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Item Number - 186

**SOAH DOCKET NO. 473-25-02531
DOCKET NO. 57115**

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

NOW COMES DOS MAVERICKS, LLC, and pursuant to P.U.C. Proc. R. 22.101, 22.103, and 22.104 and the applicable Order of Referral and Preliminary Order files this MOTION FOR LATE INTERVENTION, respectfully showing as follows:

1. P.U.C. Proc. R. 22.104(d) establishes the criteria for granting late intervention, stating:

“A motion to intervene may be granted by the presiding officer. In acting on a late filed motion to intervene, the presiding officer will consider:

- (A) any objections that are filed;
- (B) whether the Movant has good cause for failing to file the motion within the time prescribed;
- (C) whether any prejudice to, or additional burdens upon, the existing parties might result from permitting late intervention;
- (D) whether any disruption of the proceeding might result from permitting late intervention; and
- (E) whether the public interest is likely to be served by allowing the intervention.”

- a. **The Movant has good cause for failing to file the motion within the time prescribed.** The Movant never received notices from CPS Energy and STEC. The Movant has confirmed this with the Movant’s staff at the address provided on the Directly Affected Landowner List. The Movant first learned of this proceeding from Phillip P. Bakke of JJBBAK, Ltd.
- b. **There will not be any prejudice to, or additional burdens upon, the existing parties resulting from permitting late intervention, and there will be no disruption of the proceeding that might result from**

permitting late intervention. According to the procedural scheduling order, November 4, 2024, was the intervention deadline. November 4 was also the deadline for filing a statement challenging route adequacy and a request for preliminary hearing on route adequacy; November 8 was the deadline for sending written discovery on the application and the applicant's direct testimony, for filing replies to statements on route adequacy, and for filing replies to objections to applicants' direct testimony. The Movant will waive the filings it could have made by November 4 and November 8 and will accept the procedural schedule and the record of the proceedings as it exists at the time of filing this Motion. Movant's direct testimony is included with this Motion. The Movant will support giving the applicants' and other parties a day-for-day extension of deadlines to object and respond to the Movant's direct testimony so that the applicants' and other parties are not prejudiced. Therefore, there will not be any prejudice to, or additional burdens upon, the existing parties resulting from permitting late intervention, and there will be no disruption of the proceeding that might result from permitting late intervention.

c. The public interest is likely to be served by allowing the intervention.

The Movant owns 4 separate parcels that may be directly affected by the transmission line in this docket (Ledger #/Tract # A1348, A1349, A1184, and A1412). The parcels are set to be developed by the Movant for residential housing, commercial, and school purposes. Denying the Movant from late intervention and having a say as to where any transmission lines may be located on its parcels could thwart the orderly, efficient, and economical development of the parcels for badly needed housing in the area. Therefore, the public interest is likely to be served by allowing the late intervention.

2. Applicants have identified Dos Mavericks, LLC, as owning property that may be affected by the outcome of this proceeding, and as such are directly affected by the outcome of this proceeding, and as such are directly affected landowners and have a justiciable interest. See P.U.C. PROC. R. 22.103(b)(2); P.U.C. PROC. R. 22.52(a)(3).

3. Dos Mavericks, LLC, acknowledges that if granted Intervenor status it (1) will be a direct party to this case; (2) will be required to respond to all discovery requests from other parties in this 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.
4. The Commission has jurisdiction over this case and Dos Mavericks, LLC, pursuant to PURA § 37.053.
5. The undersigned attorney, Rene D. Ruiz hereby makes his notice of appearance in this matter on behalf of Dos Mavericks, LLC.

PRAYER

WHEREFORE PREMISES CONSIDERED, and for the above-stated purposes, Dos Mavericks, LLC, respectfully requests that: this MOTION FOR LATE INTERVENTION be granted; it be ORDERED that the Dos Mavericks, LLC's, direct testimony attached to this Motion be admitted and that the applicants' and other parties shall have day-to-day extensions to object and respond to Dos Mavericks, LLC's, direct testimony; Dos Mavericks, LLC, 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 it is justly entitled.

LAW OFFICE OF RENE D. RUIZ, P.C.

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By: /s/ RENE D. RUIZ

Rene D. Ruiz

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State Bar No. 24013431

ATTORNEY FOR DOS MAVERICKS, LLC

CERTIFICATE OF SERVICE

I hereby certify that on November 15, 2024, a copy of this document is being filed in the Public Utility Commission Interchange System and thereby served on all parties of record as required by orders in this docket, the Commission rules, and the Commission's First and Second Orders Suspending Rules on March 16, 2020, and July 16, 2020, in Project No. 50664.

/s/ Rene D. Ruiz
Rene D. Ruiz

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

DIRECT TESTIMONY OF CHAD FOSTER, JR.

Chad Foster, Jr., files this Direct Testimony on behalf of Dos Mavericks, LLC, and stipulates that all parties may treat his testimony as though filed under oath.

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By: / s / RENE D. RUIZ

Rene D. Ruiz

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State Bar No. 24013431

ATTORNEY FOR DOS MAVERICKS, LLC

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document has been filed in the records of Docket 57115 on this 15th day of November 2024.

/ s / Rene D. Ruiz

Rene D. Ruiz

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INTRODUCTION AND TESTIMONY

PLEASE STATE YOUR NAME FOR THE RECORD.

My name is Chad Foster, Jr.

ON WHOSE BEHALF ARE YOU TESTIFYING?

Dos Mavericks, LLC.

DID DOS MAVERICKS INTERVENE?

Dos Mavericks, LLC, filed a Motion for Late intervention on November 15, 2024.

WHAT IS THE PURPOSE OF YOUR TESTIMONY?

The purpose of my testimony is to provide additional evidence for the record regarding properties owned by Dos Mavericks, LLC.

WHAT IS YOUR RELATIONSHIP TO DOS MAVERICKS, LLC?

I am a Member of Dos Mavericks, LLC.

WHAT IS YOUR RELATIONSHIP TO JJJBK, LTD.?

JJBK, LTD. and Dos Mavericks, LLC, have entered into a partnership agreement to jointly develop their respective properties, about 1,215.74 acres in all, into a single planned unit development consisting of single family residential, multi-family, and commercial uses.

WHAT IS YOUR TESTIMONY?

I hereby incorporate by reference and adopt the testimony and exhibits of Phillip P. Bakke, who has submitted testimony on behalf of JJJBK, Ltd. and Dos Mavericks, LLC, as if such testimony and exhibits were fully stated herein.

DO YOU AUTHORIZE PHILLIP P. BAKKE TO SUBMIT TESTIMONY IN THIS PROCEEDING ON BEHALF OF DOS MAVERICKS, LLC?

Yes.

THANK YOU.