



Control Number: 51023



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PUBLIC UTILITY COMMISSION  
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June 2, 2021

Honorable Holly Vandrovec  
Honorable Pratibha J. Shenoy  
Administrative Law Judges  
State Office of Administrative Hearings  
300 W. 15<sup>th</sup> Street  
Austin, Texas 78701

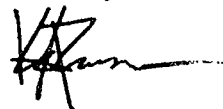
RE: PUC Docket No. 51023; SOAH Docket No. 473-21-0247 - *Application of the City of San Antonio To Amend its Certificate of Convenience and Necessity for the Scenic Loop 138-kV Transmission Line in Bexar County*

Dear Judges Vandrovec and Shenoy:

On May 28, 2021, Ms. Yvette Reyna filed a reply brief that includes photographs, purported financial data, purported real estate plat data, purported fire protection data, and much other information that is entirely outside of the record. Similarly, on the same date Robert and Leslie Bernsen filed a reply brief that includes property valuation information, home sale information, copies of news articles, and several unauthenticated photographs. This information has not been authenticated or otherwise shown reliable, was not offered during the hearing, and no parties have had an opportunity to respond to or rebut it. Moreover, now is not the appropriate time to do so. While CPS Energy is aware that Ms. Reyna and the Bernsens are self-represented litigants and therefore are not familiar with the rules of evidence or procedure, the information in their reply briefs that is not taken directly from the evidentiary record must be ignored because it is not part of the evidence in this case. The evidentiary record has closed and the items included in Ms. Reyna's and the Bernsens' reply briefs that are not in the record may not be added now and may not be considered by the Administrative Law Judges (ALJs) or the Commission. CPS Energy knows the ALJs are aware of this, but find it appropriate to file this letter for purposes of noting this point for the administrative record when it reaches the Commissioners for consideration.

Similarly, Mr. Steven Gomez Herrera submitted a document entitled "Post Hearing Rebuttal" that was filed on June 1, 2021, after the deadline for final briefing. This document appears to contain much information not in the record and has the appearance of testimony by Mr. Herrera. As with the filings by Ms. Reyna and the Bernsens, any information in this filing by Mr. Herrera that is not reflected in the evidentiary record may not be considered in this case, as it is not in evidence.

Sincerely,



Kirk D. Rasmussen

