



Control Number: 51023



Item Number: 768

Addendum StartPage: 0

Dated: April 27, 2021

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Rachelle Robles
Division Director

/s/ Rustin Tawater
Rustin Tawater
State Bar No. 24110430
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7230
(512) 936-7268 (facsimile)
rustin.tawater@puc.texas.gov

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

CERTIFICATE OF SERVICE

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on April 27, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664

/s/ Rustin Tawater
Rustin Tawater

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**COMMISSION STAFF'S RESPONSE TO BEXAR RANCH L.P.'S
FIRST REQUEST FOR INFORMATION
QUESTION NOS. BEXAR 1-1 THROUGH BEXAR 1-63**

BEXAR 1-1 Admit that John Poole has not conducted a physical inspection of the study area for these proceedings. The study area is defined in the Application.

RESPONSE: Admit.

Prepared by: John Poole

Sponsor: John Poole

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BEXAR 1-2 If you deny Request No. 1 above, produce copies of field notes and/or photographs of site visits conducted by John Poole of the study area for these proceedings.

RESPONSE: N/A

Prepared by: John Poole
Sponsor: John Poole

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BEXAR 1-3 Admit that John Poole has never been on Bexar Ranch.

RESPONSE: Admit.

Prepared by: John Poole
Sponsor: John Poole

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BEXAR 1-4 Admit that John Poole has not done a physical inspection of the property or location identified for Substation Site 6.

RESPONSE: Admit.

Prepared by: John Poole
Sponsor: John Poole

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BEXAR 1-5 Admit that John Poole has not done a physical inspection of the property or location identified for Substation Site 7.

RESPONSE: Admit.

Prepared by: John Poole
Sponsor: John Poole

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BEXAR 1-6 On page 23, Ln. 14-15 of John Poole's Direct Testimony, Mr. Poole states that "Route P has only 12 habitable structures within 300 of the centerline of its segment . . ." Admit or deny that Mr. Poole did not include in his Route P habitable structure count, the three structures along Segment 15 identified on page 6 and at Attachment E of the Direct Testimony of Cynthia Grimes, David Clark and Jerry Rumpf, which can be found at Docket Entry 545 on the PUC Interchange.

RESPONSE: Admit.

Prepared by: John Poole
Sponsor: John Poole

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QUESTION NOS. BEXAR 1-1 THROUGH BEXAR 1-63**

BEXAR 1-7 Admit or deny that considering all 31 alternative routes identified by CPS Energy in its Amended Application, Dreico Routes 1 through 6 and Route AA2, Route P has the highest area of any route of right-of-way across golden checked warbler modeled habitat designated as 3-Moderate High and 4 High Quality.

RESPONSE: Admit.

Prepared by: John Poole
Sponsor: John Poole

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BEXAR 1-8 Admit or deny that considering all 31 alternative routes identified by CPS Energy in its Amended Application, Dreico Routes 1 through 6 and Route AA2, Route P has the highest of any route of combined golden cheeked warbler modeled acreage as identified in criteria 37 and 38 of Table 4-1.

RESPONSE: Admit.

Prepared by: John Poole
Sponsor: John Poole

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BEXAR 1-9 Admit or deny that at the time that he prepared his Direct Testimony, Mr. Poole did not know about the 2008 Warbler Survey.

RESPONSE: Admit.

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Sponsor: John Poole

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BEXAR 1-10 On page 37 of the Direct Testimony of John Poole, Mr. Poole's chart provides that Route P's length is 4.89 miles, and that Route P has 3.47 miles of "Length Parallel to Right of Way." Admit or deny that no portion of Route P parallels an existing transmission line.

RESPONSE: Admit. No Segment parallels existing transmission line ROW.

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Sponsor: John Poole

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BEXAR 1-11 Admit that of the 0.85 miles of the 3.47 miles of "Length Parallel to Right of Way" of Route P referenced by Mr. Poole on page 37 of his Direct Testimony is "Length of ROW parallel to other existing ROW (roadways, railways, canals, etc.)". See Table 4-1, Criteria 5.

RESPONSE: Admit.

Prepared by: John Poole
Sponsor: John Poole

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BEXAR 1-12 Admit or deny that Route P has only 0.85 miles of "Length of ROW parallel to other existing ROW (roadways, railways, canals, etc.)". See Table 4-1, Criteria 5.

RESPONSE: Admit.

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Sponsor: John Poole

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BEXAR 1-13 Admit that the 0.85 miles of Route P's of "Length of ROW parallel to other existing ROW (roadways, railways, canals, etc.)" is located on Segment 43. See Table 4-1, Criteria 5.

RESPONSE: Admit.

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Sponsor: John Poole

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QUESTION NOS. BEXAR 1-1 THROUGH BEXAR 1-63

BEXAR 1-14 Please reference CPS Energy's Response to Brad Jauer's and BVJ Properties, LLC's Second Request for Information 2-15, which is found at Docket No. 475. Admit that the 0.85 miles that Route P's "Length of ROW parallel to other existing ROW (roadways, railways, canals, etc.)" is a reference to a "two-track dirt road" on Segment 43.

RESPONSE: Admit.

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Sponsor: John Poole

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QUESTION NOS. BEXAR 1-1 THROUGH BEXAR 1-63**

BEXAR 1-15 With respect to the Direct Testimony of John Poole, admit or deny that if the 0.85 miles that Route P parallels the "two-track dirt road" on Segment 43 is not included as Mr. Poole's "Length Parallel to Right of Way" then the percentage of Length Parallel to Right of Way for Route P would be 53.57%.

RESPONSE: Deny. If 0.85 miles of compatible right of way is removed from Route P, the percentage of length parallel to right of way for Route P would be 53.62%.

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Sponsor: John Poole

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BEXAR 1-16 Admit or deny that 2.62 miles of the 3.47 miles of "Length Parallel to Right of Way" of Route P referenced by Mr. Poole on page 37 of his testimony, is "Length of ROW parallel and adjacent to apparent property lines." See Table 4-1, Criteria 6.

RESPONSE: Admit.

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Sponsor: John Poole

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BEXAR 1-17 Admit or deny that Route Z1 has 1.60 miles of "Length of ROW parallel to other existing ROW (roadways, railways, canals, etc.)". See Table 4-1, Criteria 5.

RESPONSE: Admit.

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Sponsor: John Poole

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BEXAR 1-18 Admit or deny that no portion of Route ZI's 1.60 miles of "Length of ROW parallel to other existing ROW (roadways, railways, canals, etc.)" involves paralleling a two-track dirt road. See Table 4-1, Criteria 5.

RESPONSE: I can neither admit or deny due to insufficient information.

Prepared by: John Poole
Sponsor: John Poole

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BEXAR 1-19 Admit or deny that all of Route Z1's 1.60 miles of of "Length of ROW parallel to other existing ROW (roadways, railways, canals, etc.)" involves paralleling a paved public roadway. See Table 4-1, Criteria 5.

RESPONSE: I can neither admit or deny due to insufficient information.

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Sponsor: John Poole

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BEXAR 1-20 Admit or deny that Route Z1 is shorter in length than Route P.

RESPONSE: Admit.

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Sponsor: John Poole

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BEXAR 1-21 Admit or deny that Route AA1 is shorter in length than Route P.

RESPONSE: Admit.

Prepared by: John Poole

Sponsor: John Poole

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BEXAR 1-22 Admit or deny that Route Z1 has greater length of ROW parallel to other existing ROW (roadways, railways, canals, etc.) than does Route P. See Table 4-1, Criteria 5.

RESPONSE: Admit.

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Sponsor: John Poole

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BEXAR 1-23 Admit or deny that Route AA1 has a greater length of ROW parallel to other existing ROW (roadways, railways, canals, etc.) than does Route P. See Table 4-1, Criteria 5.

RESPONSE: Admit.

Prepared by: John Poole
Sponsor: John Poole

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BEXAR 1-24 Admit or deny that Route AA2 has a greater length of ROW parallel to other existing ROW (roadways, railways, canals, etc.) than does Route P. See Table 4-1, Criteria 5 and CPS' Supplemental Responses to Chandler's First Request for Information.

RESPONSE: Admit.

Prepared by: John Poole
Sponsor: John Poole

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BEXAR 1-25 Admit or deny that Route P has a greater length of ROW across upland woodlands/brushland than does Route Z1. See Table 4-1, Criteria 33.

RESPONSE: Admit.

Prepared by: John Poole
Sponsor: John Poole

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BEXAR 1-26 Admit or deny that Route P has a greater length of ROW across upland woodlands/brushland than does Route AA1. See Table 4-1, Criteria 33.

RESPONSE: Admit.

Prepared by: John Poole
Sponsor: John Poole

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BEXAR 1-27 Admit or deny that Route P has a greater length of ROW across upland woodlands/brushland than does Route AA2. See Table 4-1, Criteria 33 and CPS' Supplemental Responses to Chandler's First Request for Information.

RESPONSE: Admit.

Prepared by: John Poole
Sponsor: John Poole

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QUESTION NOS. BEXAR 1-1 THROUGH BEXAR 1-63**

BEXAR 1-28 Admit or deny that Route P has a greater length of ROW across golden checked warbler habitat designated as 3-Moderate High and 4 Quality than does Route Z1. See Table 4-1, Criteria 37.

RESPONSE: Admit.

Prepared by: John Poole
Sponsor: John Poole

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QUESTION NOS. BEXAR 1-1 THROUGH BEXAR 1-63**

BEXAR 1-29 Admit or deny that Route P has a greater length of ROW across golden
cheeked warbler habitat designated as 3-Moderate High and 4 Quality than
does Route AA1. See Table 4-1, Criteria 37.

RESPONSE: Admit.

Prepared by: John Poole
Sponsor: John Poole

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BEXAR 1-30 Admit or deny that Route P has a greater length of ROW across golden
cheeked warbler habitat designated as 3-Moderate High and 4 Quality than
does Route AA2. See Table 4-1, Criteria 37 and CPS' Supplemental
Responses to Chandler's First Request for Information.

RESPONSE: Admit.

Prepared by: John Poole
Sponsor: John Poole

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BEXAR 1-31 Admit or deny that Route P has a greater length of ROW across golden checked warbler habitat designated as 1-low and 2 low Quality than does Route Z1. See Table 4-1, Criteria 38

RESPONSE: Admit.

Prepared by: John Poole
Sponsor: John Poole

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BEXAR 1-32 Admit or deny that Route P has a greater length of ROW across the Edwards Aquifer Contributing Zone than does Route Z1. See Table 4-1, Criteria 42

RESPONSE: Admit.

Prepared by: John Poole
Sponsor: John Poole

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BEXAR 1-33 Admit or deny that Route P has a greater length of ROW across the Edwards Aquifer Contributing Zone than does Route AA1. See Table 4-1, Criteria 4-1, Criteria 42

RESPONSE: Admit.

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Sponsor: John Poole

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BEXAR 1-34 Admit or deny that Route P crosses one cultural resource site. See Table 4-1, criteria 44.

RESPONSE: Admit.

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Sponsor: John Poole

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BEXAR 1-35 Admit or deny that Route Z1 crosses no cultural resource sites.

RESPONSE: Admit.

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Sponsor: John Poole

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BEXAR 1-36 Admit or deny that Route AA1 crosses no cultural resource sites.

RESPONSE: Admit.

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Sponsor: John Poole

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QUESTION NOS. BEXAR 1-1 THROUGH BEXAR 1-63**

BEXAR 1-37 Admit or deny that Route AA2 crosses no cultural resource sites. See CPS' Supplemental Responses to Chandler's First Request for Information.

RESPONSE: Admit.

Prepared by: John Poole

Sponsor: John Poole

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BEXAR 1-38 Admit or deny that Route P has 10 additional cultural resource sites within 1,000 feet of ROW. See Application Table 4-1, criteria 45.

RESPONSE: Admit.

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BEXAR 1-39 Admit or deny that Route Z1 has 2 cultural resource sites within 1,000 feet of ROW. See Table 4-1, criteria 45.

RESPONSE: Admit.

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Sponsor: John Poole

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BEXAR 1-40 Admit or deny that Route AA1 has 2 cultural resource sites within 1,000 feet of ROW. See Table 4-1, criteria 45.

RESPONSE: Admit.

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Sponsor: John Poole

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BEXAR 1-41 Admit or deny that Route AA2 has 2 cultural resource sites within 1,000 feet of ROW. See CPS' Supplemental Responses to Chandler's First Request for Information.

RESPONSE: Admit.

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Sponsor: John Poole

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BEXAR 1-42 Admit or deny that Route P crosses one NRHP ("National Registered Historical Property").

RESPONSE: Admit.

Prepared by: John Poole
Sponsor: John Poole

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BEXAR 1-43 Admit or deny that Route Z1 crosses no NRHP.

RESPONSE: Admit.

Prepared by: John Poole

Sponsor: John Poole

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BEXAR 1-44 Admit or deny that Route AA1 crosses no NRHP.

RESPONSE: Admit.

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Sponsor: John Poole

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BEXAR 1-45 Admit or deny that Route AA2 crosses no NRHP. See CPS' Supplemental Responses to Chandler's First Request for Information.

RESPONSE: Admit.

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Sponsor: John Poole

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BEXAR 1-46 Admit that according to CPS' cost estimates, Route P is more expensive than Route Z1.

RESPONSE: Admit.

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Sponsor: John Poole

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BEXAR 1-47 Admit that according to CPS' cost estimates, Route P is \$4,933,971 more costly than Route Z1.

RESPONSE: Admit, rounding to the dollar.

Prepared by: John Poole
Sponsor: John Poole

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BEXAR 1-48 Admit that according to CPS' cost estimates, Route P is more costly than Route AA1.

RESPONSE: Admit.

Prepared by: John Poole
Sponsor: John Poole

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

**COMMISSION STAFF'S RESPONSE TO BEXAR RANCH L.P.'S
FIRST REQUEST FOR INFORMATION
QUESTION NOS. BEXAR 1-1 THROUGH BEXAR 1-63**

BEXAR 1-49 Admit that according to CPS' cost estimates, Route P is \$5,117,170 more costly than Route AA1.

RESPONSE: Admit, rounding to the dollar.

Prepared by: John Poole

Sponsor: John Poole

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PUC DOCKET NO. 51023**

**COMMISSION STAFF'S RESPONSE TO BEXAR RANCH L.P.'S
FIRST REQUEST FOR INFORMATION
QUESTION NOS. BEXAR 1-1 THROUGH BEXAR 1-63**

BEXAR 1-50 Admit or deny that according to CPS' cost estimates, Route P is more costly than Route AA2. See CPS' Responses to Chandler's First Request for Information.

RESPONSE: Admit.

Prepared by: John Poole
Sponsor: John Poole

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

**COMMISSION STAFF'S RESPONSE TO BEXAR RANCH L.P.'S
FIRST REQUEST FOR INFORMATION
QUESTION NOS. BEXAR 1-1 THROUGH BEXAR 1-63**

BEXAR 1-51 Admit or deny that according to CPS' cost estimates, Route P is \$4,360,317 more costly than Route AA2. See CPS' Responses to Chandler's First Request for Information.

RESPONSE: Deny. I calculate \$4,360,587 rounding to the dollar.

Prepared by: John Poole

Sponsor: John Poole

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**COMMISSION STAFF'S RESPONSE TO BEXAR RANCH L.P.'S
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QUESTION NOS. BEXAR 1-1 THROUGH BEXAR 1-63**

BEXAR 1-52 Refer to pages 33-34 of the Direct Testimony of John Poole and the table ranking routes by Estimated Costs. Admit or deny that Mr. Poole's table does not include any reference to Route AA2 or Dreico Routes 1 through 6.

RESPONSE: Admit.

Prepared by: John Poole
Sponsor: John Poole

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**COMMISSION STAFF'S RESPONSE TO BEXAR RANCH L.P.'S
FIRST REQUEST FOR INFORMATION
QUESTION NOS. BEXAR 1-1 THROUGH BEXAR 1-63**

BEXAR 1-53 Admit or deny that if Route AA2 and Dreico Routes 1 through 6 were included in Mr. Poole's table on pages 33-34 of his Direct Testimony's ranking of routes by estimated costs, that Route P would rank as the 13th least expensive route.

RESPONSE: Admit.

Prepared by: John Poole
Sponsor: John Poole

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**COMMISSION STAFF'S RESPONSE TO BEXAR RANCH L.P.'S
FIRST REQUEST FOR INFORMATION
QUESTION NOS. BEXAR 1-1 THROUGH BEXAR 1-63**

BEXAR 1-54 Admit that with respect to Segment 43, approximately 30% of Segment 43 parallels the northern property line of Bexar Ranch.

RESPONSE: Admit that it appears to be roughly 30%.

Prepared by: John Poole
Sponsor: John Poole

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**COMMISSION STAFF'S RESPONSE TO BEXAR RANCH L.P.'S
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QUESTION NOS. BEXAR 1-1 THROUGH BEXAR 1-63**

BEXAR 1-55 Admit or deny that with respect to Segment 43, approximately 70% of Segment 43's length bisects the northeastern portion of Bexar Ranch.

RESPONSE: Admit that it appears to be roughly 70%.

Prepared by: John Poole
Sponsor: John Poole

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**COMMISSION STAFF'S RESPONSE TO BEXAR RANCH L.P.'S
FIRST REQUEST FOR INFORMATION
QUESTION NOS. BEXAR 1-1 THROUGH BEXAR 1-63**

BEXAR 1-56 Admit or deny that Route Z1 does not cross any property owned by Northside Independent School District.

RESPONSE: Admit that Route Z1 does not cross Northside ISD property, but it is within 300 feet of Northside ISD property.

Prepared by: John Poole
Sponsor: John Poole

**SOAH DOCKET NO. 473-21-0247
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**COMMISSION STAFF'S RESPONSE TO BEXAR RANCH L.P.'S
FIRST REQUEST FOR INFORMATION
QUESTION NOS. BEXAR 1-1 THROUGH BEXAR 1-63**

BEXAR 1-57 Admit or deny that Route AA1 does not cross any property owned by Northside Independent School District.

RESPONSE: Admit that Route AA1 does not cross Northside ISD property, but it is within 300 feet of Northside ISD property.

Prepared by: John Poole
Sponsor: John Poole

**SOAH DOCKET NO. 473-21-0247
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**COMMISSION STAFF'S RESPONSE TO BEXAR RANCH L.P.'S
FIRST REQUEST FOR INFORMATION
QUESTION NOS. BEXAR 1-1 THROUGH BEXAR 1-63**

BEXAR 1-58 Admit or deny that no landowner has agreed to donate any portion of Route P if Route P is selected.

RESPONSE: Admit.

Prepared by: John Poole

Sponsor: John Poole

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**COMMISSION STAFF'S RESPONSE TO BEXAR RANCH L.P.'S
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QUESTION NOS. BEXAR 1-1 THROUGH BEXAR 1-63**

BEXAR 1-59 Admit or deny that Mr. Poole has no knowledge regarding the terrain on Bexar Ranch where CPS' existing 138-KV line is located and the resulting construction, maintenance and erosion issues resulting from such terrain.

RESPONSE: Admit that I have no knowledge outside of the evidence provided in this proceeding.

Prepared by: John Poole
Sponsor: John Poole

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QUESTION NOS. BEXAR 1-1 THROUGH BEXAR 1-63**

BEXAR 1-60 Admit or deny that on the portion of Route Z1 that parallels other existing ROW (roadways, railways, canals, etc.) that CPS' transmission line would also parallel, in part, existing distribution lines.

RESPONSE: Evidence has been presented, in the rebuttal testimony of Lisa Meaux on page 13, that distribution poles are present along Toutant Beauregard. It is probable that Route Z1 parallels some of these poles.

Prepared by: John Poole
Sponsor: John Poole

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BEXAR 1-61 Admit or deny that on the portion of Route Z1 that parallels other existing ROW (roadways, railways, canals, etc.) that CPS' transmission line would also parallel and be adjacent to apparent property lines.

RESPONSE: Admit.

Prepared by: John Poole

Sponsor: John Poole

**SOAH DOCKET NO. 473-21-0247
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**COMMISSION STAFF'S RESPONSE TO BEXAR RANCH L.P.'S
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QUESTION NOS. BEXAR 1-1 THROUGH BEXAR 1-63**

BEXAR 1-62 Please identify the number of tracts that would be bisected if Route P were selected.

RESPONSE: To the best of my knowledge, 7 tracts (F-006, F-021, K-014, K-015, F-073, F-068, and F-67) are bisected to some extent by Route P according to the maps presented by CPS Energy.

Prepared by: John Poole
Sponsor: John Poole

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BEXAR 1-63 Please identify the number of tracts in the Clearwater Ranch subdivision that would be bisected if Route P were selected.

RESPONSE: To the best of my knowledge, 2 of those tracts (K-014 and K-015) are part of the Clearwater Ranch subdivision.

Prepared by: John Poole
Sponsor: John Poole