



## **Filing Receipt**

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**Control Number - 57115**

**Item Number - 273**

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

<b>JOINT APPLICATION OF THE CITY OF SAN ANTONIO, ACTING BY AND THROUGH THE CITY PUBLIC SERVICE BOARD (CPS ENERGY), AND SOUTH TEXAS ELECTRIC 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</b>	§ § § § § § § § § § § §	<b>BEFORE THE  PUBLIC UTILITY COMMISSION  OF TEXAS</b>
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**JOINT APPLICANTS' RESPONSE TO REQUEST BY OFFICE OF  
POLICY AND DOCKET MANAGEMENT, MOTION TO ADMIT EVIDENCE,  
AND COMMENTS ON LATE-FILED INTERVENTION REQUEST**

COMES NOW, the City of San Antonio, acting by and through the City Public Service Board (CPS Energy) and South Texas Electric Cooperative, Inc. (STEC) (Joint Applicants) and files this response to the request by the Office of Policy and Docket Management (OPDM) of the Public Utility Commission of Texas (Commission) requesting identification of the location in the evidentiary record that identifies the precise dividing point between CPS Energy's and STEC's ownership and operation of the Howard Road to San Miguel transmission line along routes M, N, N-AB, U, and Y. As described below, Joint Applicants request that the Commission reopen the evidentiary record for the limited purpose of admitting the information attached to this response into the evidentiary record. This response also addresses the late-filed motion to intervene of Mr. Darrell Stewart filed in this docket on April 15, 2025.

**Route Dividing Point**

As described on page 6 of the direct testimony of Mr. Scott D. Lyssy (CPS Energy-STEC Exhibit 5), "[t]he ownership change point of the Project will be determined based upon the approval of the Commission of the final transmission line route. As mutually agreed upon by STEC and CPS Energy, the ownership change point will be the structure closest to the middle of the approved route, which will be a dead-end structure owned and maintained by CPS Energy."

Further identification of the specific location of the dividing structure location for routes M, N, N-AB, U, and Y is set forth in the Affidavit of Mr. Daniel T. Otto, which is attached to this response as Attachment 1. Joint Applicants move for admission of Mr. Otto's affidavit into the record evidence in this proceeding. Joint Applicants have conferred with Commission Staff and other parties that actively participated in this proceeding and are not aware of any objection of the admission of Mr. Otto's affidavit into the record evidence.

**Late-Filed Motion to Intervene of Darrell Stewart**

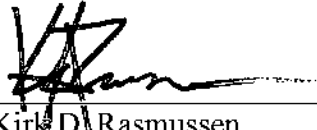
On April 16, 2025, over five months after the intervention deadline in this proceeding (November 4, 2024), Mr. Darrell Stewart filed a motion to intervene. Mr. Stewart is directly affected by the proposed project and, as a result, was sent notice of the application filing via first class mail as listed on page 206 of Attachment 7 to the application, which is CPS Energy-STEC Exhibit 1 (bates page 000825). The address listed on Mr. Stewart's filing is the same address to which notice was mailed at the time of the filing of the application. As listed on Attachment 7 to the application, Mr. Stewart's property is directly affected by Segment 38, which is a component of Routes B, D, E, F, G, H, and J. Thus, Mr. Stewart's property is not directly affected by any of the routes addressed specifically in the proposal for decision.

Mr. Stewart's filing does not present any reason or basis for the tardiness of the intervention request and did not present a statement of position or testimony with his filing as required by SOAH Order No. 1.<sup>1</sup> Mr. Stewart's filing does not present sufficient grounds for admission into this proceeding pursuant to 16 Texas Administrative Code § 22.104(d).

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<sup>1</sup> SOAH Order No. 1 at 6 (Oct. 8, 2024).

Respectfully submitted,



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*Attorneys for STEC*

**CERTIFICATE OF SERVICE**

I certify that a copy of this document was served on all parties of record on this date, via the Commission's Interchange, in accordance with the Commission's Second Order in Docket No. 50664 suspending the PUC Procedural Rule 22.74.



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Kirk D. Rasmussen

# ATTACHMENT 1

**PUC DOCKET NO. 57115**

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

**AFFIDAVIT REGARDING ROUTE DIVIDING POINTS**

**STATE OF TEXAS**       §  
                                  §  
                                  §

BEFORE ME, the undersigned authority, on this day personally appeared Daniel T. Otto, and being by me duly sworn, upon oath declared that the statements and capacity acted in are true and correct:

“My name is Daniel T. Otto. I am the Substation and Transmission Regulatory Support Manager for CPS Energy. I am over the age of twenty-one and am competent to make the following affidavit. I have personal knowledge of the facts contained herein, and they are true and correct.

Route M

“Route M contains segments 3-6-15-21-30-31-35-41-45A-45B-52-54-55-58-59-65-68B-74-82-86-98-106-108-110. CPS Energy will own and operate the northern part of Route M on segments 3-6-15-21-30-31-35-41-45A-45B-52-54-55-58 and a portion of segment 59. STEC will own and operate the southern part of Route M on segments 65-68B-74-82-86-98-106-108-110 and a portion of segment 59.

“The ownership dividing point on Route M is the dead-end structure located on Segment 59 approximately 0.15 right-of-way miles south of the node between segment 58, 59, and 60. The

ownership dividing point will be located at the CPS Energy structure at or near Latitude 29°0'37.35"N, Longitude 98°32'6.01"W. The ownership dividing point structure will be owned by CPS Energy.

#### Route N

“Route N contains segments 3-6-15-21-30-34-39-40-41-45A-45B-52-54-55-58-59-65-68B-74-82-86-98-106-108-110. CPS Energy will own and operate the northern part of Route N on segments 3-6-15-21-30-34-39-40-41-45A-45B-52-54-55-58 and a portion of segment 59. STEC will own and operate the southern part of Route N on segments 65-68B-74-82-86-98-106-108-110 and a portion of segment 59.

“The ownership dividing point on Route N is the dead-end structure located on Segment 59 approximately 0.15 right-of-way miles south of the node between segment 58, 59, and 60. The ownership dividing point will be located at the CPS Energy structure at or near Latitude 29°0'37.35"N, Longitude 98°32'6.01"W. The ownership dividing point structure will be owned by CPS Energy.

#### Route N-AB

“Route N-AB contains segments 3-6-15-21-30-34-39-40-41-45A-45B-52-54-55-58-59-65-68B-71-75-77-87-94-99-107-108-110. CPS Energy will own and operate the northern part of Route N-AB on segments 3-6-15-21-30-34-39-40-41-45A-45B-52-54-55-58 and a portion of segment 59. STEC will own and operate the southern part of Route N-AB on segments 65-68B-71-75-77-87-94-99-107-108-110 and a portion of segment 59.

“The ownership dividing point on Route N-AB is the dead-end structure located on Segment 59 approximately 1.85 right-of-way miles south of the node between segment 58, 59, and 60. The ownership dividing point will be located at the CPS Energy structure at or near Latitude 28°59'19.42"N, Longitude 98°32'51.29"W. The ownership dividing point structure will be owned by CPS Energy.

### Route U

“Route U contains segments 3-6-20-28-30-31-35-41-45A-45B-52-56-61-62-69-75-77-87-94-99-107-108-110. CPS Energy will own and operate the northern part of Route U on segments 3-6-20-28-30-31-35-41-45A-45B-52-56 and a portion of segment 61. STEC will own and operate the southern part of Route U on segments 62-69-75-77-87-94-99-107-108-110 and a portion of segment 61.

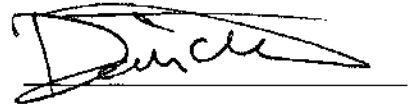
“The ownership dividing point on Route U is the dead-end structure located on Segment 61 approximately 1.72 right-of-way miles west of the node between segment 57, 61, and 62. The ownership dividing point will be located at the CPS Energy structure at or near Latitude 28°59'51.32"N, Longitude 98°28'41.31"W. The ownership dividing point structure will be owned by CPS Energy.

### Route Y

“Route Y contains segments 3-6-20-28-30-31-35-41-45A-45B-53-57-62-70-78-99-107-108-110. CPS Energy will own and operate the northern part of Route Y on segments 3-6-20-28-30-31-35-41-45A-45B-53 and a portion of segment 57. STEC will own and operate the southern part of Route Y on segments 62-70-78-99-107-108-110 and a portion of segment 57.

“The ownership dividing point on Route Y is the dead-end structure located on Segment 57 approximately 1.42 right-of-way miles south of the node between segment 46, 53, and 57. The ownership dividing point will be located at the CPS Energy structure at or near Latitude 29°0'59.35"N, Longitude 98°25'54.98"W. The ownership dividing point structure will be owned by CPS Energy.

"Further, affiant sayeth not."



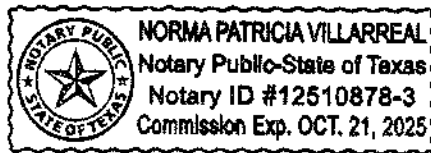
Daniel T. Otto

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public in and for the State of Texas,  
this 16 day of April 2025.



Notary Public



Notary without Bond