



## **Filing Receipt**

**Filing Date - 2024-10-08 04:31:24 PM**

**Control Number - 57115**

**Item Number - 15**

JOINT APPLICATION OF THE CITY OF § BEFORE THE STATE OFFICE  
SAN ANTONIO, ACTING BY AND §  
THROUGH THE CITY PUBLIC SERVICE §  
BOARD (CPS ENERGY), AND SOUTH §  
TEXAS ELECTRIC COOPERATIVE, INC. §  
(STEC) TO AMEND THEIR § OF  
CERTIFICATES OF CONVENIENCE §  
AND NECESSITY FOR THE PROPOSED §  
HOWARD ROAD-TO-SAN MIGUEL 345-  
KV TRANSMISSION LINE IN BEXAR  
AND ATASCOSA COUNTIES ADMINISTRATIVE HEARINGS

**MOTION TO INTERVENE OF 5M CATTLE CO., LTD.; BRET DALE MITCHELL;  
BRETT DALE MITCHELL AS TRUSTEE OF THE BRET D. MITCHELL GST TRUST;  
JACQUELINE MITCHELL; JACQUELINE MITCHELL AS THE TRUSTEE OF THE  
BILLY T. MITCHELL FAMILY TRUST; JACQUELINE MITCHELL AS TRUSTEE OF  
THE BILLY T. MITCHELL NON-EXEMPT MARITAL TRUST;  
AND JULIE GAIL MITCHELL MARBLE**

NOW COME 5M CATTLE CO., LTD.; BRET DALE MITCHELL, INDIVIDUALLY; BRETT DALE MITCHELL AS TRUSTEE OF THE BRET D. MITCHELL GST TRUST; JACQUELINE MITCHELL, INDIVIDUALLY; JACQUELINE MITCHELL AS THE TRUSTEE OF THE BILLY T. MITCHELL FAMILY TRUST; JACQUELINE MITCHELL AS TRUSTEE OF THE BILLY T. MITCHELL NON-EXEMPT MARITAL TRUST; AND JULIE GAIL MITCHELL MARBLE, INDIVIDUALLY (together, the “Mitchell Family Alliance” and each a “member” of the Mitchell Family Alliance) and pursuant to P.U.C. Proc. R. 22.101, 22.103, and 22.104 and the applicable Order of Referral and Preliminary Order timely file this MOTION TO INTERVENE, respectfully showing as follows:

1. Applicant has identified each member of the Mitchell Family Alliance as owning property that may be affected by the outcome of this proceeding, and as such are

directly affected landowners and have a justiciable interest in this proceeding. See P.U.C. PROC. R. 22.103(b)(2); P.U.C. PROC. R. 22.52 (a)(3).

2. Each member of the Mitchell Family Alliance acknowledges that if granted Intervenor status he/she/it (1) will be a party to the case; (2) will be required to respond to all discovery requests from other parties in the case; (3) may cross-examine other witnesses or be cross examined at the hearing if they file direct testimony; (4) will serve every other party in this case, except where service is modified by alternative service procedures set out by order in these proceedings, if they file any document in these proceedings; and (5) are bound by the Procedural Rules of the Texas Public Utility Commission and the State Office of Administrative Hearings.

3. The Commission has jurisdiction over this case and each member of the Mitchell Family Alliance pursuant to PURA § 37.053.

4. The undersigned attorneys, James K. Spivey and Soledad M. Valenciano, hereby make their notice of appearance in this matter on behalf of each member of the Mitchell Family Alliance.

### **PRAYER**

WHEREFORE PREMISES CONSIDERED, and for the above-stated purposes, 5M Cattle Co., Ltd.; Bret Dale Mitchell, Individually; Brett Dale Mitchell as Trustee of The Bret D. Mitchell GST Trust; Jacqueline Mitchell, Individually; Jacqueline Mitchell as the Trustee of The Billy T. Mitchell Family Trust; Jacqueline Mitchell as Trustee of The Billy T. Mitchell Non-Exempt Marital Trust; and Julie Gail Mitchell Marble, Individually, respectfully request that this MOTION TO INTERVENE be granted as to each of them and that each may go henceforth and be permitted to fully participate in these

proceedings, and for such other and further relief, both in law and in equity, to which each are justly entitled.

**SPIVEY VALENCIANO, PLLC**

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**ATTORNEYS FOR 5M CATTLE CO., LTD.;  
BRET DALE MITCHELL; BRETT DALE  
MITCHELL AS TRUSTEE OF THE BRET D.  
MITCHELL GST TRUST; JACQUELINE  
MITCHELL; JACQUELINE MITCHELL AS  
THE TRUSTEE OF THE BILLY T. MITCHELL  
FAMILY TRUST; JACQUELINE MITCHELL  
AS TRUSTEE OF THE BILLY T. MITCHELL  
NON-EXEMPT MARITAL TRUST; AND JULIE  
GAIL MITCHELL MARBLE**

**CERTIFICATE OF SERVICE**

I hereby certify that on October 8, 2024, a copy of this document is being filed in the Public Utility Commission's Interchange System and thereby served on all parties of record as required by orders in this docket, the Commission's rules, and the Commission's First and Second Orders Suspending Rules issued on March 16, 2020, and July 16, 2020, in Project No. 50664.



Soledad M. Valenciano