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SOAH DOCKET NO. 473-21-0247 PH 1: 58 **PUC DOCKET NO. 51023**

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

ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION'S RESPONSE TO OBJECTIONS TO ERRATA

On April 12, 2021, Clearwater Ranch POA filed objections to Steve Cichowski's errata to his testimony filed on behalf of Anaqua Springs Homeowners' Association ("Anaqua Springs HOA"). Clearwater Ranch POA argues that the errata are "a blatant attempt to remove direct testimony that is against Segment 37 as an effort to support Route P." Clearwater Ranch POA further argues that any substantive changes should have been filed as cross-rebuttal.

Clearwater Ranch POA's motion should be overruled. Mr. Cichowski's prefiled direct testimony regarding Segment 37 is incorrect. When the error was noticed, Anaqua Springs HOA filed errata to delete it. The deletion does not change any argument or position, it simply deletes one incorrect sentence in the testimony. Mr. Cichowski cannot and will not testify to something that he knows is untrue. Regarding Clearwater Ranch POA's concern that it is somehow "an effort to support" Route P, Anaqua Springs HOA would note that it does not support Route P.

Deleting the testimony on Segment 37 corrects an error made in reading the map. Segment 37 can be reached in a variety of ways, not just by traversing Toutant Beauregard. By removing the sentence that indicates the ONLY way to reach Segment 37 is by traversing Toutant Beauregard, Anaqua Springs HOA is not changing its position, rather it is correcting a map-reading error. If Clearwater Ranch POA is concerned about the basis for making the errata, they have the option to ask Mr. Cichowski those questions at the hearing.

For these reasons, Anaqua Springs HOA, respectfully requests that the Administrative Law Judges overrule Clearwater Ranch POA's objection and allow the errata.

Respectfully submitted,

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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 15th day of April 2021, pursuant to SOAH Order No. 3 issued in this docket.