



## **Filing Receipt**

**Filing Date - 2023-09-21 02:06:47 PM**

**Control Number - 55365**

**Item Number - 18**

**BEFORE THE  
STATE OFFICE OF ADMINISTRATIVE  
HEARINGS**

---

**APPLICATION OF CENTERPOINT ENERGY HOUSTON  
ELECTRIC, LLC, TO AMEND A CERTIFICATE OF  
CONVENIENCE AND NECESSITY FOR A 138-KV  
TRANSMISSION LINE WITHIN CHAMBERS COUNTY**

---

**SOAH ORDER NO. 2:  
MEMORIALIZING PREHEARING CONFERENCE; FINDING  
APPLICATION ADMINISTRATIVELY COMPLETE;  
ADOPTING PROCEDURAL SCHEDULE; SETTING HEARING  
ON THE MERITS**

On September 19, 2023, a prehearing conference convened in this matter. The applicant, CenterPoint Energy Houston Electric, LLC, and staff of the Public Utility Commission of Texas (Commission) appeared through counsel.

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

On September 13, 2023, Staff filed comments recommending that the application be found sufficient. Pursuant to Staff's comments, the ALJs find the application sufficient and complete for further review.

## **II. PROCEDURAL SCHEDULE**

The proposed procedural schedule, as agreed to by the parties and submitted by the Applicants on September 19, 2023, is **ADOPTED**, as set out below, and shall govern this proceeding unless otherwise ordered.

<b>Event</b>	<b>Deadline</b>
Application filed	August 30, 2023
Commission Staff shall, and any other party may, file its comments on the sufficiency of Applicant's application for purposes of further review	September 13, 2023
Prehearing conference	September 19, 2023
Staff shall, and any other party may, file its comments on whether Applicant's notice complied with requirements	September 26, 2023
Deadline to intervene	September 29, 2023
Deadline for filing testimony or position statement challenging route adequacy (if any) and request for route adequacy hearing	October 6, 2023
Objections to Applicant's direct testimony	October 6, 2023
Deadline for serving discovery on Applicant's direct testimony	October 6, 2023
Deadline for intervenor to request a hearing on the merits	October 6, 2023
Intervenor comments if no hearing is requested	October 6, 2023
<b>Intervenor direct testimony or statement of position</b>	<b>October 6, 2023</b>
Response to objections to Applicant's direct testimony	October 13, 2023
Response to challenges to adequacy of routes	October 13, 2023
Objections to intervenor direct testimony	October 13, 2023
Deadline for Staff to request a hearing on the merits	October 13, 2023

Staff recommendation on final disposition if no hearing is requested	October 13, 2023
<b>Hearing on route adequacy (if any)</b>	<b>October 18, 2023</b>
Responses to objections to intervenor direct testimony	October 20, 2023
Deadline for Applicant to request a hearing on the merits	October 20, 2023
Applicant response to intervenor comments and Staff recommendation on final disposition	October 20, 2023
Staff direct testimony	October 20, 2023
Intervenor cross-rebuttal testimony	October 20, 2023
Settlement conference	October 24, 2023
Objections to Staff direct testimony	October 24, 2023
Objections to intervenor cross-rebuttal testimony	October 24, 2023
If qualified for informal disposition, parties file a proposed order including joint proposed Findings of Fact, Conclusions of Law, and Ordering Paragraphs	October 27, 2023
Deadline to conduct discovery on intervenor direct testimony, Staff direct testimony, and intervenor cross-rebuttal testimony	October 27, 2023
Responses to objections to Staff direct testimony	October 27, 2023
Responses to objections to intervenor cross-rebuttal testimony	October 27, 2023
Applicant's rebuttal testimony	October 27, 2023
Objections to Applicant's rebuttal testimony	October 31, 2023
Responses to objections to Applicant's rebuttal testimony	November 3, 2023
Prehearing submissions (e.g., exhibit list, intervenor witness cross-examination list) filed on Commission Interchange. Exhibits and exhibit lists uploaded to Electronic Repository by 5:00 p.m.	November 6, 2023
Final prehearing conference	November 7, 2023
<b>Hearing on the merits start</b>	<b>November 9, 2023</b>
<b>Hearing on the merits end</b>	<b>November 10, 2023</b>
Initial briefs	November 15, 2023
If qualified for informal disposition, administrative review complete	November 20, 2023
Reply Briefs (with proposed Findings of Fact, Conclusions of Law, and Ordering Paragraphs)	November 21, 2023

### III. OTHER PROCEDURES

In addition, the following deadlines shall apply:

**No later than 3:00 p.m. on November 7, 2023**, the parties **SHALL** comply with the following prehearing requirements:

- Applicants **SHALL** arrange to have a court reporter transcribe the hearing.
- Applicants **SHALL** file a list of persons who have signed the Protective Order.
- Each party **SHALL** file a witness list identifying all witnesses the party expects to call to testify during the hearing and identifying its witnesses, if any, for whom all other parties waived cross-examination.
- 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.
- The parties **SHALL** deliver to the Administrative Law Judge (ALJ) at the State Office of Administrative Hearings, Room 504, 5th Floor, William P. Clements Building, 300 West 15th Street, Austin, Texas 78701, one electronic copy (USB drive or CD) of all exhibits the party intends to offer.<sup>1</sup>
- The parties **SHALL** deliver to the court reporter, after consulting with the court reporter about how to do so, one electronic copy of all exhibits the party intends to offer, along with a copy of the party's witness list and exhibit list. The electronic copy of the parties' exhibits submitted to the court reporter will be maintained as the record copy.
- The parties **SHALL** exchange a marked copy of all exhibits not containing Protected Materials or Highly Sensitive Protected Materials that they

---

<sup>1</sup> The parties do not need to file "appeals copies."

intend to offer at the hearing.<sup>2</sup> 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.

- If the parties plan to use a file-sharing site to exchange exhibits, the party that will host the site shall email the name of the file-sharing site to be used to Erin Hurley (at Erin.Hurley@soah.texas.gov) and Mavis Chase (at mavis.chase@soah.texas.gov) **as soon as practicable, but no later than November 2, 2023**, so that SOAH's IT personnel can determine whether it meets SOAH's security requirements so that the ALJ 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 them the necessary videoconferencing information.

---

<sup>2</sup> 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.

#### IV. HEARINGS

The hearing on route adequacy (if requested by October 6, 2023) will convene at **9:00 a.m. on October 18, 2023**. If a route adequacy hearing is not requested on or before October 6, 2023, this hearing on route adequacy is automatically canceled.

A prehearing conference will convene at **10:00 a.m. on November 7, 2023**.

The hearing on the merits will convene at **9:00 a.m. on November 9–10, 2023**. The hearing is expected to last two days.

All proceedings in this case will be held via Zoom videoconference. Attend the hearings in one of these ways:<sup>3</sup>

By computer: Go to <https://soah-texas.zoomgov.com> and enter the following:

Meeting ID: 160 137 1304

Video Passcode: PUC934

By telephone: Call +1 669 254 5252, and enter the following:

Meeting ID: 160 137 1304

Telephone Passcode: 896901

If you experience technical issues, you may contact SOAH at (512) 475-4993.

---

<sup>3</sup> These credentials apply to the prehearing conference as well as the hearing on route adequacy, if any.

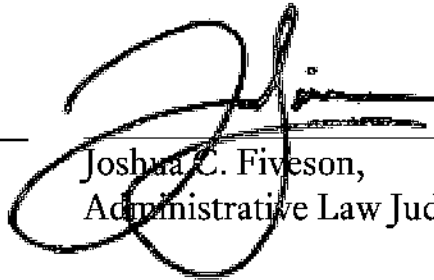
## V. REQUIREMENT FOR STATEMENTS OF POSITION OR PREFILED TESTIMONY

As noted in the procedural schedule above, intervenors must file either written testimony or a statement of position **by October 6, 2023**. Any intervenor who does not file written testimony or a position statement by that date will be dismissed from this case and prohibited from further participation. *See* 16 Tex. Admin. Code §§ 22.124, 22.161.

**Signed September 21, 2023**



Ross Henderson,  
Administrative Law Judge



Joshua C. Fiveson,  
Administrative Law Judge