



## **Filing Receipt**

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**Item Number - 60**

**BEFORE THE  
STATE OFFICE OF ADMINISTRATIVE  
HEARINGS**

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

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**SOAH ORDER No. 2  
MEMORIALIZING PREHEARING CONFERENCE; FINDING NOTICE  
AND APPLICATION SUFFICIENT; ADOPTING PROCEDURAL  
SCHEDULE; SETTING HEARING ON THE MERITS**

On June 26, 2023, a prehearing conference convened in this matter. The following parties appeared: Oncor Electric Delivery LLC, staff of the Public Utility Counsel of Texas, and additional appearances reflected in the transcript.

## **I. SUFFICIENCY OF THE NOTICE AND APPLICATION**

On June 20, 2023, Staff filed comments, recommending that the application and proposed notice be deemed sufficient. Based on this recommendation, the administrative law judge finds the applicant and proposed notice sufficient.

## **II. INTERVENTIONS**

The following parties filed motions to intervene in this proceeding:

City of Argyle; Edgar Brent Watkins and Mary Ann Livengood, Co-Trustees of Watkins Family Trust; Matthew A. Spaethe; DHL Supply Chain; Wayne and Norma Wilkerson; Town of Northlake; Eric and Diane Howe; GRBK Edgewood LLC; GBTM Sendera LLC; April Burrill; Alliance West, LP; Margaret & Antonio Chavez. Additionally, the following parties filed motions to intervene in Docket No. 54636, whose parties status in this docket was requested by the applicant: Rodney Stokes; Zachariah Linton. The above parties were granted party status in this proceeding.

On June 26, 2023, Denton County Land & Cattle LP and Denton County Land & Cattle 2 filed a motion to intervene which will be addressed in a later order.

### III. PROCEDURAL SCHEDULE

The proposed procedural schedule, as agreed to at the prehearing conference and submitted by the applicant on June 27, 2023, is ADOPTED, as set out below, and shall govern this proceeding until further order.

Event	Date
Prehearing Conference; Technical Conference	June 26, 2023
<b>Intervention Deadline</b>	<b>July 24, 2023</b>
Deadline for Filing Testimony or Position Statement Challenging Route Adequacy (if any), and Request for Route Adequacy Hearing	July 31, 2023
Objections to Applicant's Direct Testimony	July 31, 2023
Deadline for Serving Discovery on Applicant's Direct Case	July 31, 2023
Request for Hearing on the Merits	July 31, 2023
<b>Intervenor Direct Testimony or Statement of Position</b>	<b>July 31, 2023</b>
Response to Objections to Intervenor Direct Testimony	August 10, 2023
<b>Staff Direct Testimony</b>	<b>August 14, 2023</b>
<b>Intervenor Cross-Rebuttal Testimony</b>	<b>August 14, 2023</b>
<b>In-Person Settlement Conference</b>	<b>August 17, 2023</b>
Objections to Staff Direct Testimony	August 17, 2023
Objections to Intervenor Cross-Rebuttal Testimony	August 17, 2023
Discovery on Staff Direct Testimony, Intervenor Direct Testimony, and Intervenor Cross-Rebuttal Testimony	August 17, 2023
Replies to Objections to Staff Direct Testimony	August 21, 2023
Replies to Objections to Cross-Rebuttal Testimony	August 21, 2023
<b>Applicant's Rebuttal Testimony</b>	<b>August 21, 2023</b>
Objections to Applicant's Rebuttal Testimony	August 23, 2023
Deadline for Serving Discovery on Applicant's Rebuttal Testimony	August 23, 2023
Pre-Hearing Submissions (Exhibit List, Intervenor Witness Cross-Examination List, etc. filed on PUCT Interchange. Exhibits and Exhibit Lists uploaded to Electronic Repository by 5 PM)	August 25, 2023

Response to Objections to Applicant's Rebuttal Testimony (live at hearing)	August 28, 2023
Final Prehearing Conference	August 28, 2023
<b>Hearing on the Merits</b>	<b>August 28-31, 2023</b>
Initial Briefs	September 7, 2023
Reply Briefs (with Proposed Findings of Fact, Conclusions of Law, and Ordering Paragraphs)	September 14, 2023
Approximate Date for PFD	November 13, 2023
Exceptions to PFD	November 17, 2023
Replies to Exceptions	November 21, 2023
<b>Commission Decision - Per 16 TAC § 25.101(b)(3)(D) 180 day timeline</b>	<b>December 5, 2023</b>
<b>Commission Decision Extended for Good Cause</b>	<b>December 21, 2023</b>

Any intervenor who does not file direct testimony or a statement of position by **July 31, 2023**, will be stricken as a party under 16 Texas Administrative Code sections 22.124 and 22.161.

#### **IV. DISCOVERY PLAN**

For discovery on

1. Oncor's direct case, the following deadlines apply:
  - a. Responses are due within ten working days of the discovery request; and
  - b. Objections are due within five working days of the discovery request.
2. Intervenor and Staff direct testimony and Intervenor cross-rebuttal testimony, the following deadlines apply:
  - a. Responses are due within five working days of the discovery request; and
  - b. Objections are due within three calendar days of the discovery request.
3. Oncor's rebuttal testimony, the following deadlines apply:

- a. Responses are due within five working days of the discovery request; and
- b. Objections are due within three calendar days of the discovery request.

All discovery requests received after 3:00 p.m. are deemed to have been received the following business day. Drafts of testimony and statements of position will not be discoverable, nor will emails transmitting drafts of testimony and statements of position be discoverable.

## **V. SERVICE**

Service will be by the PUCT Interchange System. However, if a filing requires an action of another party, direct service on that party is required. Email service is a valid method of providing direct service on a party from whom action is required.

## **VI. HEARING FORUM**

The applicant requested an in-person hearing. Staff did not object to an in-person hearing provided there was hybrid capability, otherwise Staff requested a remote hearing. The SOAH hearing room with hybrid capability is not available on the agreed hearing dates. Accordingly, the applicant's request for an in-person hearing is denied.

However, the applicant may host a room with hybrid capabilities for those who wish an in-person hearing. If the applicant chooses to do so, it shall notify the parties as soon as practicable, but **no later than August 4, 2023**.

## VII. HEARING ON THE MERITS

A hearing on the merits will convene at **9:00 a.m. (CT) on August 28, 2023**, via Zoom videoconference. The hearing is expected to last four days. The parties may attend in one of these ways:

### **By computer**

go to  
<https://soah-texas.zoomgov.com> and  
enter:  
Meeting ID: 161 943 7039  
Video Passcode: PUC67E

### **By phone**

Call +1 669 254 5252, and enter:  
Meeting ID: 161 943 7039  
Telephone Passcode: 130221

The parties **SHALL** comply with the following prehearing requirements and deadlines regarding prefiling exhibits and witness identification. **No later than August 24, 2023:**

1. Each party **SHALL** file a witness list identifying all witnesses the party expects to call to testify during the hearing. The party shall also identify its witnesses, if any, for whom all other parties have waived cross-examination.
2. Each party **SHALL** file a list of all exhibits it intends to offer at the hearing (including, for example, on cross-examination).
3. The parties **SHALL** deliver:
  - a. **Judge copy:** One hard copy of all exhibits the party intends to offer at hearing to State Office of Administrative Hearings (SOAH), Room 504, 5th Floor, William P. Clements Building, 300 West 15th Street, Austin, Texas 78701; and
  - b. **Record copy:** An electronic copy (USB) of all exhibits the party intends to offer along with a copy of the party's witness list and exhibit list to the court reporter to be maintained as the record

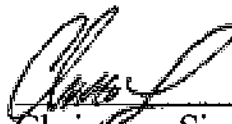
copy. The parties shall coordinate with the court reporter on where to send their exhibits.

4. The parties **SHALL** exchange with each other a marked copy of all exhibits they intend to offer.<sup>1</sup>
5. If the parties plan to use a file-sharing site to exchange exhibits with each other, the party that will host the site shall email the name of the file-sharing site to be used to the ALJ's administrative assistant Tujuana Tate at [Tujuana.tate@soah.texas.gov](mailto:Tujuana.tate@soah.texas.gov) **as soon as practicable, but no later than August 22, 2023**, so that SOAH's IT personnel can determine whether it meets SOAH's security requirements so that the ALJs can use the file-sharing site as well.

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.

Prior to 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 the necessary videoconferencing information.

**Signed June 27, 2023**



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Christiaan Siano,  
Presiding Administrative Law Judge

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<sup>1</sup> The parties may agree among themselves on the method of delivery to each other and may agree to forego delivery of marked copies of exhibits they have already received, relying on the exhibit lists to identify the offering party and exhibit number.