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**PUC DOCKET NO. 55768
SOAH DOCKET NO. 473-24-06199**

APPLICATION OF CENTERPOINT	§	PUBLIC UTILITY COMMISSION
ENERGY HOUSTON ELECTRIC, LLC	§	
TO AMEND ITS CERTIFICATE OF	§	OF TEXAS
CONVENIENCE AND NECESSITY FOR	§	
A PROPOSED 138 K-V TRANSMISSION	§	
LINE IN HARRIS AND	§	
MONTGOMERY COUNTIES	§	

TIMOTHY S. LARGE

**RESPONSE TO CENTERPOINT'S REQUEST TO DENY EXPEDITED MOTION
REQUESTING PERMISSION TO FILE 2nd AMENDED DIRECT TESTIMONY AND
REQUEST A MOTION TO COMPEL CENTERPOINT TO ANSWER MY REBUTTAL RFI
No.1**

Comes now Timothy S. Large to submit this response to CenterPoint's request to **DENY** my Expedited Motion request Permission to File 2nd Amended Direct Testimony and request a Motion to Compel CenterPoint to answer Rebuttal RFI No.1.

On May 10, 2024, CenterPoint filed "Testimony," item 613, which in their Filing Description, states a response to my Expedited Motion requesting permission to file my 2nd amended Direct Testimony. Besides misfiling their response as a "Testimony," CenterPoint has mislabeled an Objection as a Response. CenterPoint's item 613 should be stricken from the record and held to the same standards as my Testimony that I filed on December 19, 2023, item 188, which prevented me from participating in the Route Adequacy Hearing. In CenterPoint's response, they assert that I did not provide good cause or explanation as to why I could not file in a timely manner. To the contrary, I stated in my Motion, that the information pertaining to Site H was discovered on the evening of April 26, 2024.

CenterPoint's request to **DENY** my Expedited Motion requesting Permission to file my 2nd Amended Direct Testimony is an attempt to suppress evidence that

provides proof that new Transmission Lines are not needed, which would nullify CenterPoint's CCN application. CenterPoint has owned the 12.12-acre parcel for Sites H since 1981. This fact alone puts into question the validity of CenterPoint's Mill Creek Substation project application. The purpose of CenterPoint's conditional partial withdrawal of Rebuttal Testimony from Bradley Diehl, Jacob Tomczyszyn, and James Nicholas is to prevent prejudice for filing future applications to use the alternative Sites proposed by Interveners. Additionally, for this same reason, CenterPoint is seeking to have my Expedited Motion Requesting Permission to file my 2nd Amended Direct Testimony **DENIED** to prevent any prejudicial evidence to be filed against their 12.12-acre parcel.

The argument CenterPoint stated for the Objection to answer the questions in my Rebuttal RFI's No. 1, item 586, is a blatant defiance of the ALJ's ruling in SOAH ORDER No. 12. The ALJ clearly states, in SOAH ORDER No. 12, that additional Sites and Routes can be presented during the Hearing on the Merits;

"This ruling does not prohibit parties from raising arguments or offering evidence challenging the routes presented in the Amended Application or proposing alternative substation sites or routes at the hearing on the merits."

It was CenterPoint's choice to file Rebuttal Testimony challenging the viability of Alternative Sites proposed by Interveners. With its May 8, 2024, item 603, CenterPoint is attempting to hold these Proceedings **HOSTAGE** with its terms under the *"Contingent Notice of Intent to withdraw Testimony."* CenterPoint could have withdrawn the portions of the Testimonies which would eliminate the validity of the RFIs that were submitted. Since CenterPoint has not withdrawn its Testimony in a timely manner, the question 1, 6, and 7, asked in my Rebuttal RFI No.1 are valid and CenterPoint should be ordered to answer these questions. Question number 4, in my Rebuttal RFI No.1 is also valid. In Mr. Jacob Tomczyszyn Rebuttal Testimony, item 573, page 7, under the subject of "Health and Safety," he speaks about EMFs. Again, CenterPoint should be compelled to answer question number 4.

PRAYER

I, Timothy S. Large, respectfully request that the ALJ **Grant** my Expedited Motion requesting permission to file a 2nd Amended Direct Testimony and **Grant** this Intervener's Motion to Compel CenterPoint to answer all of the questions in my Rebuttal RFI No.1.

Sincerely

/s/ Timothy S. Large 5/12/2024

Timothy S. Large

Parcel ID: 211627,233395

28327 & 28335 Hardin Store Road

Magnolia, Texas 77354

CERTIFICATE OF SERVICE

I certify that on May 12, 2024, I served a true and corrected copy of this document in accordance with Public Utility Commission Procedural Rule 22.74 and Orders issued in Docket No. 55768. All other parties were served by filing in accordance with SOAH Order No. 2 (item 195, 12/20/2023)

/s/ Timothy S. Large

Timothy S. Large