



Control Number: 50410



Item Number: 131

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 § OF
FOR THE BEARKAT SWITCHING §
STATION-TO-LONGSHORE §
SWITCHING STATION 345 KV §
TRANSMISSION LINE IN §
GLASSCOCK AND HOWARD §
COUNTIES § ADMINISTRATIVE HEARINGS

NOTICE REGARDING THIRD SUPPLEMENTAL AFFIDAVIT
ATTESTING TO THE PROVISION OF NOTICE AND REQUEST FOR APPROVAL

Wind Energy Transmission Texas, LLC (“WETT”) and Oncor Electric Delivery Company LLC (“Oncor”) (together, “Joint Applicants”) file the attached Third Supplemental Affidavit Attesting to the Provision of Notice (“Third Supplemental Affidavit of Notice”) regarding the Bearkat Switching Station to Longshore Switching Station 345 kV transmission line project. Pursuant to 16 Tex. Admin. Code (“TAC”) § 22.52(a)(3)(E), WETT and Oncor hereby provide notice of, and if necessary seek approval for, the supplemental notice mailings described below.

On February 3, 2020, Joint Applicants filed their original Affidavit Attesting to the Provision of Notice and Proof of Publication (“Original Affidavit of Notice”). The Original Affidavit of Notice addressed the notice provided to neighboring utilities, counties, the Office of Public Utility Counsel, the Department of Defense Siting Clearinghouse, landowners, and the Texas Parks and Wildlife Department. The Public Utility Commission of Texas (“Commission”) deemed Joint Applicants’ notice sufficient in Order No. 2, filed on February 14, 2020.

On March 10, 2020, Joint Applicants filed a Supplemental Affidavit Attesting to the Provision of Notice (“Supplemental Affidavit of Notice”). The Supplemental Affidavit of Notice addressed notices that were re-sent and formal contacts between Joint Applicants and landowners that occurred after the Original Affidavit of Notice was filed.

On May 14, 2020, Joint Applicants filed a Second Supplemental Affidavit Attesting to the Provision of Notice (“Second Supplemental Affidavit of Notice”). The Second Supplemental

Affidavit of Notice addressed Joint Applicants' discovery of landowners who were not included on the initial notice list and described the steps taken by Joint Applicants to provide those landowners with notice in compliance with 16 TAC § 22.52(a)(3)(E). Those steps included mailing the landowners a notice package that included a Request to Intervene form.

After mailing the supplemental notice packages, the Joint Applicants discovered that the included Request to Intervene form did not contain a blank entry for the landowner to provide an email address. Therefore, on May 15, 2020, Joint Applicants provided a supplemental notice mailing to the landowners, including an explanatory letter and the Commission's current Request to Intervene form (updated in April 2020) with a blank entry for the landowner's email address, by priority mail, with delivery confirmation. Joint Applicants also extended these landowners' deadline to intervene to 15 days following their receipt of the letter and updated Request to Intervene form mailed on May 15, 2020, consistent with 16 TAC § 22.52(a)(3)(E). The Third Supplemental Affidavit Attesting to the Provision of Notice ("Third Supplemental Affidavit of Notice") attached hereto details these actions.

For the reasons set forth above, in the Original Affidavit of Notice, the Supplemental Affidavit of Notice, the Second Supplemental Affidavit of Notice, and the Third Supplemental Affidavit of Notice, the Joint Applicants request that the Administrative Law Judges find the supplemental notice provided to the affected landowners to be sufficient and grant any good cause exception that may be deemed necessary.

Respectfully submitted,

By: Stephanie S. Potter w/permission NAD
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
spotter@namanhowell.com

Attorneys for Wind Energy Transmission Texas, LLC

By: Winston P. Skinner w/permission NAD
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
wskinner@velaw.com

Attorneys for Oncor Electric Delivery Company 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 22nd day of May, 2020, in accordance with the Commission's Order Suspending Rules issued on March 16, 2020, in Project No. 50664.

Marta P. Anderson

NOTICE REGARDING THIRD SUPPLEMENTAL AFFIDAVIT
ATTESTING TO THE PROVISION OF NOTICE AND REQUEST FOR APPROVAL – PAGE 3 OF 3

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

JOINT APPLICATION OF WIND ENERGY TRANSMISSION TEXAS, LLC AND ONCOR ELECTRIC DELIVERY COMPANY LLC TO AMEND THEIR RESPECTIVE CERTIFICATES OF CONVENIENCE AND NECESSITY FOR THE PROPOSED BEARKAT SWITCHING STATION TO LONGSHORE SWITCHING STATION 345 KV TRANSMISSION LINE IN GLASSCOCK AND HOWARD COUNTIES	§ § § § § § § § § § § §	STATE OFFICE OF ADMINISTRATIVE HEARINGS
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**THIRD SUPPLEMENTAL AFFIDAVIT ATTESTING TO
THE PROVISION OF NOTICE**

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, personally appeared W. Chris Reily, known to me to be the person whose name is subscribed below who, upon oath deposed and stated as follows:


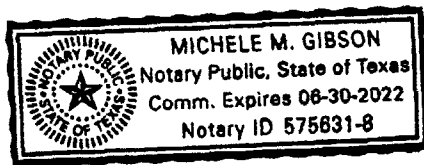
1. My name is W. Chris Reily. My business address is 1616 Woodall Rodgers Fwy., Suite 6A-012, Dallas, TX 75202. I am over eighteen (18) years of age and have never been convicted of a felony. I have personal knowledge of the facts contained herein, and they are true and correct.
2. I am currently employed as a Regulatory Manager, External Affairs, at Oncor Electric Delivery Company LLC ("Oncor"), and I am authorized to make this Affidavit on behalf of Oncor and Wind Energy Transmission Texas, LLC ("WETT"), collectively referred to herein as the "Joint Applicants."
3. The Joint Applicants filed the *Affidavit Attesting to the Provision of Notice and Proof of Publication* (the "Original Affidavit of Notice") in this proceeding on February 3, 2020. The Joint Applicants' service of notice and publication of notice were deemed sufficient in Order No. 2 on February 14, 2020.
4. The Joint Applicants filed the *Supplemental Affidavit Attesting to the Provision of Notice* (the "Supplemental Affidavit of Notice") in this proceeding on March 10, 2020.

5. The Joint Applicants filed the *Notice Regarding Second Supplemental Affidavit Attesting to the Provision of Notice and Request for Approval* (the "Second Supplemental Affidavit of Notice") in this proceeding on March 14, 2020.
6. Upon the mailing of the notices as described in the Second Supplemental Affidavit of Notice, Joint Applicants discovered that the intervention form did not contain a blank entry for email addresses, consistent with the recent revision to that form.
7. On May 15, 2020, Joint Applicants mailed an intervention form containing an entry for email addresses, as well as a cover letter detailing the difference between the received forms and stating that each recipient has fifteen days from the date of delivery to intervene, to landowners listed with an asterisk next to their name, as shown in Exhibit 1 to the Second Supplemental Affidavit of Notice. This mailing was sent by priority mail, with delivery confirmation.
8. A sample of the cover letter mailed to the landowners described above in paragraph 7 is included as Attachment 1. A copy of the intervention form mailed to these landowners is included as Attachment 2.



W. Chris Reily

SUBSCRIBED AND SWORN TO before me on this the 20th day of May, 2020, to certify which witness my official hand and seal of office.



Notary Public, State of Texas

My Commission Expires: 08-30-2022

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 22nd day of May, 2020, in accordance with the Commission's Order Suspending Rules issued on March 16, 2020, in Project No. 50664.



W. Chris Reily

May 15, 2020 – *Via Priority Mail, with Delivery Confirmation*

«FIRST_NAME» «LAST_NAME»
 «COMPANY»
 «ADDRESS»
 «CITY» «STATE» «ZIP»

Tract #: «TRACT»
 Segment: «SEGMENT»
 Routes: «ROUTES»

RE: Public Utility Commission of Texas Docket No. 50410; Joint Application of Wind Energy Transmission Texas, LLC and Oncor Electric Delivery Company LLC to Amend their Respective Certificates of Convenience and Necessity for the Proposed Bearkat Switching Station to Longshore Switching Station 345 kV Transmission Line in Glasscock and Howard Counties

Dear Landowner:

This supplemental notice is provided to notify you of the intent of Wind Energy Transmission Texas, LLC (“WETT”) and Oncor Electric Delivery Company LLC (“Oncor”) (WETT and Oncor together, the “Applicants”) to apply to the Public Utility Commission of Texas (“Commission” or “PUC”) for permission to amend their respective Certificates of Convenience and Necessity (“CCNs”) to construct a new, single-circuit, double-circuit capable, 345 kV transmission line to be built on steel lattice towers between WETT’s existing Bearkat Switching Station (located approximately 7.2 miles southwest of Garden City in Glasscock County) and Oncor’s existing Longshore Switching Station (located approximately 4.8 miles west of the community of Forsan in Howard County) (the “Project”).

The Applicants have identified your property as being potentially affected by the Project. Applicants recently mailed you a package of Project notice materials on May 12, 2020. Those notice materials included a letter explaining the project and stating that your deadline to intervene in this proceeding is 15 days following the date you received that notice package. Among other things, a Request to Intervene Form was enclosed with those materials should you wish to participate in this proceeding as a party. The Request to Intervene Form previously sent to you in that notice package, however, did not contain a blank for providing an e-mail address. Due to the ongoing COVID-19 pandemic, the PUC is currently requiring that service of all pleadings, orders, and other documents in all pending PUC proceedings occur only by email. Therefore, Applicants are providing you with the enclosed, updated Request to Intervene Form containing an email address blank.

Due to the COVID-19 pandemic, your request for intervention should be filed electronically and you will be required to serve the request on other parties by email. Therefore, please include your own email address on the intervention form. Instructions for electronic filing via the “PUC Filer” on the Commission’s website can be found here: <https://interchange.puc.texas.gov/filer>
 Instructions for using the PUC Filer are available at

http://www.puc.texas.gov/industry/filings/New_PUC_Web_Filer_Presentation.pdf. Once you obtain a tracking sheet associated with your filing from the PUC Filer, you may email the tracking sheet and the document you wish to file to: centralrecords@puc.texas.gov. For assistance with your electronic filing, please contact the Commission's Help Desk at (512) 936-7100 or helpdesk@puc.texas.gov. You can review materials filed in this docket on the PUC Interchange at: <http://interchange.puc.texas.gov/>.

As a result of this supplemental notice, your deadline for intervention in this proceeding is now being extended to the date that is **15 days from the date of delivery of this correspondence**. The previous notice package mailed to you on May 12, 2020, contains additional details regarding this proceeding and how you should file them.

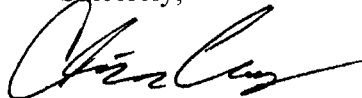
Persons with questions about the Project may contact Matt Van Arkel of WETT at (512) 279-7369 or Chris Reily of Oncor at (214) 486-4717. In addition to the contacts listed in the brochure, you may call the PUC's Customer Assistance Hotline at (888) 782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the PUC's Customer Assistance Hotline at (512) 936-7136 or toll free at (800) 735-2989.

As noted in Applicants' prior notices regarding this Project, please be aware of the following:

All routes and route segments included in this notice are available for selection and approval by the Public Utility Commission of Texas.

Thank you, and please do not hesitate to reach out with questions.

Sincerely,



W. Chris Reily
Regulatory Project Manager, Oncor

Enclosure: Request to Intervene Form (with email address blank)

Request to Intervene in PUC Docket No. 50410

The following information must be submitted by the person requesting to intervene in this proceeding. This completed form will be provided to all parties in this docket. **If you DO NOT want to be an intervenor, but still want to file comments, please complete the "Comments" page.**

Mail this completed form and 10 copies to:

Public Utility Commission of Texas
Central Records
Attn: Filing Clerk
1701 N. Congress Ave.
P.O. Box 13326
Austin, TX 78711-3326

First Name: _____ Last Name: _____

Phone Number: _____ Fax Number: _____

Address, City, State: _____

Email Address: _____

I am requesting to intervene in this proceeding. As an INTERVENOR, I understand the following:

- I am a party to the case;
- I am required to respond to all discovery requests from other parties in the case;
- If I file testimony, I may be cross-examined in the hearing;
- If I file any documents in the case, I will have to provide a copy of that document to every other party in the case; and
- I acknowledge that I am bound by the Procedural Rules of the Public Utility Commission of Texas (PUC) and the State Office of Administrative Hearings (SOAH).

Please check one of the following:

- ☐ I own property with a habitable structure located near one or more of the utility's proposed routes for a transmission line.
- ☐ One or more of the utility's proposed routes would cross my property.
- ☐ Other. Please describe and provide comments. You may attach a separate page, if necessary.

Signature of person requesting intervention:

_____ Date: _____