



Control Number: 50410



Item Number: 122

Addendum StartPage: 0

SOAH DOCKET NO. 473-20-3470  
PUC DOCKET NO. 50410



JOINT APPLICATION OF WIND § BEFORE THE STATE OFFICE  
ENERGY TRANSMISSION TEXAS, §  
LLC AND ONCOR ELECTRIC §  
DELIVERY COMPANY LLC TO §  
AMEND THEIR CERTIFICATES OF §  
CONVENIENCE AND NECESSITY FOR § OF  
THE BEARKAT SWITCHING §  
STATION-TO-LONGSHORE §  
SWITCHING STATION 345-KV §  
TRANSMISSION LINE IN §  
GLASSCOCK AND HOWARD §  
COUNTIES § ADMINISTRATIVE HEARINGS

**JOINT APPLICANTS' MOTION TO POSTPONE PREHEARING CONFERENCE**

COME NOW Wind Energy Transmission Texas, LLC ("WETT") and Oncor Electric Delivery Company LLC ("Oncor") (together, "Joint Applicants") and file this Motion to Postpone Prehearing Conference ("Motion"), respectfully showing as follows:

On April 29, 2020, the Administrative Law Judge ("ALJ") appointed by the State Office of Administrative Hearings ("SOAH") to hear this matter scheduled a prehearing conference in this case to be held remotely at 10:00 a.m. on May 20, 2020.<sup>1</sup>

As Joint Applicants have set forth in additional filings made concurrently with this Motion, on May 12, 2020, Joint Applicants mailed out additional notices to landowners who may be "directly affected" within the meaning of 16 Tex. Admin. Code ("TAC") § 22.52(a). Under 16 TAC § 22.52(a)(3)(E), those landowners have 15 days from the date of receipt to request intervention in this docket. Conservatively, because these additional notices were mailed out via priority mail, with delivery confirmation, on May 12, 2020, Joint Applicants expect that many and perhaps most of the notices should be received by May 16, 2020. Therefore, the intervention date resulting from these new notices should be on or around June 1, 2020, the first business day that is 15 days after the expected date when many of these notices should be delivered. Out of an abundance of caution and in order to maximize participation of potential parties at the prehearing conference, Joint Applicants respectfully seek to postpone to prehearing conference currently

<sup>1</sup> SOAH Order No. 1 at 2-3 (Apr. 29, 2020).

122

scheduled for May 20, 2020, to a date that would occur a reasonable amount of time after the anticipated intervention deadline resulting from these notices. Joint Applicants respectfully suggest a potential date for the postponed prehearing conference would be June 3, 2020, or another time during the week of June 1-5, 2020.

Consistent with 16 TAC § 22.79,<sup>2</sup> Joint Applicants emailed all parties who provided email addresses as reflected on the official SOAH service list to determine whether any party objects to this requested postponement. At this time, no party has voiced any objection.

Accordingly, Joint Applicants respectfully request the ALJ to postpone the prehearing conference in this case and reschedule it to occur on a date on or around June 1-5, 2020, or another date acceptable to the administrative law judges.

Joint Applicants further request that any notices of intent to participate in the prehearing conference that are or will be filed by parties regarding the currently set prehearing conference be deemed applicable to the postponed prehearing conference on whatever date it may occur, such that no party need file additional notices to participate.

---

<sup>2</sup> This procedural rule applies to continuances of hearings on the merits, not prehearing conferences.

**SOAH DOCKET NO. 473-20-3470  
PUC DOCKET NO. 50410**

<b>JOINT APPLICATION OF WIND</b>	<b>§</b>	<b>BEFORE THE STATE OFFICE</b>
<b>ENERGY TRANSMISSION TEXAS,</b>	<b>§</b>	
<b>LLC AND ONCOR ELECTRIC</b>	<b>§</b>	
<b>DELIVERY COMPANY LLC TO</b>	<b>§</b>	
<b>AMEND THEIR CERTIFICATES OF</b>	<b>§</b>	
<b>CONVENIENCE AND NECESSITY FOR</b>	<b>§</b>	<b>OF</b>
<b>THE BEARKAT SWITCHING</b>	<b>§</b>	
<b>STATION-TO-LONGSHORE</b>	<b>§</b>	
<b>SWITCHING STATION 345-KV</b>	<b>§</b>	
<b>TRANSMISSION LINE IN</b>	<b>§</b>	
<b>GLASSCOCK AND HOWARD</b>	<b>§</b>	
<b>COUNTIES</b>	<b>§</b>	<b>ADMINISTRATIVE HEARINGS</b>

**JOINT APPLICANTS' MOTION TO POSTPONE PREHEARING CONFERENCE**

COME NOW Wind Energy Transmission Texas, LLC (“WETT”) and Oncor Electric Delivery Company LLC (“Oncor”) (together, “Joint Applicants”) and file this Motion to Postpone Prehearing Conference (“Motion”), respectfully showing as follows:

On April 29, 2020, the Administrative Law Judge (“ALJ”) appointed by the State Office of Administrative Hearings (“SOAH”) to hear this matter scheduled a prehearing conference in this case to be held remotely at 10:00 a.m. on May 20, 2020.<sup>1</sup>

As Joint Applicants have set forth in additional filings made concurrently with this Motion, on May 12, 2020, Joint Applicants mailed out additional notices to landowners who may be “directly affected” within the meaning of 16 Tex. Admin. Code (“TAC”) § 22.52(a). Under 16 TAC § 22.52(a)(3)(E), those landowners have 15 days from the date of receipt to request intervention in this docket. Conservatively, because these additional notices were mailed out via priority mail, with delivery confirmation, on May 12, 2020, Joint Applicants expect that many and perhaps most of the notices should be received by May 16, 2020. Therefore, the intervention date resulting from these new notices should be on or around June 1, 2020, the first business day that is 15 days after the expected date when many of these notices should be delivered. Out of an abundance of caution and in order to maximize participation of potential parties at the prehearing conference, Joint Applicants respectfully seek to postpone to prehearing conference currently

---

<sup>1</sup> SOAH Order No. 1 at 2-3 (Apr. 29, 2020).

scheduled for May 20, 2020, to a date that would occur a reasonable amount of time after the anticipated intervention deadline resulting from these notices. Joint Applicants respectfully suggest a potential date for the postponed prehearing conference would be June 3, 2020, or another time during the week of June 1-5, 2020.

Consistent with 16 TAC § 22.79,<sup>2</sup> Joint Applicants emailed all parties who provided email addresses as reflected on the official SOAH service list to determine whether any party objects to this requested postponement. At this time, no party has voiced any objection.

Accordingly, Joint Applicants respectfully request the ALJ to postpone the prehearing conference in this case and reschedule it to occur on a date on or around June 1-5, 2020, or another date acceptable to the administrative law judges.

Joint Applicants further request that any notices of intent to participate in the prehearing conference that are or will be filed by parties regarding the currently set prehearing conference be deemed applicable to the postponed prehearing conference on whatever date it may occur, such that no party need file additional notices to participate.

---

<sup>2</sup> This procedural rule applies to continuances of hearings on the merits, not prehearing conferences.

Respectfully submitted,

By: D. W. Donley, Jr.

Dennis W. Donley, Jr.  
State Bar No. 24004620  
Stephanie S. Potter  
State Bar No. 24065923  
Naman, Howell, Smith & Lee, PLLC  
8310 N. Capital of Texas Highway, Suite 490  
Austin, Texas 78731  
(512) 479-0300  
(512) 474-1901 (Facsimile)  
[donley@namanhowell.com](mailto:donley@namanhowell.com)  
[spotter@namanhowell.com](mailto:spotter@namanhowell.com)

*Attorneys for Wind Energy Transmission Texas, LLC*

By: Winston Skinner by permission ssp

Jaren A. Taylor  
State Bar No. 24059069  
Winston P. Skinner  
State Bar No. 24079348  
VINSON & ELKINS LLP  
Trammell Crow Center  
2001 Ross Avenue, Suite 3900  
Dallas, Texas 75201  
(214) 220-7754  
(214) 999-7754 (Facsimile)  
[jarentaylor@velaw.com](mailto:jarentaylor@velaw.com)  
[wskinner@velaw.com](mailto:wskinner@velaw.com)

*Attorneys for Oncor Electric Delivery Co. LLC*

**CERTIFICATE OF SERVICE**

It is hereby certified that a copy of the foregoing has been served by email on all parties of record who have provided an email address, on this the 14th day of May, 2020, in accordance with the Commission's Order Suspending Rules issued on March 16, 2020, in Project No. 50664.

D. W. Donley, Jr.