



## **Filing Receipt**

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**SOAH DOCKET NO. 473-24-22699  
PUC DOCKET NO. 56799**

<b>APPLICATION OF ONCOR ELECTRIC DELIVERY COMPANY LLC TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE REITER SWITCH-TESORO SWITCH 345 KV TRANSMISSION LINE IN ECTOR AND MIDLAND COUNTIES</b>	<b>§ § § § § § §</b>	<b>BEFORE THE STATE OFFICE      OF      ADMINISTRATIVE HEARINGS</b>
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**AGREED MOTION TO CANCEL PREHEARING CONFERENCE AND AGREED  
PROPOSED PROCEDURAL SCHEDULE AND DISCOVERY PLAN**

Oncor Electric Delivery Company LLC (“Oncor”), Staff (“Staff”) of the Public Utility Commission of Texas (“Commission”), and OXY USA WTP, LP and Kerr-McGee Oil & Gas Onshore (“Oxy”) timely file this Agreed Motion to Cancel the Prehearing Conference and an Agreed Proposed Procedural Schedule and Discovery Plan.

**I.      **AGREED MOTION TO CANCEL PREHEARING CONFERENCE****

On July 25, 2024, Oncor filed an application to amend its certificate of convenience and necessity for the Reiter Switch to Tesoro Switch 345-kilovolt transmission line project in Ector and Midland counties, Texas. On July 26, 2024, the Commission referred this matter to the State Office of Administrative Hearings (“SOAH”). On July 29, 2024, the SOAH Administrative Law Judge (“ALJ”) issued SOAH Order No. 1, which (1) scheduled a prehearing conference for August 12, 2024, (2) permitted the parties to file an agreed motion to cancel the prehearing conference if it is determined by the parties to be unnecessary, and (3) provided guidelines for drafting and filing a proposed procedural schedule.

On August 5, 2024, Oxy filed the sole motion to intervene in this proceeding. Oncor, Staff, and Oxy have conferred and agree that the August 12, 2024, prehearing conference is not necessary. In accordance with SOAH Order No. 1, Oncor, Staff, and Oxy respectfully request that the SOAH ALJ cancels the prehearing conference.

**II.     **PROPOSED PROCEDURAL SCHEDULE AND DISCOVERY PLAN****

Oncor, Staff, and Oxy have discussed a procedural schedule and discovery plan that would be agreeable by all parties to this proceeding in the event that no additional motions to intervene are timely filed by the August 26, 2024, deadline for intervention under the Order of Referral and Preliminary Order (“Preliminary Order”).

Oncor, Staff, and Oxy respectfully request that the SOAH ALJ adopts the following proposed procedural schedule and discovery plan:

**Proposed Procedural Schedule**

<b>Date/Deadline</b>	<b>Event</b>
7/25/24	Filing Date of CCN Application & Applicant's Direct Testimony
8/19/24	Comments on Sufficiency of Application and Applicant's Proposed Notice
<b>8/26/24</b>	<b>Intervention Deadline under the Preliminary Order</b>
<b>8/26/24</b>	<b>Intervenor Direct Testimony or Statement of Position</b>
8/29/24	Deadline under the Preliminary Order for Presiding Officer to Issue an Order Regarding Material Deficiencies in the Application (if any)
8/30/24	Statement Challenging Route Adequacy (if any) and Request for Route Adequacy Hearing
9/3/24	Objections to Applicant's Direct Testimony
9/3/24	Deadline for Serving Discovery on Applicant's Direct Case
<b>9/3/24</b>	<b>Request for Hearing on the Merits</b>
9/3/24	Objections to Intervenor Direct Testimony
9/4/24	Applicant's Response to Route Adequacy Challenge
9/6/24	Applicant's Response to Objections to Applicant's Direct Testimony
<b>9/6/24</b>	<b>Staff Direct Testimony</b>
<b>9/6/24</b>	<b>Intervenor Cross-Rebuttal Testimony</b>
9/6/24	Response to Objections to Intervenor Direct Testimony
9/6/24	ALJ Determination on Need for Route Adequacy Hearing
<b>9/10/24</b>	<b>Hearing on Route Adequacy (if necessary)</b>
9/10/24	Settlement Conference
9/10/24	Objections to Staff Direct Testimony
9/10/24	Objections to Intervenor Cross-Rebuttal Testimony
9/10/24	Discovery on Staff Direct Testimony, Intervenor Direct Testimony, and Intervenor Cross-Rebuttal Testimony by 3:00 PM CDT
9/13/24	Replies to Objections to Staff Direct Testimony
9/13/24	Replies to Objections to Cross-Rebuttal Testimony
<b>9/16/24</b>	<b>Applicant's Rebuttal Testimony</b>
9/18/24	Discovery on Applicant's Rebuttal Testimony by 3:00 PM CDT
9/18/24	Objections to Applicant's Rebuttal Testimony
9/24/24	Applicant's Response to Discovery on Applicant's Rebuttal Testimony

<b>Date/Deadline</b>	<b>Event</b>
9/24/24	Pre-Hearing Submissions (Exhibit List, Intervenor Witness Cross-Examination List, etc. Filed on PUCT Interchange. Exhibits and Exhibit Lists uploaded to Electronic Repository by 5:00 PM CDT)
9/25/24	Response to Objections to Applicant's Rebuttal Testimony (live at hearing)
9/25/24	Final Prehearing Conference
<b>9/25/24</b>	<b>Hearing on the Merits (location to be determined at a later time, if necessary)</b>
10/7/24	Initial Briefs
<b>10/14/24<sup>1</sup></b>	<b>If Applicable, Administrative Review Complete (80 days)</b>
10/18/24	Reply Briefs (with Proposed Findings of Fact, Conclusions of Law, and Ordering Paragraphs)
12/17/24	Approximate Date for PFD
12/27/24	Exceptions to PFD
1/6/25	Replies to Exceptions
<b>1/21/25</b>	<b>Commission Decision (180 days)</b>

### **Proposed Discovery Plan**

For discovery on Oncor's direct case, the following deadlines apply:

- Responses are due within eight business days of the discovery request; and
- Objections are due within three business days of the discovery request.

For discovery on Intervenor and Staff direct testimony and Intervenor cross-rebuttal testimony, the following deadlines apply:

- Responses are due within five business days of the discovery request; and
- Objections are due within three business days of the discovery request.

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

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<sup>1</sup> The 80th day from the filing of the application falls on Sunday, October 13, 2024, a day the agency will be closed. Therefore, under 16 Texas Administrative Code § 22.4(a), the deadline moves to the next day the Commission is open for business—Monday, October 14, 2024.

### III. CONCLUSION

Oncor, Staff, and Oxy respectfully request that the SOAH ALJ cancels the August 12, 2024, prehearing conference and adopts the above proposed procedural schedule and discovery plan.

Respectfully submitted,

By: /s/ Rachael L. Curtin

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**CERTIFICATE OF SERVICE**

It is hereby certified that a copy of the foregoing has been filed with the Commission and served on all parties via email pursuant to SOAH Order No. 1 in this docket, on this the 9th day of August, 2024.

/s/ Terri Watts