



## Filing Receipt

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<b>JOINT APPLICATION OF</b>	§	
<b>AEP TEXAS INC. AND</b>	§	<b>PUBLIC UTILITY COMMISSION</b>
<b>SHARYLAND UTILITIES, L.L.C.</b>	§	
<b>TO AMEND THEIR CERTIFICATES</b>	§	
<b>OF CONVENIENCE AND</b>	§	<b>OF TEXAS</b>
<b>NECESSITY FOR THE LA PALMA</b>	§	
<b>TO KINGFISHER DOUBLE-</b>	§	
<b>CIRCUIT 345-KV TRANSMISSION</b>	§	
<b>LINE IN CAMERON COUNTY</b>	§	

**JOINT APPLICANTS' REQUEST FOR REFERRAL TO SOAH**

Concurrently with today's filing of this Application, Joint Applicants AEP Texas Inc. and Sharyland Utilities, L.L.C. file this request for referral of this case to the State Office of Administrative Hearings (SOAH).

**I. Background**

In its October 14, 2021 Order in Project No. 52682, *Project for Commission Ordered Transmission Facilities*, the Commission ordered Sharyland and AEP Texas to construct new 345-kV transmission facilities to close the loop from Palmito to North Edinburg in the Lower Rio Grande Valley (LRGV). The transmission facilities proposed in this Certificate of Convenience and Necessity (CCN) application will close the loop from Palmito to North Edinburg in compliance with the Commission's Order.

**II. 180-Day Deadline**

The Commission's Order in Project No. 52682 mandating this transmission project indicates that it was issued pursuant to PURA §§ 35.005(b) and 39.203(e). PURA § 39.203(e) provides, among other things, that in any CCN proceeding to construct or enlarge transmission or transmission-related facilities under that subsection, the Commission shall issue a final order before the 181st day after the date the application is filed or the application is approved. As a result, this application is subject to the 180-day deadline set out in § 39.203(e).

**III. Request for Referral to SOAH**

The Commission has emphasized the importance of timely completion of the LRGV transmission improvements that it ordered in Project No. 52682, including this close-the-loop project, by requesting that the affected transmission service providers file quarterly progress

reports providing time estimates for tasks necessary to complete the facilities and information on any delays affecting the projects.<sup>1</sup> AEP Texas and Sharyland have timely filed such reports. To avoid any delay in completing this CCN application, AEP Texas and Sharyland respectfully request that the Commission immediately refer this case to SOAH and confirm the 180-day statutory deadline as well as the 30-day intervention deadline under 16 TAC § 22.104(b).<sup>2</sup> These actions will help ensure that a procedural schedule is promptly entered to facilitate completion of the case within 180 days in accordance with PURA § 39.203(e).

Respectfully submitted,

/s/ Kerry McGrath

Kerry McGrath

Melissa Gage  
Leila Melhem  
AEP Service Corporation  
400 W. 15<sup>th</sup> Street, Suite 1520  
Austin, Texas 78701  
(512) 481-3320 (Telephone)  
(512) 481-4591 (Facsimile)  
AEP AUSTINTX@aep.com

Kerry McGrath  
Everett Britt  
Duggins Wren Mann & Romero, LLP  
600 Congress Avenue, Suite 1900  
Austin, Texas 78701  
(512) 744-9300 (Telephone)  
(512) 744-9399 (Facsimile)  
kmcgrath@dwmrlaw.com  
ebritt@dwmrlaw.com

ATTORNEYS FOR AEP TEXAS INC.

Jeffrey B. Stuart  
Eversheds Sutherland (US) LLP  
600 Congress Avenue, Suite 2000  
Austin, Texas 78701  
(512) 721-2700 (Telephone)  
(512) 721-2656 (Facsimile)  
jeffreystuart@eversheds-sutherland.us

ATTORNEY FOR SHARYLAND UTILITIES, L.L.C.

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<sup>1</sup> Project No. 52682, Memorandum of Commissioner Cobos (Oct. 6, 2021).

<sup>2</sup> See also 16 TAC §22.52(A)(1)(a) (for an application under PURA § 39.203(e), notice must state that intervention deadline is 30 days after filing).