technique of combining bags of cement with existing road materials. I have not seen this technique before, but I am hopeful it will work well in flat to limited incline areas. But I would not want it used on the steep locations as it leaves a smooth rather than textured surface that may become slippery and dangerous when wet.
- So far they had not cleaned out any of the sediment that has built up behind the diversion berms, and it even appears like they have placed material that 'raises' the level of the road such that the diversion berms will be irrelevant. These berms are the only thing that has reduced the erosion caused by the CPS right-of-way, they must be cleaned and repaired so that they will become effective again.
- While some were covered, many bags of cement were left uncovered and rain was threatening when I was out there.

Can you please provide me with the name of the contractor and their supervisor on the project?

Also, please update me on how much longer you anticipate them to be working at the ranch.

Thanks,

Michael

Michael W. Bitter
Hayden & Cunningham, PLLC
7750 Broadway
San Antonio, Texas 78209
Tel: (210) 826-7750
Fax: (210) 822-0916
e-mail: mbitter@7750law.com

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From: Mayo, Margaret [mailto:mmayo@cpsenergy.com]

Sent: Wednesday, September 18, 2019 1:21 PM

To: Michael Bitter <mbitter@7750law.com>

Cc: josephbitter@att.net; Sarah Ann Bitter (sbitte01@yahoo.com) <sbitte01@yahoo.com>; Stephen Bitter <bitt_s@yahoo.com>

Subject: RE: 48 Hour Notice for access and repairs - 09/03/2019

Thank you Michael. I will get with our civil engineers and vegetation management and make sure they are aware of these items. Please let me know if you have any other issues.

If you have any questions or concerns please don't hesitate to contact me.

Thank you,

Maggie Mayo

Right-of-Way Agent I – ROW Management

CPS Energy – 145 Navarro St., San Antonio, Texas 78205 - MD: 100504

Office: 210.353.3973 - Mobile: 210.468.9210

cpsenergy.com

From: Michael Bitter <mbitter@7750law.com>

Sent: Wednesday, September 18, 2019 12:59 PM

To: Mayo, Margaret <mmayo@cpsenergy.com>

Cc: josephbitter@att.net; Sarah Ann Bitter (sbitte01@yahoo.com) <sbitte01@yahoo.com>; Stephen Bitter <bitt_s@yahoo.com>

Subject: [InternetMail]RE: 48 Hour Notice for access and repairs - 09/03/2019

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Maggie –

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Thanks,

Michael

Michael W. Bitter
Hayden & Cunningham, PLLC
7750 Broadway

San Antonio, Texas 78209
Tel: (210) 826-7750
Fax: (210) 822-0916
e-mail: mbitter@7750law.com

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Dr. Bitter/Michael Bitter,
Please see the attached 48 hour notice. I have included the work schedule.

Dr. Bitter,
I hope you are doing well and on the mend. Continued prayers.

If you have any questions or concerns please don't hesitate to contact me.

Thank you,

Maggie Mayo
Right-of-Way Agent I – ROW Management
CPS Energy – 145 Navarro St., San Antonio, Texas 78205 - MD: 100504
Office: 210.353.3973 - Mobile: 210.468.9210
cpsenergy.com

Michael Bitter

From: Mayo, Margaret <mmayo@cpsenergy.com>
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To: Michael Bitter
Cc: josephbitter@att.net; Sarah Ann Bitter (sbitte01@yahoo.com); Stephen Bitter
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To: Mayo, Margaret
Cc: josephbitter@att.net; Sarah Ann Bitter (sbitte01@yahoo.com); Stephen Bitter
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To: Michael Bitter
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Subject: RE: 48 Hour Notice for access and repairs - 09/03/2019

Good morning Michael,

The contract crew demobilized yesterday and are officially off the property. Tom Digby and one of his foremen would like to go back out there either tomorrow or Thursday to do a final inspection. Would you like me to send a certified letter for the 48 hour notice to both you and your father or is this email sufficient since it is still part of the same project?

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Regards,

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Michael W. Bitter
Hayden & Cunningham, PLLCM
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San Antonio, Texas 78209
Tel: (210) 826-7750
Fax: (210) 822-0916
e-mail: mbitter@7750law.com

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Sent: Tuesday, October 15, 2019 9:52 AM
To: Michael Bitter <mhbitter@7750law.com>
Cc: josephbitter@att.net; Sarah Ann Bitter (sbitte01@yahoo.com) <sbitte01@yahoo.com>; Stephen Bitter <bitt_s@yahoo.com>
Subject: RE: 48 Hour Notice for access and repairs - 09/03/2019

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If you have any questions or concerns please don't hesitate to contact me.

Thank you,

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Right-of-Way Agent I – ROW Management
CPS Energy – 145 Navarro St., San Antonio, Texas 78205 - MD: 100504
Office: 210.353.3973 - Mobile: 210.468.9210
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Good afternoon Michael,
I have forwarded your questions on to our Civil Engineering department and will let you know what they say. You can call Tom Digby at (210) 353-4010 who is our CPS Energy representative for this project.

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Can you please provide me with the name of the contractor and their supervisor on the project?

Also, please update me on how much longer you anticipate them to be working at the ranch.

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He did not call me back.

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Regards,

Michael

Michael W. Bitter
Hayden & Cunningham, PLLCM
7750 Broadway
San Antonio, Texas 78209
Tel: (210) 826-7750
Fax: (210) 822-0916
e-mail: mbitter@7750law.com

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From: Mayo, Margaret [<mailto:mmayo@cpsenergy.com>]

Sent: Tuesday, October 15, 2019 9:52 AM

To: Michael Bitter <mbitter@7750law.com>

Cc: josephbitter@att.net; Sarah Ann Bitter (sbitte01@yahoo.com) <sbitte01@yahoo.com>; Stephen Bitter <bitt_s@yahoo.com>

Subject: RE: 48 Hour Notice for access and repairs - 09/03/2019

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If you have any questions or concerns please don't hesitate to contact me.

Thank you,

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Right-of-Way Agent I – ROW Management

CPS Energy – 145 Navarro St., San Antonio, Texas 78205 - MD: 100504

Office: 210.353.3973 - Mobile: 210.468.9210

cpsenergy.com

From: Michael Bitter <mbitter@7750law.com>

Sent: Tuesday, October 8, 2019 1:26 PM

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Subject: [InternetMail]RE: 48 Hour Notice for access and repairs - 09/03/2019

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Also, please update me on how much longer you anticipate them to be working at the ranch.

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Sent: Wednesday, September 18, 2019 12:59 PM
To: Mayo, Margaret <mmayo@cpsenergy.com>
Cc: josephbitter@att.net; Sarah Ann Bitter (sbitte01@yahoo.com) <sbitte01@yahoo.com>; Stephen Bitter <bitt_s@yahoo.com>
Subject: [InternetMail]RE: 48 Hour Notice for access and repairs - 09/03/2019

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Sent: Friday, August 30, 2019 10:12 AM
To: josephbitter@att.net; Michael Bitter <mbitter@7750law.com>
Subject: 48 Hour Notice for access and repairs - 09/03/2019

Dr. Bitter/Michael Bitter,
Please see the attached 48 hour notice. I have included the work schedule.

Dr. Bitter,
I hope you are doing well and on the mend. Continued prayers.

If you have any questions or concerns please don't hesitate to contact me.

Thank you,

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Michael Bitter

From: Mayo, Margaret <mmayo@cpsenergy.com>
Sent: Friday, October 18, 2019 9:46 AM
To: Michael Bitter
Cc: josephbitter@att.net; Sarah Ann Bitter (sbitte01@yahoo.com); Stephen Bitter
Subject: RE: 48 Hour Notice for access and repairs - 09/03/2019

Good morning Michael,

I spoke with Tom Digby and he and his crew will be out at the ranch on Tuesday, 10/22/2019, to complete the work on the berms. They should be there until Friday, 10/25/2019.

If you have any questions or concerns please don't hesitate to contact me.

Thank you,

Maggie Mayo

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From: Michael Bitter <mbitter@7750law.com>
Sent: Tuesday, October 15, 2019 9:55 PM
To: Mayo, Margaret <mmayo@cpsenergy.com>
Cc: josephbitter@att.net; Sarah Ann Bitter (sbitte01@yahoo.com) <sbitte01@yahoo.com>; Stephen Bitter <bitt_s@yahoo.com>
Subject: [InternetMail]RE: 48 Hour Notice for access and repairs - 09/03/2019

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He did not call me back.

Michael

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Subject: RE: 48 Hour Notice for access and repairs - 09/03/2019

Michael,

Thank you for bringing this to my attention. I will forward your concerns over to Tom so when he is out at the ranch he will be aware. I will keep you posted on his response. I believe he was going to call you? Hopefully you have had a chance to speak with him. I will be in contact shortly.

If you have any questions or concerns please don't hesitate to contact me.

Thank you,

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Sent: Tuesday, October 15, 2019 1:01 PM

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Office: 210.353.3973 - Mobile: 210.468.9210
cpsenergy.com

Michael Bitter

From: Mayo, Margaret <mmayo@cpsenergy.com>
Sent: Monday, April 13, 2020 4:57 PM
To: josephbitter@att.net; Michael Bitter
Subject: 24 Hour Notice for entry on April 16
Attachments: BitterNotice-04132020.pdf

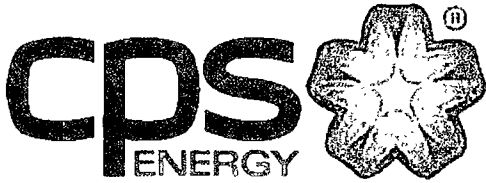
Mr. Bitter and Michael Bitter,
Please see attached. The Certified letters are in the mail.
I hope this letter finds you safe and healthy during this Covid-19 pandemic.

If you have any questions or concerns please don't hesitate to contact me.

Thank you,

Maggie Mayo

Right-of-Way Agent I – ROW Management
CPS Energy – 145 Navarro St., San Antonio, Texas 78205 - MD: 100504
Office: 210.353.3973 - Mobile: 210.468.9210
cpsenergy.com



April 13, 2020

Dr. Joseph W. Bitter
446 County Rd. 115
Edna, Texas 77957

Via certified mail & e-mail (josephbitter@att.net)

Dear Dr. Bitter,

I am providing you this notice for access to the South and North Bexar Ranch and the existing ingress and egress easements for CPS Energy personnel to perform inspections of the rights-of-ways and ingress and egress easements located upon your parcels. A CPS Energy Civil Engineering representative will accompany our civil engineering maintenance contractor to the ranch on Thursday, April 16, 2020, weather permitting. If repairs or maintenance needs to be performed, you will receive further notification of the timeline and details for these repairs/maintenance.

Please don't hesitate to call me if you have any questions. I can be reached at 210-353-3973 (office) or 210-468-9210 (cell).

Sincerely,

Maggie Mayo

Maggie Mayo
Right-of-Way Agent 1

Copy: Mr. Michael W. Bitter
Via e-mail (mbitter@7750law.com)