



Filing Receipt

Filing Date - 2024-11-12 02:39:43 PM

Control Number - 57115

Item Number - 168

SOAH DOCKET NO. 471-25-02531
DOCKET NO. 57115

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

**RIPS RANCH, LLC'S
FIRST REQUESTS FOR INFORMATION TO APPLICANTS**

RIPS RANCH, LLC ("Rips Ranch") submits the following First Requests for Information ("RFIs") under 16 TEX. ADMIN. CODE §§ 22.141 and 22.144 to CPS ENERGY and SOUTH TEXAS ELECTRIC COOPERATIVE, INC. ("STEC") through their respective counsel of record:

<p>Kirk Rasmussen State Bar No. 24013374 kasmussen@jw.com Heath Armstrong State Bar No. 24105048 harmstrong@jw.com</p> <p>Jackson Walker, LLP 100 Congress Ave., Ste. 1100 Austin, TX 78701</p>	<p>Diana Liebmann State Bar No. 00797058 diana.liebmann@haynesboone.com Carlos Carrasco State Bar No. 24092223 carlos.carrasco@haynesboone.com Haynes and Boone, LLP 112 E. Pecan St., Ste. 2400 San Antonio, Texas 78205</p> <p>Jennifer Littlefield State Bar No. 24074604 jennifer.littlefield@haynesboone.com Haynes & Boone, LLP 98 San Jacinto Blvd., Ste. 1500 Austin, Texas 78701</p>
--	--

Under 16 TEX. ADMIN. CODE § 22.144(c)(1) and SOAH Order No. 2, ***you must fully respond to these RFIs as soon as possible***, but no more than ten (10) days of receipt.

If any RFI appears ambiguous, please contact counsel for Rips Ranch to obtain clarification.

I. Instructions

1. Under 16 TEX. ADMIN. CODE § 22.144(i), the respondent to these Requests must supplement within five days of the discovery of new information any response that newly-discovered information modifies or makes incomplete a response already supplied.

2. Under 16 TEX. ADMIN. CODE § 22.144(c)(2), Rips Ranch requests you answer these Requests under oath or stipulate in writing its responses can be treated exactly as if the responses were filed under oath. Each answer should identify the person or persons most knowledgeable about such response, the person or persons responsible for preparing such response, and the name of the witness in this proceeding who will sponsor the answer and guarantee the accuracy of the response.

3. In producing documents under these RFIs, number each document and indicate the question(s) or request(s) in response to which the document is being produced. If any document falls within multiple requests, multiple productions are not contemplated; one production referencing the multiple requests will be sufficient.

4. When a request asks for the production of a study, report, or supporting inputs for assumptions, such data should be in a Microsoft Office, Adobe Acrobat, or other useable PC-based electronic format, when available, on CD-ROM and be produced with your response to these requests.

5. For any information you claim is unavailable, state why it is unavailable. If you cannot respond to the request precisely as it is stated, provide any information that is available that would respond to the request at a level of detail different from that specified.

6. A request for "documents," "all documents," or "any documents" contemplates a complete production of materials relating to the referenced subject but is not intended to seek a duplicative or cumulative production of documents. If the production of one set of documents responds to the information requested, Rips Ranch does not seek (and you need not produce) duplicate sets of hard-copy documents that also address the same matters. This instruction does not excuse you of your obligation

**RIPS RANCH, LLC'S
FIRST REQUESTS FOR INFORMATION TO APPLICANTS**

to produce documents in both written and electronic format where available, under Instruction No. 4.

7. If the information requested is in previously-furnished exhibits, work papers, responses to other discovery inquiries or otherwise, in hard copy or electronic format, please furnish references thereto, including Bates Stamp page citations and detailed cross-references.

8. When the RFI requests a study, report, schedule, or analysis, the response should also provide the work papers, underlying facts, inferences, suppositions, estimates, and conclusions to support each study, report, schedule, or analysis.

9. Please produce the requested documents for inspection and copying unaltered and/or unredacted as they are kept in the usual course of business, and organize and label them to correspond to the categories in this request. If any part of a document responds to any request, the whole document is to be produced. If there has been any alteration, modification or addition to a document, including any marginal notes, handwritten notes, underlining, date stamps, received stamps, attachments, distribution lists, drafts or revisions, each such alteration, modification or addition is to be considered as a separate document and it must be produced.

10. These requests are directed to all documents and information in your custody or control. A document is deemed in your custody or control if you have possession of the document or may secure such document from another person having possession. If you cannot produce a document or information based on a claim the document is not in your custody or control, state the location of such document or information when it was last in your possession, custody or control, and provide a detailed description of the reason the document is no longer in your possession, custody or control, and the manner in which it was removed from your possession, custody or control.

11. In responding to each RFI, provide information available from all of your corporate and individual files, and from past and present employees, officers, directors, and board members.

12. The singular form of a word shall be interpreted to mean and include the plural. Words used in the plural form of a word shall be interpreted mean and include the singular.

13. The past tense of a word shall be interpreted to include the present tense and the present tense shall be construed to include the past tense.

14. If any document is withheld under any claim of privilege, furnish a list identifying each document for which a privilege is claimed, with the following information: date, sender, recipients of copies, subject matter of the document, and the basis upon which such privilege is claimed.

15. Under 16 TEX. ADMIN. CODE § 22.144(h)(4), if the response to any request is voluminous, provide a detailed index of the voluminous material.

16. Please serve your Responses electronically or in person to:

David F. Brown
Ewell Brown Blanke & Knight LLP
111 Congress Avenue, 28th Floor
Austin, Texas 78701
dbrown@ebbkllaw.com

II. Definitions

For these discovery requests, the terms set forth below have the following meanings:

1. The terms "**CPS Energy**," "**STEC**" or "**you**" mean separately or collectively the Applicants in this proceeding and their respective parents, subsidiaries, affiliates, past or present; all employees, officers, directors, agents, consultants, including POWER Engineers, investigators, attorneys, and all persons acting under contractual obligations with or acting or purporting to act for you; any merged or consolidated predecessors in interest or predecessor in interest; and any merged or consolidated successors in interest.

2. The terms "**and**" and "**or**" as used shall be construed as either conjunctive or disjunctive to make the request inclusive rather than exclusive.

3. The term "**any**" shall be construed to include "**all**" and "**all**" shall be construed to include "**any**."

5. The term "**each**" shall be construed to include the word "**every**" and "**every**" shall be construed to include the word "**each**."

6. The term "**concerning**" includes the following meanings: relating to; pertaining to; regarding; discussing; mentioning; containing; reflecting; evidencing;

describing; showing; identifying; providing; disproving; comprising; supporting; contradicting; legally, logically, or factually connected with the matter to which the term refers; or having a tendency to prove or disprove the matter to which the term refers.

7. The term “**including**” means and refers to “including but not limited to.”

8. The term “**communication**” includes, but is not limited to, all forms of communication, whether written, printed, oral, pictorial, or otherwise, including, but not limited to, testimony or sworn statements, discussions, conversations, speeches, meetings, remarks, questions, answers, panel discussions, and symposia. The term includes, without limitation of its generality, both communications and statements which are face-to-face and those which are transmitted by documents or by media such as intercoms, telephones, television, radio or computer.

9. The terms “**document**” or “**documents**” are used in their broadest sense in Tex. R. Civ. P. 192.3(b) and, as described in Rule 196.4 include electronic or magnetic data (included in the definition of “document”). These words mean and include any written, printed, typed, recorded or graphic matter of every kind or description, both original and copies, and all attachments and appendices. Without limiting the foregoing, the terms “**document**” and “**documents**” shall include all analyses, agreements, contracts, communications, correspondence, drawings, letters, opinion letters, telegrams, faxes, messages, e-mails, memoranda, records, reports, books, studies, summaries or other records of telephone conversations or interviews, summaries or other records of personal conversations or interviews, minutes, summaries or other records of meetings or conferences, statements obtained from witnesses, summaries or other records of negotiations, other summaries, diaries, diary entries, calendars, appointment books, time records, instructions, work assignments, press releases, forecasts, progress reports, statistical data, statistical statements, financial statements, work sheets, work papers, drafts, graphs, charts, tables, accounts, analytical records, consultants’ and expert reports, appraisals, bulletins, notes, meeting notes, telephone conversation notes, notices, marginal notations, notebooks, telephone records, bills, statements, records of obligation and expenditure, invoices, lists, journals, printouts, compilations, tabulations, analyses, studies, surveys, expense reports, microfilm, microfiche, tape or disc recordings, sound recordings, video recordings, film, tape, photographs, programs, data,

and data compilations from which information can be obtained (including matter used in data processing), and other printed, written, handwritten, typewritten, recorded, stenographic, computer-generated, computer-stored, magnetically stored, optically-stored, or electronically stored matter, however produced, prepared, reproduced, disseminated, or made, on any medium of any description in your actual or constructive possession, custody or control, or of which you have knowledge, upon which intelligence or information is recorded from or from which intelligence or information can be retrieved; and every copy of such writing or record where the original is not in your possession, custody, or control. The words "**document**" and "**documents**" also include all copies of documents by whatever means made, except that where a document is produced, identical copies of it that contain no markings, additions, or deletions different from the original do not have to be separately produced.

10. "**Identify**," when used in connection with an act, shall mean to state a description of the act, including the place, date, and time of its occurrence, and the identity of the person, persons, or entities that engaged in or witnessed the act.

11. "**Identify**," when used regarding a "document," shall mean to state the type of document (e.g., book, magazine, article, circular, ledger, letter, memoranda, chart, computer run information, microfilm, etc.), its present location and custodian, a description of its form, title, author/addresser (including all persons who participated in the writing of the document), addressee, indicated or blind copies, subject matter, volume and page number or other means of general identification, approximate size and number of pages, any attachments or appendices, and the date on which it was made or prepared. Identification of the document includes identifying all documents known or believed to exist, whether or not in the custody of its attorneys or other representatives. The final version and each draft of each document should be identified and produced separately. If a document is no longer in your possession or control, state what disposition was made of it. A document need not be identified if it is produced.

12. "**Identify**," when used regarding a natural person shall mean to state the person's first and last names, title, employer and business address.

13. "**Person**" means any natural person, firm, corporation, association, partnership, or other organization or form of legal entity.

**RIPS RANCH, LLC'S
FIRST REQUESTS FOR INFORMATION TO APPLICANTS**

14. **"PUC"** and **"Commission"** refer to the Public Utility Commission of Texas.
15. **"Relate, refer, mention or pertain"** means documents containing, showing, relating, mentioning, referring or pertaining , directly, or indirectly to, or in legal, logical or factual way or connection with, a document request, and includes documents underlying, supporting, now or previously attached or appended to, or used in preparing any document called for by such request.

Respectfully submitted,
EWELL, BROWN, BLANKE & KNIGHT LLP

/s/ David F. Brown
David F. Brown
State Bar No. 03108700
Jonathan Glusband
State Bar No. 24099678

111 Congress Avenue, 28th Floor
Austin, Texas 78701
(512) 770-4077 (Voice)
(877) 851-6384 (Facsimile)
dbrown@ebbklaw.com
Attorneys for Rips Ranch, LLC

CERTIFICATE OF SERVICE

I certify that a copy of this document is being filed and served on this, the 12th day of November, 2024, in the Public Utility Commission of Texas's Interchange System in accordance with the orders of the presiding officer, SOAH Order No. 2.

/s/ David F. Brown
David F. Brown

Rips Ranch-Applicants 1-1

For “**Segment 62MOD**,” an alternate configuration to Segment 62 as proposed in the Application, attached hereto in PDF and KMZ formats (original extent included in pink to intersection with revised extent of segment; revised extent of segment included in blue), please provide the following information:

1. Applicant's best available estimates of the segment evaluation criteria for this alternative segment in the same format as Table 4-2, Land Use and Environmental Data for Segment Evaluation, which is contained in Application Attachment 1, Environmental Assessment and Route Analysis.
2. Applicant's description of any engineering constraints or other potential impediments to construction of any alternative route in the Application that may be caused by using Segment 62MOD in lieu of Segment 62.

Rips Ranch-Applicants 1-2

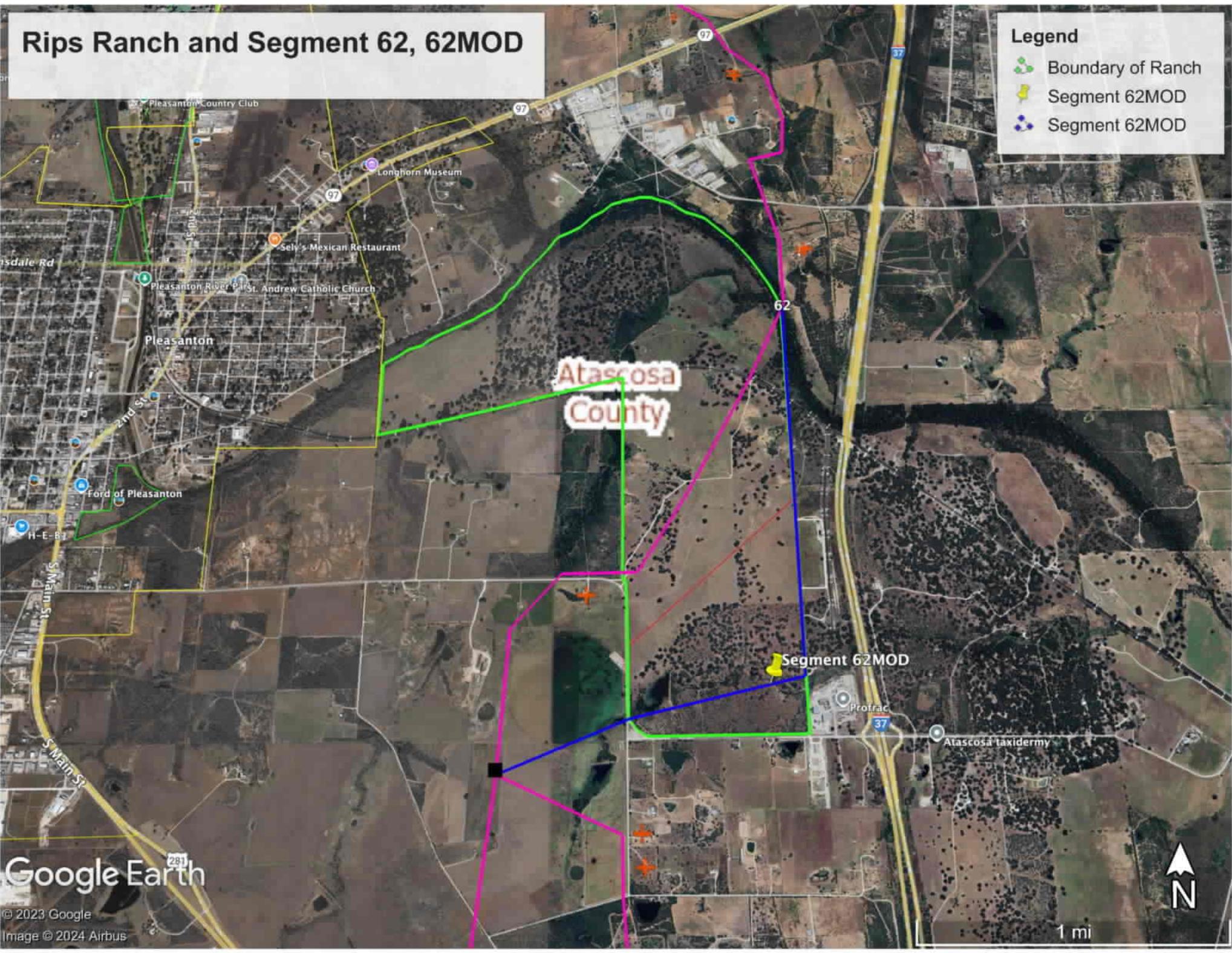
For "Route U Alt. 1," an alternate route to those proposed in the Application, from the Howard Road to San Miguel Station, consisting of Segments 3-6-20-28-30-31-35-41-45A-45B-52-56-61-**62MOD**-69-75-77-87-94-99-107-108-110, please provide the following information:

1. Applicant' s best available estimates of the route evaluation criteria for this alternative route in the same format as Table 4-1, Land Use and Environmental Data for Route Evaluation, which is contained in Application Attachment 1, Environmental Assessment and Route Analysis.
2. Applicant' s best available cost estimate for this alternative route in the same format as the cost estimates provided in Application, Attachment 2, Estimated Costs.

Rips Ranch and Segment 62, 62MOD

Legend

- Boundary of Ranch
- Segment 62MOD
- Segment 62MOD



Google Earth

© 2023 Google
Image © 2024 Airbus

1 mi