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**SOAH DOCKET NO. 473-25-15236  
PUC DOCKET NO. 57828**

<b>APPLICATION OF ONCOR ELECTRIC DELIVERY COMPANY LLC TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE DRILL HOLE SWITCH-EL CAPITAN SWITCH 345-KV TRANSMISSION LINE IN CULBERSON COUNTY</b>	<b>§ § § § § § §</b>	<b>BEFORE THE STATE OFFICE      OF      ADMINISTRATIVE HEARINGS</b>
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**UNOPPOSED RESPONSE TO SOAH ORDER NO.3**

Oncor Electric Delivery Company LLC (“Oncor”) submits this response to State Office of Administrative Hearings (“SOAH”) Order No. 3, and respectfully requests approval of the proposed modifications to the procedural schedule pursuant to discussions involving Wise Asset No. 8, Ltd. (“Wise Asset”), Delaware Basin Midstream LLC (“DBM”), Covington Lands LP (“Covington”), J&S Hacienda Esperanza LTD (“J&S”), and the Staff (“Staff”) of the Public Utility Commission of Texas (“Commission”) (collectively, the “Parties”).<sup>1</sup>

**I. BACKGROUND**

On April 9, 2025, the SOAH Administrative Law Judge (“ALJ”) issued SOAH Order No. 2, which adopted the agreed procedural schedule of the parties at that time. On April 17, 2025, Staff recommended Oncor’s notice be found insufficient. Oncor subsequently took actions to cure its mailed and published notice in accordance with Staff’s recommendations by supplementing its previously mailed and published notices with a link composition of filed routes. Oncor also agreed to extend the intervention deadline to May 21, 2025.<sup>2</sup> In SOAH Order No. 3, issued May 1, 2025, the SOAH ALJ adopted the extended intervention deadline and instructed the Oncor to confer with the Parties and file proposed modifications to the procedural schedule by May 8, 2025.<sup>3</sup> No new intervention requests have been filed since Oncor provided the supplemental notice.

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<sup>1</sup> As of the filing of this response, Oncor, Wise Asset, Covington, DBM, J&S, and Staff are the only parties to this proceeding.

<sup>2</sup> See *Application of Oncor Electric Delivery Company LLC to Amend Its Certificate of Convenience and Necessity for the Drill Hole Switch-El Capitan Switch 345-kV Transmission Line in Culberson County*, Docket No. 57828, Staff’s Recommendation on Sufficiency of the Application and Notice (Apr. 17, 2025); Docket No. 57828, Oncor’s Notice and Request for Approval Regarding Oncor’s First Supplemental Affidavit Attesting to the Provision of Notice (Apr. 29, 2025).

<sup>3</sup> Docket No. 57828, SOAH Order No. 3 at 3 (May 1, 2025).

## II. UNOPPOSED MOTION TO AMEND THE PROCEDURAL SCHEDULE

Pursuant to discussions between the Parties, the Parties agree to or do not oppose the following modifications to the procedural schedule: (1) intervenors, including those who have already filed testimony or a statement of position, may file new, amended, or supplemental direct testimony or statements of position until May 21, 2025; (2) Oncor will file rebuttal testimony by May 21, 2025, and will have three business days to file supplemental rebuttal testimony in response to any intervenor testimony filed after May 16, 2025; and (3) deadlines for discovery on any Oncor rebuttal testimony filed after May 21 will be extended to May 26, 2025. If additional intervention requests are timely filed, the Parties, including any new intervenors, will reassess whether further modifications to the procedural schedule and/or discovery timelines are needed prior to the hearing on the merits on May 29-30, 2025.

Under PURA § 37.057, the Commission must render a decision on Oncor's application by September 16, 2025. This statutory deadline and the post-hearing timelines prescribed in SOAH Order No. 1 do not allow for any delay in the hearing on the merits. Thus, Oncor presents the following proposed modifications to the procedural schedule, which balance the Parties' desire for a timely resolution of this matter with the need to accommodate the participation of potential future intervenors. If no new parties intervene, the May 21, 2025 intervention deadline will not adversely affect any Party's interests, and there will be no good cause to extend additional deadlines. If a new party timely intervenes, the Parties acknowledge the *potential* need to further modify the procedural schedule. Until then, it is premature to extend any deadlines beyond those laid out below, which satisfy the requirements of PURA § 37.057 and SOAH Order No. 1.

## III. UNOPPOSED AMENDED PROCEDURAL SCHEDULE

Oncor respectfully requests that the SOAH ALJ adopt the following modifications to the procedural schedule, which reflect the unopposed results of discussions between the Parties:

Date	Event
<b>May 21, 2025</b>	<b>Intervention Deadline (per SOAH Order No. 3)</b>
May 21, 2025	Deadline for Intervenor Direct Testimony, including Amended/Supplemental Direct Testimony
<b>May 21, 2025</b>	<b>Applicant's Rebuttal Testimony Deadline (for intervenor testimony filed by May 16, 2025; for intervenor testimony filed after May 16, 2025, Oncor will have three business days to file rebuttal and/or supplemental rebuttal)</b>

<b>Date</b>	<b>Event</b>
May 23, 2025	Deadline to Object to Applicant's Rebuttal Testimony (for rebuttal filed by May 21, 2025; for rebuttal filed after May 21, 2025, parties will have two business days to object)
May 23, 2025	Deadline to Serve Discovery on Applicant's Rebuttal Testimony (for rebuttal filed by May 21, 2025; for rebuttal filed after May 21, 2025, parties will have until May 26, 2025, to serve discovery)
May 28, 2025	Applicant's Deadline to Respond to Discovery on Applicant's Rebuttal Testimony
May 28, 2025	Deadline for 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.)
May 29, 2025	Response to Objections to Applicant's Rebuttal Testimony (live at remote hearing)
May 29, 2025	Final Prehearing Conference
<b>May 29-30, 2025</b>	<b>Remote Hearing on the Merits</b>
June 6, 2025	Deadline for Initial Briefs
June 9, 2025	Date Application is Eligible for Administrative Approval
June 13, 2025	Deadline for Reply Briefs (with Proposed Findings of Fact, Conclusions of Law, and Ordering Paragraphs)
August 12, 2025	Approximate Date for PFD
August 18, 2025	Deadline for Exceptions to PFD
August 22, 2025	Deadline for Replies to Exceptions
<b>September 16, 2025</b>	<b>Commission Deadline for Decision under the Preliminary Order – PURA § 37.057 180 day deadline</b>

#### **IV. CONCLUSION**

Oncor respectfully requests that the SOAH ALJ adopt these proposed modifications to the procedural schedule consistent with the Parties' conference regarding this matter.

Respectfully submitted,

By: /s/ Rachael L. Curtin

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**ATTORNEYS FOR ONCOR ELECTRIC  
DELIVERY COMPANY LLC**

**CERTIFICATE OF SERVICE**

It is hereby certified that a copy of the foregoing has been filed with the Commission and served on all parties via email pursuant to SOAH Order No. 1 in this docket, on this the 8th day of May, 2025.

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