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

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APPLICATION OF THE CITY OF § BEFORE THE STATE OFFICE
SAN ANTONIO TO AMEND ITS §
CERTIFICATE OF CONVENIENCE § OF
AND NECESSITY FOR THE §
SCENIC LOOP 138-KV TRANSMISSION § ADMINISTRATIVE HEARINGS
LINE IN BEXAR COUNTY §

**CPS ENERGY'S SECOND SUPPLEMENTAL RESPONSE TO BRAD JAUER'S
AND BVJ PROPERTIES, L.L.C.'S SECOND REQUESTS
FOR INFORMATION TO CPS ENERGY, QUESTION 2-2**

COMES NOW the City of San Antonio, acting by and through the City Public Service Board (CPS Energy) and files this Second Supplemental Response to the Brad Jauer's and BVJ Properties, L.L.C.'s Second Request for Information (RFI). This Response is timely filed. CPS Energy agrees and stipulates that all parties may treat these responses as if the answers were filed under oath.

Respectfully submitted,

/s/ Kirk D. Rasmussen

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ATTORNEYS FOR CPS ENERGY

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CERTIFICATE OF SERVICE

I certify that a copy of this document was served on all parties of record on this date via the Commission's Interchange in accordance with SOAH Order 3 in this proceeding.

/s/ Kirk D. Rasmussen

Kirk D. Rasmussen

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Brad Jauer & BVJ Properties RFI 2-2:

According to the Scenic Loop CE Spreadsheet Final 12-18-2020, Segment 54 is predicted to have a 75-foot ROW. However, the answers to RFIs AS 2-4 and 2-5 appear to be based on a 100-foot ROW. Please clarify.

Supplemental Response No. 2-2 (April 26, 2021):

As stated in response to Question 6 of the Application and on page 1-1 of the Environmental Assessment, which is Attachment 1 to the Application, it is currently anticipated that the proposed transmission line facilities will be constructed utilizing a right of way width of approximately 100 feet. Thus, all of the routes presented in the Application and Amended Application as delineated by POWER Engineers, Inc. and all of the measurements presented in the Application and Amended Application assume a 100 foot right of way in order to present the widest possible impact of the transmission line on the community and the closest possible expected distance of the facilities to measured resources (including habitable structures). As CPS Energy also explained in previous discovery responses in this proceeding (refer to CPS Energy’s responses to Anaqua Springs Question Nos. 2-5, 2-6, and 2-7), the survey, geotechnical, and engineering work necessary to design the proposed transmission line facilities has not yet been completed. Thus, CPS Energy cannot yet identify where pole structures will be located nor whether ***less right of way on private property*** may be required along some portions of those segments, particularly along road rights of way. In some areas along road rights of way, CPS Energy may be able to utilize ***less than 100 feet of right of way on private property and use*** the road right of way for the clearances necessary to safely operate the transmission line facilities.

As can be seen on Sheet 8 of Attachment 6 to the Application (original filing of 7/22/20), for approximately 1,300 feet along Segment 54, less than 100 feet of right of way is proposed on private property in order to maximize the distance to habitable structures and minimize the impact on the private properties in that area. Exhibit SDL-3R to the Rebuttal Testimony of Mr. Scott D. Lyssy shows the centerline and right of way proposed in that area. Along that portion of Segment 54, road right of way will be utilized for the necessary clearances. In a couple of other instances, slightly less than a total width of 100 feet right of way is required on private

property because of the curvature of the roadway between poles. Exhibit SDL-4R to Mr. Lyssy's Rebuttal Testimony shows an example of such an occurrence in the area of the Anaqua Springs entranceway. Using less than a full 100 feet of right of way on private property between the proposed pole placement allows CPS Energy to span the area and leave as many existing trees with as little disruption to the entrance as possible.

As stated above, in order to present the Public Utility Commission of Texas and interested members of the community with the widest possible impact of the transmission line on the community and the closest possible distance of the facilities to measured resources (and to ensure notice to owners of habitable structures within 300 feet of such locations), CPS Energy delineated ***most all of the*** route segments presented in this proceeding with a 100 foot right of way ***on private property***. In determining reasonably anticipated costs to construct several of the segments proposed along road rights of way, however, CPS Energy's real estate experts assumed ***less*** right of way acquisition would be required (75 feet) ***on private property***. Thus, there were not specific or particular constraints related to utilizing a reduced right of way cost estimate, rather it was based on location adjacent to existing road rights of way.

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