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BEFORE THE
STATE OFFICE OF ADMINISTRATIVE
HEARINGS

**APPLICATION OF ONCOR ELECTRIC DELIVERY COMPANY
LLC TO AMEND ITS CERTIFICATE OF CONVENIENCE AND
NECESSITY FOR THE RAMHORN HILL TO DUNHAM 345 KV
TRANSMISSION LINE IN DENTON AND WISE COUNTIES**

SOAH ORDER NO. 9
DISMISSING INTERVENORS AND REVISING RECORD REQUIREMENTS

I. DISMISSING INTERVENORS

SOAH Order Nos. 1 and 2 informed intervenors that failure to timely file either written testimony or a statement of position will result in dismissal as a party from this proceeding and prohibited from further participation.¹ On August 11, 2023, Oncor Electric Delivery Company (Oncor) filed a list of intervenors who did not file direct testimony or a statement of position.

¹ See 16 Texas Administrative Code §§ 22.124, .161.

Upon review of the Public Utility Commission of Texas's (Commission) Interchange and Oncor's motion, the Administrative Law Judges (ALJs) conclude that the following intervenors did not file either direct testimony or a position statement by the deadline:

City of Argyle, Lance Roberts, Jason Bailey, Michael Allen, Sally Allen, Joseph Gerson, Tyrell Looney, Haihong Xu, Stephanie Cox, Brian Eddy, Stephanie Geddes, Kristopher Munn, Steve and Rhonda Boisvert, Benito Gonzalez, Stephan Jenkins, Curt Whitworth, Yvette and Nick Deligny, Chandra Vipparla, Emily Rutherford, Haley Lane, Jennifer Eller, Cory Lane, Anthony Lassetter, Carla Crockett, James Ehlinger, Jeffrey and Holly Cannedy, Stevanna Matthews-Tyler, Joshua Marshall, Jean Young, J. Young Land and Cattle Co. Ltd., Cora James, Keely James, Adler James, Bryant James, Dylan James, Min Sun, Fran Flores, Deanna Turner, Danny and Gayle Hill, Dennis Mortimer, Veronica Shielder, Jose Aguilar, Scott and Trinda Mulkey, Lacey McVea, Seth McVea, Brandon Bennett, Vanessa Bennett, Brian Crawley, Terri Koehler, Melissa Humphrey, Richard Humphrey, David Bradley Cook, Sandee Cook, Jawahav Chilmeser, Greg Scott, Andrew Wey, Janice Wey, Carla Gastineau, Randy Mirror, Gorson Sutherland, Jonathan Castro, Rachel Santini, Nicolo Santini, David Buchanan, Leah Buchanan, Curtis Tally, Dawn Ehlinger, Amanda Crandall, Ronald Dalrymple, Ryan and Linda Shawaluk, Ken Burrill, Randy Kaster, James Allen Powers, Christen Powers, James Kimmorie, James Charles Gardtti, Jazmarae Moran, Brandon Wobb, Jason Trisko, Kelly Trisko, Heidi Sherman, Eric Jackson, Brian Voight, Carrie Kimmbrilo, Emigdio Torros, Jeffrey Shorman, Latrice Sharpe, Jasmine Mondmer, Rebekah Gaiotti, Becky Reed, Janette Purg, Charlene Jackson, Sandra Mills, David Rogers, Ruben Robles, Michael

Czap, Maureen Czap, Janet Michlitsch, Fanchon Casazza, Lorena Garcia, Alison Brooks, Milagros Vargas, Cristina Chavez, Brenda A. Cline, Julio Chavez, John Becotte, Manuel Luciano, Marlene Becotte, Shalen Bowlby, Michael Bowlby, Deion Stamper, Eric Jackson, Sarah Ogletree, LaToya Odems, Bruce Odems, Sandra Nunez, Kelly Leach, Fred Stamper, Austin Weedor, Everett Stamper, Evette Stamper, Dianna Weedor, Dave Carter, Brayton Ogletree, Everett Gillum, Lisa Wilke, Kelli Schellenberg, Kasey Leary, Zachary Leary, Garrett Davis, Judith and Jorge Arzuaga, Misty Hayner, Bruce Nemeth, David Johnsen, Leslie Miller, Lisa Lonchar, Carrie Polka, Tobias Polka, Edward Volponi, Andrew Lyon, Fred Mapel, Phillip Cruson, Gordon Marks, Jeff and Mary Davis, Kari Cottrell de Mendoza, Bo Whitley, Jeff Balduini, Sarah Wood, Ronald Wood, Eric or Sarah Johnson, Charles and Ellena Manton, Kurt Carter, Luke Oliver , Colin Mayne , Tamara Hines, Chad Crowther, Rodney Hines, Dirk Bohse, Aristeo Flores, Veronica Shields, Cindy Valdez, Connie Stall, Matias Villarreal, David Stall, Bonnie James, Travis James, Legacy Cattle and Land LLC, Continental U.S. Management, LLC, Connie Svoboda, Jawahar Chiluveru, Mya Grant, Abbie Rodriguez, Paramjit Sahota, Christina Rioux, Curtis Attaway, Manraj Kaur, Lisa And Jay Hemby, Adam Shaddy, Bhaskara Gorantla, Lisa Junkins, Ned Lana, Mario Bartolini, Kathy Guier, Aston Long, Steve and Kathy Waldfrum, Susan Thomas, James Thomas, Carla Hardeman, Rena Hardeman, and Heide Hardeman, Mary Ashmore, Terry Parrott, Florence Randall, Martin Ruiz, Jay Warner, Stella Villegas, Shelley Warner, Erin Waymire, Kathy Waymire, Wes Waymire, Don & Michelle Cooper, City of Rhome, CADG Avalon at Argyle, LLC, Margaret L. Heygster, Robert H. Heygester; Avalon 162, LLC, Avalon 71, LLC, Nicholas Lembotesis, CTMGT AR II, LLC, Benjamin Weaverling, CTMGT Alpha Ranch III, LLC, Edna Weaverling, Shale 114, LP, City

of New Fairview, Rebecca Ann Smith, Margarita Graham, Jason Graham, Tomas Mendoza, Mackey Andress, Milagros Rivera Torres, Jeff Taylor, Dawn Clyburn, Scott Clyburn, Amy Legorreta, Mathew Rice, Maci Kauffman, Michael And Julie Prickett, Brandon Kauffman, Dennis Mirabal, Kari Mirabal, Sheron White, Archie L. White, Donella Wheeler, Pam Smith, Trevor Keele, Ariel Keele, Martina Mitchell, Brian Mitchell, Robin Amerine, Nancy Acevedo, Zachary Osborne, Viktoria Nizhnik, Iakov Nizhuik, Fred Mapel, Barry And Stephanie Smith, Julie Mooney, Patrick Mooney, April Burrill, Michael & Deborah Holyfield, Zachariah Linton, Robert D. Chambers, Ashley Acker, Debra Joiner, Bryan Crosby; Bettye Wiley Neely, Aubrey Eugene Wiley, David Randolph Wiley, Donald Bryan Neely, Dana Lauraine Tur, Howard Ray Schwope, Janice Vardakis; Becky Bettis; Kevin Oliver; and Frankie Mercado.

Accordingly, the ALJs **GRANT** Oncor's request to strike these intervenors. The intervenors identified above are **DISMISSED** from this proceeding and shall be **STRUCK** from the service list.

Furthermore, the ALJs cannot determine from the docket whether Bobby Norris (as identified in Request to Intervene, Item No. 985, July 24, 2023) and Keith Norris (as identified in the Direct Testimony of Keith Norris, Item No. 1435, July 31, 2023) are the same person. It is therefore **ORDERED** that **by no later than August 17, 2023**, counsel for Keith Norris shall file clarification as to whether these filings relate to the same person.

II. REVISING RECORD REQUIREMENTS

The language below modifies instructions included in SOAH Order No. 2:

Before the Hearing

No later than 3:00 p.m. on August 23, 2023, the parties **SHALL** comply with the following prehearing requirements:

1. Applicant **SHALL** arrange to have a court reporter transcribe the hearing.
2. Applicant **SHALL** file a list of persons who have signed the Protective Order.
3. Each party **SHALL** file a list of all witnesses the party expects to call to testify during the hearing and identifying witnesses, if any, for whom all other parties waived cross-examination.
4. The parties **SHALL** file a notice of an agreed-upon order of presentation of witnesses and cross-examination order by parties.
5. Each party **SHALL** file a list of all exhibits it intends to offer at the hearing (including, for example, on cross-examination). The list shall identify any exhibit containing Protected Materials or Highly Sensitive Protected Materials under the Protective Order issued in this case.
6. Each party **SHALL** upload all hearing exhibits (excluding cross-examination exhibits) and an exhibit list to a file-sharing site to be provided by Oncor. The list shall identify any exhibit containing Protected Materials or Highly Sensitive Protected Materials under the Protective Order issued in this case.
7. Parties will not be required to serve hard copies of exhibits to other parties so long as they upload accurate copies of the exhibits to Oncor's file-sharing site.

8. Parties **SHALL** provide to the court reporter all exhibit and witness lists in MS Word format and all exhibits in electronic form, including pre-filed testimony exhibits and workpapers.²
9. Parties may share the exhibits with the court reporter by providing (1) a USB or flash drive; or (2) access to a secure, electronic filesharing site (which shall include login instructions).
10. The parties **SHALL** exchange a marked copy of all exhibits not containing Protected Materials or Highly Sensitive Protected Materials that they intend to offer at the hearing.³ In compliance with 16 Texas Administrative Code § 22.71(d) and the Protective Order, any party intending to offer exhibits containing Protected Materials or Highly Sensitive Protected Materials **SHALL** also provide those exhibits to the other parties who have signed the Protective Order.

During the hearing:

No later than 7:00 p.m. before each day of the hearing on the merits, each party shall upload to Oncor's file-sharing site any cross-examination exhibits a party anticipates using during the following day of the hearing of the merits. The parties shall also email, or electronically deliver any exhibits to Kennedy Reporting by the 7:00 p.m. deadline. Updated exhibit lists shall be uploaded to the file-sharing site at the same time a party uploads its additional exhibits, if there are additional cross-examination exhibits.

² The parties do not need to provide "appeals copies."

³ The parties may agree among themselves on the method of delivery to each other and may agree to forgo delivery to each other of marked copies of exhibits they have already received, relying on the exhibit lists to identify the offering party and exhibit number.

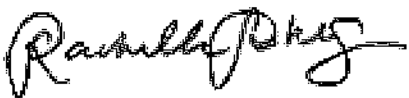
After the hearing:

1. **No later than September 5, 2023**, the parties shall submit a final, record set of exhibits in electronic format to the court reporter, which contains all exhibits that were admitted as evidence or accompanied by an offer of proof. 1 Tex. Admin. Code § 155.101(b)(1)(G)(iii).
2. The parties shall submit the exhibits with the court reporter by (1) providing a CD, USB, or flash drive; or (2) making a secure, electronic files sharing site available of the admitted exhibits. All exhibits should be readily identifiable by specific folder (*e.g.*, Applicant Admitted Exhibits, Staff Admitted Exhibits, etc.).

All exhibits **SHALL** be marked with the offering party's name and the exhibit number. Exhibits should be numbered sequentially, and multipage documents shall be paginated or Bates-stamped. Exhibits not meeting a requirement in this Order may not be admitted into the record absent good cause.

Before the hearing, the parties **SHALL** provide to witnesses all documents necessary for their effective participation in the hearing. Parties should also speak to the witnesses they intend to call to testify and provide them the necessary videoconferencing information.

Signed August 16, 2023



Rachelle Nicolette Robles,
Administrative Law Judge



Brent McCabe,
Administrative Law Judge