



## **Filing Receipt**

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**BEFORE THE  
STATE OFFICE OF ADMINISTRATIVE  
HEARINGS**

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**APPLICATION OF ONCOR ELECTRIC DELIVERY COMPANY  
LLC TO AMEND ITS CERTIFICATE OF CONVENIENCE AND  
NECESSITY FOR THE WOFFORD POI - BERRYVILLE POD  
138-KV TRANSMISSION LINE IN ANDERSON COUNTY**

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**SOAH ORDER NO. 2  
MEMORIALIZING PREHEARING CONFERENCE; ADOPTING  
PROCEDURAL SCHEDULE; SETTING HEARING ON THE MERITS; AND  
PROVIDING PRE- AND POST-HEARING PROCEDURES**

**I. MEMORIALIZING PREHEARING CONFERENCE**

A prehearing conference convened in this case on March 10, 2025, via Zoom videoconference. Oncor Electric Deliver Company LLC (Oncor or Applicant) and Commission Staff appeared through counsel.

At the prehearing conference, the Administrative Law Judges (ALJs) **GRANTED** the motions to intervene filed by:

- Lynn Martynwocz-Andrews, Todd R. Andrews, and the First Time Ranch & Beefmaster Cattle Co., LLC; and
- Steven Joseph Unk, Mary Elizabeth Unk, and the SJ & ME Unk Living Trust

The Intervenors did not appear at the prehearing conference.

## II. PROCEDURAL SCHEDULE

On March 11, 2025, Oncor and Staff filed a joint proposed procedural schedule and statement on mediation, indicating that they have conferred and agreed that mediation is not appropriate for this proceeding. The following schedule is **ADOPTED** and will govern this proceeding unless otherwise ordered:

<b>Deadline</b>	<b>Events</b>
February 20, 2025	Application and Applicant's Testimony Filed
March 10, 2025	Prehearing Conference Held
March 21, 2025	Deadline for Recommendations or Comments on Sufficiency of Application and Notice (per SOAH Order No. 1)
<b>March 24, 2025</b>	<b>Intervention Deadline</b>
March 24, 2025	Deadline to File Statement Challenging Route Adequacy (if any) and Request Route Adequacy Hearing Objections to Applicant's Direct Testimony Deadline for Serving Discovery on Applicant's Direct Case Deadline for Intervenors to Request a Hearing on the Merits; Deadline for Intervenor Comments if No Hearing is Requested

<b>Deadline</b>	<b>Events</b>
<b>March 31, 2025</b>	<b>Deadline for Intervenors to file Testimony or Statement of Position.</b>
March 31, 2025	Response to Route Adequacy Challenge
April 4, 2025	Objections to Intervenor Direct Testimony Response to Objections to Applicant's Direct Testimony ALJ Determination on Need for Route Adequacy Hearing
April 9, 2025	Deadline for Applicant to File List of Intervenors Who Did Not File Testimony or a Statement of Position Response to Objections to Intervenor Direct Testimony
<b>April 9, 2025</b>	<b>Intervenor Cross-Rebuttal Testimony</b> <b>Staff Direct Testimony</b> <b>Hearing on Route Adequacy (if necessary)</b>
April 14, 2025	Objections to Staff Direct Testimony Objections to Intervenor Cross-Rebuttal Testimony Discovery on Staff Direct Testimony, Intervenor Direct Testimony, and Intervenor Cross-Rebuttal Testimony
April 16, 2025	Replies to Objections to Staff Direct Testimony Replies to Objections to Cross-Rebuttal Testimony
<b>April 16, 2025</b>	<b>Applicant's Rebuttal Testimony</b>
April 18, 2025	Objections to Applicant's Rebuttal Testimony Deadline to Serve Discovery on Applicant's Rebuttal Testimony
April 23 2025	Applicant's Response to Discovery on Applicant's Rebuttal Testimony

<b>Deadline</b>	<b>Events</b>
April 28, 2025	Pre-Hearing Submissions (Exhibit List, Intervenor Witness Cross-Examination List, etc. filed on the Commission Interchange. Exhibits and Exhibit Lists uploaded to Electronic Repository by 5:00 p.m.)
April 29, 2025	Final Prehearing Conference (if necessary) will be held at the start of the hearing Response to Objections to Applicant's Rebuttal Testimony will be given orally at remote hearing
<b>April 29-30, 2025</b>	<b>Remote Hearing on the Merits</b>
May 7, 2025	Initial Briefs
May 12, 2025	Date Application is Eligible for Administrative Approval <sup>1</sup>
May 14, 2025	Reply Briefs (with Proposed Findings of Fact, Conclusions of Law, and Ordering Paragraphs)
July 15, 2025	Approximate date for PFD
July 22, 2025	Exceptions to PFD
July 29, 2025	Replies to Exceptions
<b>August 19, 2025</b>	<b>Commission Deadline for Decision under the Preliminary Order - PURA § 37.057 180-day deadline</b>

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<sup>1</sup> Under 16 Tex. Admin. Code § 25.101(b)(3)(C), a complete, uncontested application for a certificate will be approved administratively 80 days from the date of filing if no motion to intervene has been filed or the application is uncontested and commission staff determines that the application meets all applicable statutory criteria and filing requirements. Eighty days after the Application filing date is Sunday, May 11, 2025; thus, the deadline rolls to the next day the Commission is open for business. 16 Tex. Admin. Code § 22.4(a).

## **A. DISCOVERY PLAN**

The parties also agreed to the following discovery plan, which is **ADOPTED:**

For discovery on Oncor's direct case: 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: 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 p.m. CST 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.

## **B. INTERVENORS' TESTIMONY OR POSITION STATEMENTS**

As noted in the Procedural Schedule above, Intervenor must file either written testimony or a statement of position **by March 31, 2025**. Intervenor must understand that **the initial comment or letter submitted to intervene in this case is not a statement of position or direct testimony**. Intervenor may wish to submit the same information, but they must file and label the information as direct testimony or a statement of position. Each position statement or testimony shall

include a statement of the routes or links the witness or party opposes and/or supports.<sup>2</sup> Any intervenor who does not file either written testimony or a position statement by **March 31, 2025**, will be dismissed from this case and prohibited from further participation.

### **III. HEARING ON THE MERITS**

The hearing on the merits will convene at **9:00 a.m. (Central time) on April 29-30, 2025**, remotely via Zoom videoconference. Attend the hearing in one of these ways:

To join by computer or smart device, go to <https://soah-texas.zoomgov.com> and enter:

Meeting ID: 160 711 3333

Video Passcode: PUC473

To join by telephone (audio only), call (669) 254-5252, and enter:

Meeting ID: 160 711 3333

Telephone Passcode: 156562

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<sup>2</sup> A statement of position clarifies a party's position but is not sworn-to, is not considered evidence, and is not subject to cross-examination. Prefiled direct testimony, on the other hand, is sworn-to, is evidence, and is subject to cross-examination.

## **IV. PRE- AND POST HEARING PROCEDURES**

### **A. COURT REPORTER REQUIREMENTS**

As soon as practicable, Oncor shall (1) secure a court-reporting service to transcribe the hearing and notify the other parties of the service that has been retained; and (2) notify the court-reporting service that they will receive and have access to exhibits via electronic document repository provided by Oncor.

### **B. PRE-HEARING SUBMISSIONS**

The parties **SHALL** comply with the following requirements:

1. **By April 28, 2025**, Applicant shall, after conferring with parties as needed, file on the Commission's Interchange:
  - a list of persons who have signed the Protective Order, if any, adopted in this proceeding;
  - a proposed order of presentation, witnesses, and cross-examination for the hearing; and
  - a list of witnesses for whom cross-examination has been waived.
2. **By April 28, 2025**, each party shall submit electronic copies of the following to SOAH via Kiteworks, as described below; and to all other parties and the court reporter via Oncor's electronic repository:
  - **A witness list** identifying all witnesses the party intends to call to testify during the hearing, listed in the order that the party intends to call them;
  - **An exhibit list** identifying all exhibits the party intends to offer at the hearing (including, for example, on cross-examination, if known prior to the hearing). Exhibit lists shall identify any exhibit containing



Protected Materials or Highly Sensitive Protected Materials under the Protective Order adopted in this proceeding; and

- **All exhibits** included on the party's exhibit list. Exhibits shall be marked with the offering party's name and the exhibit number. E.g., Oncor Ex. 1. Exhibits should be numbered sequentially, and multipage documents shall be paginated or Bates-stamped.

Exhibits not meeting a requirement in this order may not be admitted into the record absent good cause.

3. **Pre-Hearing Submissions to SOAH via Kiteworks.** Parties shall upload their proposed exhibits via SOAH's Kiteworks platform at <https://soah.kiteworks.com/form/upload#/>.

- Files must be labeled by party, exhibit number, and description.
- You can submit ten files or folders per upload. Contents of folders must be clearly identified.
- Separate CONFIDENTIAL exhibits from non-confidential exhibits. Upload confidential exhibits with separate uploads in Kiteworks. Select the appropriate security classification in the "Designate Classification" field in Kiteworks. Confidential files and folders must be clearly labeled "CONFIDENTIAL."
- Further information may be found [here](#).
- For questions about SOAH's Kiteworks platform, call the Chief Clerk's Office at (512) 475-4993.

4. **Pre-Hearing Submission to Other Parties and Court Reporter.** Kiteworks is a one-way submission platform for SOAH to receive exhibits. Using Kiteworks does not relieve the parties of obligations to exchange exhibits among each other. The parties have agreed to service through filing on the PUC Interchange and Oncor has indicated it will host an electronic repository for the parties to upload and access all pre-hearing exhibit submissions.

5. **Cross-Examination Exhibits.** Cross-examination exhibits not included in the parties' initial prehearing exhibit submissions **SHALL** be submitted to SOAH, the other parties, and court reporter in the manner described above

along with an updated exhibit list no later than 7:00 p.m. (CT) before each day of the hearing that the party anticipates using the exhibits.

### **C. POST-HEARING SUBMISSIONS**

**No later than the first business day following the conclusion of the hearing**, the parties shall confer and arrange to organize the admitted, record set of exhibits. All exhibits should be readily identifiable by specific folder (e.g., Oncor Admitted Exhibits, Staff Admitted Exhibits, etc.). A party's failure to timely include its exhibits in the record set of exhibits may result in submission of an incomplete record to the agency.

**No later than the second business day following conclusion of the hearing**, the parties shall submit the final, record set of exhibits in electronic format to the court-reporting service. This submission shall contain all exhibits that were admitted as evidence or accompanied by an offer of proof. 1 Tex. Admin. Code § 155.101(b)(1)(G)(iii). This set of exhibits will constitute the "record set" that SOAH will send to the Commission when SOAH's involvement has concluded.

**Signed March 13, 2025**

A handwritten signature in cursive script, reading "Sarah Starnes", is written over a horizontal line.

Sarah Starnes

Presiding Administrative Law Judge

Whitney Stuebner

Co-Presiding Administrative Law Judge