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

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

LATE-FILED MOTION TO INTERVENE OF PICOSA CREEK, LLC

TO THE HONORABLE ADMINISTRATIVE LAW JUDGES:

NOW COMES Brandon Steele on behalf of Picoso Creek, LLC ("Intervenor") pursuant to P.U.C. Proc. R. 22.101, 22.103, and 22.104, and files this Late-Filed Motion to Intervene in the above-captioned docket. In support thereof respectfully shows the following:

1. On February 28, 2020, AEP Texas, Inc. ("AEP") filed its Application for a Certificate of Convenience and Necessity for a 138-kV Transmission Line in Kinney and Maverick Counties. AEP filed with its application a list of landowners that could be directly affected by one or more of the proposed segments. AEP's list included Intervenor as the owner of property in Maverick County, Texas.

2. Intervenor has standing to intervene in this proceeding, as that term is defined in P.U.C. Proc. R. 22.103(b)(2), because Intervenor has a justiciable interest that may be adversely affected by the outcome of this proceeding. As stated above, certain property in Maverick County is owned by Intervenor. Intervenor has received notice from AEP that Intervenor's said property may be directly affected, as that term is defined in P.U.C. PROC. R. 22.52(a)(3), by the proposed transmission line that is the subject of this proceeding.

3. Attorney Tyler Topper, pursuant to P.U.C. PROC. R. 22.101(a), hereby notices his appearance as counsel on behalf of Intervenor. Intervenor desires to be a party to the above-styled and docketed proceeding and have input in the routing process.

4. This motion is not brought to cause delay and is unlikely to disrupt the proceeding in any way. Allowing Intervenor to intervene in this proceeding would not be prejudicial to or an additional burden upon the legal rights of any existing party because the deadlines for submission of testimony and discovery have not passed, and Intervenor will accept and agree to abide by the procedural schedule and any orders already in place. The

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public interest will be served by participation of directly affected landowners such as Intervenor. Finally, a significant reason for Intervenor's delay in filing its request to intervene is due to the disruption of business experienced in connection with the current health crisis.

5. For these reasons, good cause exists to grant Intervenor's request to intervene pursuant to P.U.C. Proc. R. 22.104.

6. Intervenor requests that all parties to this proceeding serve copies of all notices, correspondence, pleadings, discovery, and other documents upon its counsel as follows:

BURDETT MORGAN WILLIAMSON & BOYKIN, LLP
Tyler Topper – ttopper@bmwb-law.com
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WHEREFORE, PREMISES CONSIDERED, Intervenor respectfully requests that this Late-Filed Motion to Intervene be granted and that Intervenor be granted and allowed to participate in this proceeding as a party with all rights thereof to the full extent Intervenor desires to do so, and for such further relief to which Intervenor may be entitled.

Respectfully Submitted,

BURDETT, MORGAN, WILLIAMSON & BOYKIN, L.L.P.
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Amarillo, Texas 79101
Telephone: (806) 358-8116
Facsimile: (806) 350-7642


By: _____

Tyler Topper
State Bar No. 24059263
E-Mail: ttopper@bmwb-law.com

ATTORNEY FOR INTERVENOR

CERTIFICATE OF SERVICE

I certify that on the 7th 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.¹



Tyler Topper

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