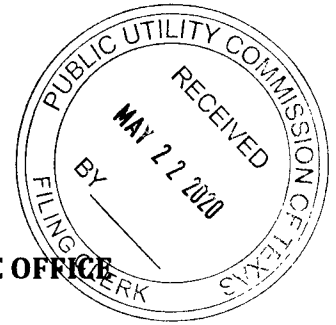


**SOAH DOCKET NO. 473-20-3472  
PUC DOCKET NO. 50545**



<b>APPLICATION OF AEP TEXAS, INC. TO</b>	<b>§</b>	<b>BEFORE THE STATE OFFICE</b>
<b>AMEND ITS CERTIFICATE OF</b>	<b>§</b>	
<b>CONVENIENCE AND NECESSITY FOR</b>	<b>§</b>	<b>OF</b>
<b>THE BRACKETTVILLE TO ESCONDIDO</b>	<b>§</b>	
<b>138-KV TRANSMISSION LINE IN</b>	<b>§</b>	
<b>KINNEY AND MAVERICK COUNTIES</b>	<b>§</b>	<b>ADMINISTRATIVE HEARINGS</b>

**BMW COALITION'S FIRST SET OF REQUESTS FOR INFORMATION**  
**FROM AEP TEXAS, INC.**

Pursuant to PUC Procedural Rules 22.141 and 22.144, Intervenor William L. Raba, Elizabeth Wright Bondurant and Picos Creek, LLC (collectively "BMW Coalition") requests that AEP Texas, Inc. ("AEP") provide responses to the following Requests for Information ("RFI" or "RFIs").

Please answer the attached questions in accordance with the procedural schedule and orders issued in this case, the Commission's Procedural Rules, the Texas Rules of Civil Procedure, and other applicable law. Please copy the question immediately above the answer to each question. Please state the name of the witness or witnesses in this case who will sponsor the answer to the question at the hearing and can vouch for the truth of the answer. The answer should be filed under oath, or the response should stipulate in writing that the answer can be treated by all parties as if filed under oath.

The questions should be answered in sufficient detail to fully present all of the relevant facts. In answering this request, AEP is requested to furnish such information as is available to AEP, including information AEP is able to obtain by due diligence from AEP's present or former attorneys, accountants, investigators, consultants, employees, agents, and persons acting on AEP's behalf.

If the items requested to be produced herein have already been provided in other discovery answers to any party, it shall not be necessary to duplicate such production. It shall be sufficient that the answer containing the requested information is clearly identified. Where only a portion of the requested information has been previously provided, this shall be disclosed and all information necessary to fully and completely answer this discovery request shall be provided in your answer.

If there is a relevant change in AEP's answer after it is submitted such that it is no longer complete or accurate, please submit an amended answer, under oath, as a supplement to the original answer within five (5) working days of AEP's discovery of the need for such amendment.

Please provide AEP's response to the undersigned counsel at the address listed below and, if applicable,<sup>1</sup> submit an original and the required number of copies of AEP's answers to the questions to the Filing Clerk, Public Utility Commission of Texas, 1701 N. Congress Avenue, Austin, Texas 78701.

#### **DEFINITIONS**

1. "AEP" refers to AEP Texas, Inc. and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees, or other persons.
2. "You" and "your" refers to the party to which the RFI is directed.

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<sup>1</sup> See, *Issues Related to the State of Disaster for the Coronavirus Disease 2019*, Docket No. 50664, Order Suspending Rules (March 16, 2020).

3. “Application” means the Application by AEP to Amend its Certificate of Convenience and Necessity for the Brackettville to Escondido 138-kV Transmission Line in Kinney and Maverick Counties.

4. “Communication” means any oral, written, or electronic statements, representations, discussions, conversations, speeches, meetings, remarks, questions, answers, panel discussions, or symposium of which AEP has knowledge, information or belief.

5. “Concerning” means, in whole or in part, directly or indirectly, referring to, relating to, being connected with, commenting on, responding to, showing, describing, analyzing, reflecting embodying, mentioning, or constituting the subject matter identified in the request.

6. “Date” means the exact day, month, and year, if ascertainable or, if not, the best approximation.

7. “Describe” or “identify” when used in reference to a document, means you must state, to the fullest extent possible, the following:

- a. The nature (e.g. letter, handwritten note) of the document;
- b. The title or heading that appears on the document;
- c. The date of the document and the date of each addendum, supplement, or other addition or change;
- d. The identity of the author of the document; any signatory or signatories of the document; and the person on whose behalf or at whose request or direction the document was prepared or delivered; and

- e. The present location of the document, and the name, address, position or title, and telephone number(s) of the person(s) having custody of the document.

8. The terms "document" or "documents" are used in their broadest sense to include, but not be limited to, all written or graphic matter of every kind and description whether printed, produced, or reproduced, by any process whether visually, magnetically, mechanically, electronically, or by hand, whether final or draft, original or reproduction whether privileged or otherwise excludable from discovery, and whether or not in your actually or constructive possession, custody or control. These shall also be construed to include every copy of a document where there copy contains any commentary or notation of any kinds that does not appear on the original or any other copy.

9. The words "link" or "links" reference the individually numbered/lettered portions of the preferred and alternative routes described in the Application.

10. Words used in the plural shall also be taken to mean and to include the singular. Words used in the singular shall also be taken to mean and include the plural.

11. The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.

12. "Each" shall be construed to include the word "every" and "every" shall be construed to include the word "each".

13. The term "including" means "including, but not limited to".

### **INSTRUCTIONS**

1. As to any request for information to which you are unable to respond to in whole or in part for any reason, please state the grounds for inability respond. When you

believe that a complete answer to a particular request for information or part thereof is not possible, please answer each request for information to the extent possible and furnish a statement explaining: (a) the reason for your inability to respond further; and (b) whatever information or knowledge you have concerning the non-responsive portion.

2. For each document or other requested information that you assert is privileged, please comply with the requirements of Rule 193.3 of the Texas Rules of Civil Procedure and P.U.C. Proc. R. 22.144.

3. For every document that no longer exists or cannot be located; identify the document; state how and when the document passed out of existence, or when it could no longer be located; and state the reason(s) for the disappearance; identify each person having knowledge about the disposition or loss of the document; and identify each document evidencing the existence or nonexistence of each document that cannot be located.

4. It is requested that all documents that might impact on the subject matter of the Application be preserved and that any ongoing process of document destruction involving such documents cease.

5. Furnish all requested documents available to you and known by you, or in your possession, custody, or control or that of your agents and attorneys.

6. In those instances where you choose to answer a request for information by referring to a specific document or record, it is requested that the specification be in sufficient detail to permit the requestor to locate and identify the record(s) and/or document(s) from which the answer is to be ascertained, as readily as you can.

7. In those instances when requested information or documents are stored only on software, computer based information, or other data compilations, you should either

produce the raw data along with all codes and programs for translating it into usable form, or produce the information or documents in a finished usable form that includes all necessary glossaries, keys, indices for interpretation of the material.


8. Please respond to each request for information and indicate clearly the request for information to which each response is responsive. When requests for information contain subparts, indicate in your answer the subpart to which each particular part of your response is in response.

9. You are under a duty to supplement your responses to these requests for information that are incomplete or incorrect when made. Furthermore, you are under a duty to timely supplement and/or amend your responses if you receive, obtain, or generate information within the scope of any request for information between the time of the original responses and the conclusion of this proceeding.

10. Unless otherwise indicated, the discovery requested in these requests is for information related to the time period from May, 2015 through and including the present. All requested documents, data compilations, and recordings whenever actually prepared or generated that related to this time period are to be produced.

Respectfully submitted,

BURDETT, MORGAN, WILLIAMSON & BOYKIN, LLP  
701 South Taylor, Suite 440  
Amarillo, Texas 79101  
Telephone: (806) 358-8116  
Facsimile: (806) 350-7642

By:   
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J. Tyler Topper  
State Bar No. 24059263  
Email: ttopper@bmwb-law.com

**ATTORNEY FOR BMWB COALITION**

**CERTIFICATE OF SERVICE**

I certify that on the 22<sup>nd</sup> day of May, 2020 a true and correct copy of the foregoing document will be served on all parties of record in this proceeding via e-mail<sup>2</sup>.



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Tyler Topper

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<sup>2</sup> *Issues Related to the State of Disaster for the Coronavirus Disease 2019*, Docket No. 50664, Order Suspending Rules (March 16, 2020).

**BMW COALITION'S FIRST SET OF REQUESTS FOR INFORMATION  
FROM AEP TEXAS, INC.**

**BMW Coalition RFI No. 1-1.** Please provide a complete electronic copy of the Geographic Information System (GIS) Geodatabase and Shapefiles used in the development of the Environmental Assessment and Route Analysis (Attachment 1 to the Application).

**BMW Coalition RFI No. 1-2.** Please provide a copy of all aerial photography used in the development of the Application. If included within the Geodatabase, provide all aerial photography electronically as part of the Geodatabase.

**BMW Coalition RFI No. 1-3.** Please provide in electronic format (preferably in Microsoft Excel format) Table 4-1, Environmental and Land Use Data for Primary Route Evaluation, which is contained in Attachment 1 to the Application.

**BMW Coalition RFI No. 1-4.** Please provide in electronic format (preferably in Microsoft Excel format) a table similar to Table 4-1, Environmental and Land Use Data for Primary Route Evaluation, which is contained in Attachment 1 to the Application, but containing information for each individual link.

**BMW Coalition RFI No. 1-5.** Please provide, in electronic format, the type of structures used on each route (e.g., tangent, angle, dead-end, monopole, lattice, H-frame, etc.), and also the quantity of each structure type used on each route. Also, for each structure type provided, please provide a cost estimate of a single structure.



**BMW Coalition RFI No. 1-6.** Please provide a copy of each Open House Questionnaire from all open house meetings, and subsequent mail-ins, received in the development of the Application.

**BMW Coalition RFI No. 1-7.** Please provide any summaries, including tabular data, and all other documents related to the Open House Questionnaires from all open house meetings and subsequent mail-ins. If entered into an electronic format, please provide in an electronic format, preferably in Microsoft Excel.