



Control Number: 51023



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

2021 MAY -6 AM 9:33

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

SOAH ORDER NO. 14
NOTICE REGARDING HEARING DATES; CAUTION TO PARTIES REGARDING EXHIBITS; RULING ON MOTIONS TO INTERVENE; DISMISSING PARTIES

Notice to Parties Regarding Hearing Dates

This case was originally set for hearing from May 3-7, 10-11, 2021. However, due to the Public Utility Commission of Texas (Commission) taking up an appeal of an interim order in this case on its May 6, 2021 public meeting agenda, the Administrative Law Judges (ALJs), will recess the hearing for the entire day on May 6, 2021. This will give the parties one less day than originally planned and result in approximately 6 fewer hours of hearing time. To address the reduced number of hearing hours, the ALJs reduce The City of San Antonio's (Applicant) time allocation from 12 hours to 8 hours and reduce Commission staff's time allocation from 5 hours to 3 hours. The ALJs caution the parties that if the hearing finishes prior to the last noticed hearing date, it will not convene thereafter.

Reminder to Parties Regarding Admission of Exhibits

The parties are reminded that they must do all of the following in order to have their direct testimony and any other pre-filed exhibits admitted as evidence in this case:

1. Upload the exhibit(s) to the Jackson Walker ShareFile site as previously instructed in Order No. 11;¹
2. Appear at the hearing (or provide another party permission to appear on your behalf) and offer your exhibit(s) into evidence;

¹ For instructions on how to upload documents to the ShareFile site, please email: amehta@jw.com.

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3. Deliver one electronic copy and one hard copy (record copies) of all exhibits to Kennedy Reporting as soon as possible (within 48 hours after the end of the hearing at the latest); **and**
4. Deliver two hard copies of the exhibits (appeals copies) to the State Office of Administrative Hearings as soon as possible (within 48 hours after the end of the hearing at the latest).

So as not to disturb the proceedings, the ALJs will ask at the beginning of each hearing day and after the lunch break each hearing day if any party wishes to offer their exhibits into evidence. Please do not disrupt the hearing to offer your exhibits.

Late-Filed Motions to Intervene

Maria Concepcion Uriarte-Azcue filed a late motion to intervene and a statement of position. Counsel for Ms. Uriarte-Azcue appeared at the prehearing conference on April 30, 2021. No party objected to Ms. Uriarte-Azcue's motion to intervene in writing or at the prehearing conference. Therefore, the ALJs **GRANTED** Ms. Uriarte-Azcue's motion to intervene at the prehearing conference.

On May 3, 2021, Scott J. Luedke filed a motion to intervene indicating that he owns property sharing a property line with proposed Substation Site No. 7. Mr. Luedke indicates that he did not receive notice of the application. He requests to intervene without providing testimony, but to participate in the hearing by examining witnesses and providing briefing. Mr. Luedke does not claim that he was required to receive notice under the Commission's rules. Applicant also argued that Mr. Luedke was not required to receive notice. Many parties objected to his participation in this proceeding at this late hour. The ALJs **DENIED** Mr. Luedke's motion to intervene.

Dismissing Intervenors

SOAH Order No. 8 required intervenors to file a statement of position or written testimony by February 26, 2021.² The following intervenors did not comply with SOAH Order No. 8, and counsel for Anaqua Springs Homeowners' Association (Anaqua) clarified that counsel does not

² Intervenor Mr. Paul Craig was given until March 1, 2021, to file his direct testimony or statement of position.

represent these parties individually. Therefore, the following persons are **DISMISSED** as intervenors in this case:

Hamzeh Alrafati Michael & Kenya Berry Chris & Michelle Booth Monica & Chris Casady Barbara & Ernie Centeno Dooley Properties, LLC – Mark Dooley Mary E. Bensberger James Galusha Geoffrey Grant Richard Hauptfleisch Michael & Maria Roxana Hope-Jones Elis Latorre-Gonzalez James D. Lee Scott Lively	Daniel Lonergan Ronald Meyer Chandler Mross Richard Olivarez Philip & Yajaira Paparone John Jared Phipps Jordan K. & Donna K. Reed Laura Rendon Rodolfo Santoscoy Adam Schrage Scott E. Streifert Kim Ury David M. Walts
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SIGNED May 4, 2021.



**HOLLY VANDROVEC
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS**



**PRATIBHA J. SHENOY
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS**