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PROPOSED DECISION

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Ratesetting

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Decision PROPOSED DECISION OF ALJ HALLIGAN (Mailed 2/21/14)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric Company, a California corporation, for a Permit to Construct the Windsor Substation Project Pursuant to General Order 131-D (U39E).

Application 10-04-024
(Filed April 21, 2010)

**DECISION ADDRESSING PACIFIC GAS AND ELECTRIC COMPANY'S
APPLICATION FOR A PERMIT TO CONSTRUCT
THE WINDSOR SUBSTATION PROJECT**

Table of Contents

Title	Page
DECISION ADDRESSING PACIFIC GAS AND ELECTRIC COMPANY’S APPLICATION FOR A PERMIT TO CONSTRUCT THE WINDSOR SUBSTATION PROJECT	2
1. Summary	2
2. Background.....	3
3. The Proposed Project.....	4
4. Notice and Procedural Issues.....	5
5. Requirements for a PTC.....	8
6. Proposed Facilities Description	9
7. Environmental Review	9
7.1. PEA	10
7.2. Draft IS/MND	11
7.3. MMRCP	11
7.4. EMF	12
7.5. Public Notice and Review	13
7.6. Final MND.....	14
8. Conclusion	15
9. Categorization and Need for Hearing	16
10. Comments on Proposed Decision	17
11. Assignment of Proceeding	17
Findings of Fact.....	17
Conclusions of Law	19
ORDER	19
Attachment 1: Mitigation Monitoring Plan	

**DECISION ADDRESSING PACIFIC GAS AND ELECTRIC COMPANY'S
APPLICATION FOR A PERMIT TO CONSTRUCT
THE WINDSOR SUBSTATION PROJECT**

1. Summary

This decision grants Application 10-04-024 filed by Pacific Gas and Electric Company (PG&E) for a permit to construct the proposed project known as the Windsor Substation Project (Proposed Project), pursuant to General Order 131-D, in the Fulton-Fitch Mountain Distribution Planning Area (DPA) in Sonoma County, California. The project is needed to relieve the growing electric system deficiency projected to occur in the Town of Windsor area, to prevent interruptions or emergency conditions that could otherwise result from the deficiency, and to ensure safe and reliable electric service to existing and approved development.

The Proposed Project includes:

1. Installing a new, three-bank, 115-12 Kilovolt (kV) distribution substation, (initially energized at 60 kV) on 2.6 acres of a 4.1 acre property in the Town of Windsor, California;
2. Connecting the new substation to the existing nearby Fulton No. 1 60 kV transmission line via a 270 feet 60 kV power line loop;
3. Installing underground distribution line vaults and conduits for current and future use;
4. Installing three underground 12 kV distribution circuits, with up to nine additional distribution circuits to be installed in the future as needed;
5. Installing approximately 700 feet of new underground distribution line, of which 350 feet will extend west from the substation to the Fulton No 1 60 kV Power line, and 350 feet will extend east from the substation to Old Redwood Highway;

6. Rebuilding approximately 7,900 feet (1.5) miles of the existing Fulton No. 1 60 kV Power Line between the substation and Windsor River Road to support a new, double-circuit 12 kV distribution line below the existing higher-voltage wires. This new distribution “underbuild” will require replacing 34 existing wood poles with new, taller wood poles to accommodate the required minimum spacing between the co-located distribution and transmission conductors; and
7. Replacing conductors on approximately 9,420 feet (1.8 miles) of existing overhead and underground single-circuit distribution line with 12 kV double-circuit conductor along Old Redwood Highway between the substation and Windsor River Road (involves replacing 43 existing wood poles with new, taller wood poles and adding one riser pole where the existing distribution line is currently underground). Installing 12 distribution circuits.

As the Lead Agency for environmental review, we find the Final Mitigated Negative Declaration prepared for the Proposed Project meets the requirements of the California Environmental Quality Act.¹

This proceeding is closed.

2. Background

Pacific Gas and Electric Company (PG&E) is an investor-owned public utility providing gas and electric service in Northern and Central California.

The Windsor Substation Project (Proposed Project) will provide additional transmission capacity serving the Town of Windsor area to ensure customer electrical demand is met safely and reliably. In conjunction with the filing of Application (A.) 10-04-024 (Application), PG&E filed its Proponent’s Environmental Assessment.

¹ Public Resources Code Section 21000, *et seq.*

The electrical needs of the Sonoma County area are served through electric power transmitted to regional substations at voltages of 230 kilovolt (kV), 115 kV, and 60 kV. The power is then stepped down at substations and distributed to customers using overhead or underground distribution lines at voltages of 21 kV, 12 kV, and 41 kV. The local delivery system voltage is stepped down further for individual customer use.

PG&E's existing transmission system serving the Fulton-Fitch Mountain Distribution Planning Area (DPA) consists of two 60 kV power lines, the Fulton No. 1, and the Fulton-Hopland power lines. Two PG&E substations serve the DPA: Fulton and Fitch Mountain. Fitch Mountain Substation serves northern Windsor and the distribution facilities east and west of the City of Healdsburg. Fulton Substation serves northern Santa Rose, the unincorporated area of Larkfield, the Airport Business Park, and the majority of the Town of Windsor. These substations are presently built out to maximum capacity. The City of Healdsburg operates its own municipal electric distribution system and obtains its power from PG&E through a connection at its Badger Substation.

3. The Proposed Project

PG&E states that the project is needed to relieve the growing electric system deficiency projected to occur in the Town of Windsor area, to prevent interruptions or emergency conditions that could otherwise result from the deficiency, and to ensure safe and reliable electric service to existing and approved development.

According to PG&E, the electric demand in the Fulton-Fitch Mountain DPA has had an historic annual growth rate of approximately 2.5 megawatts (MW) per year. Even with the downturn in the economy and subsequent slowing of development, the Sonoma County area has experienced continued

electric growth, resulting in a projected summer 2011 area deficiency of 1.5 MW (1.7 percent) and a Summer 2012 area deficiency of 3.9 MW(4.4 percent). The greatest concentration of the load to be served is within the limits of the town of Windsor. Fulton Substation serves northern Santa Rosa, the unincorporated area of Larkfield, the Airport Business Park, and the majority of the Town of Windsor. These substations are presently built out to maximum capacity.

The Proposed Project includes a three-bank distribution substation, interconnection with the electrical supply grid, and up to 12 distribution circuit outlets. Initially, PG&E will install two distribution circuits. At the present rate of growth in electric demand, the remaining 10 circuits would be installed approximately every other year.

The original construction period was scheduled to begin in May 2011 and the originally planned operating date for the Proposed Project was June 2012. However, this schedule was subsequently revised to reflect the amendment to the application and the status of the environmental review. Construction is now scheduled to begin in June 2015 and PG&E plans to begin operating the Proposed Project in December 2016.

4. Notice and Procedural Issues

PG&E filed A.10-04-024 on April 21, 2010, along with a Proponent's Environmental Assessment (PEA) as required by General Order (GO) 131-D. Due process requires that affected parties be provided adequate notice and opportunity to be heard, such that they can timely protest and participate in the California Public Utilities Commission's environmental review and analysis of the Proposed Project. For permits to construct (PTC), the utility must comply with notice requirements described in GO 131-D, Section XI.A. In pertinent part, Section XI.A requires the following forms of notice:

1. By direct mail to:
 - a. The planning commission and the legislative body for each county or city in which the proposed facility would be located, the CEC, the State Department of Transportation and its Division of Aeronautics, the Secretary of the Resources Agency, the Department of Fish and Game, the Department of Health Services, the State Water Resources Control Board, the Air Resources Board, and other interested parties having requested such notification. The utility shall also give notice to the following agencies and subdivisions in whose jurisdiction the proposed facility would be located: the Air Pollution Control District, the California Regional Water Quality Control Board, the State Department of Transportation's District Office, and any other State or Federal agency which would have jurisdiction over the proposed construction; and
 - b. All owners of land on which the proposed facility would be located and owners of property within 300 feet of the right-of-way (ROW) as determined by the most recent local assessor's parcel roll available to the utility at the time notice is sent.
2. By advertisement not less than once a week, two weeks successively, in a newspaper or newspapers of general circulation in the county or counties in which the proposed facilities will be located, the first publication to be not later than ten days after filing of the application; and
3. By posting a notice on-site and off-site where the project would be located.

PG&E represents that it has complied with all applicable notice requirements.

The Application was noticed in the Commission's Daily Calendar on April 22, 2010. PG&E's application proposed a substation site on Mitchell Lane west of Conde Lane. On May 19, 2010, Carolyn Otto, George and Jan Joe, Peter Sourek, Rosemary and Steve Olson, Dr. Wayne Freeman, Meagan Freeman,

and Mark and Carolyn Loher timely filed a protest to the application which largely raised concerns about the environmental impacts of the Proposed Project, and argued that the Commission should prepare an Environmental Impact Report (EIR) for the project. Protestants argued that the proposal will have substantial negative environmental impact. PG&E filed a reply to the protest on June 4, 2010.

On May 26, 2011, PG&E filed a Supplement to the PEA containing additional analysis on several potential alternative substation sites. In August 2011, following two public meetings, the Town of Windsor indicated its support for Site 8, located at 10789 Old Redwood Highway near Herb Road in Windsor.

PG&E filed an amended application on December 5, 2011. The amendment included a new proposed location for the substation: 10789 Old Redwood Highway near Herb Road in Windsor. A protest to the amended application was filed on January 11, 2012, by Brad Thomas, a property owner at 869 Starr Circle in Windsor. Mr. Thomas stated that the existing Fulton No. 1 Power Line easement is insufficient for the existing line as well as the proposed upgraded line. Mr. Thomas also identified a number of other concerns with the upgraded line, including electric and magnetic field (EMF) health concerns, decreased property values, structural safety, and visual impacts. PG&E filed a response to the protest on January 27, 2012.

In compliance with California Environmental Quality Act (CEQA), the environmental issues raised in the protests to the application have been addressed during the environmental review process of the Proposed Project which resulted in the Final Mitigated Negative Declaration (Final MND).

The administrative record of the environmental review process leading to the Final MND indicates that the town of Windsor and several other individuals participated in the Commission's environmental process through both the informal consultation and the formal comment process. Neither of the protestants submitted comments on the Draft IS/MND.

5. Requirements for a PTC

GO 131-D defines an electric "power line" as one designed to operate between 50 kV and 200 kV,² and Section III.B requires utilities to first obtain Commission authorization, in the form of a PTC, before beginning construction of a power line. PTC applications for power lines need not include a detailed analysis of purpose and necessity, a detailed estimate of cost and economic analysis, a detailed schedule, or a detailed description of construction methods (beyond that required for CEQA compliance).³ However, GO 131-D requires PTC applications to:

1. Include a description of the proposed facilities and related costs, a map, reasons the route was selected, positions of the government agencies having undertaken review of the project, and a PEA;⁴
2. Show compliance with the provisions of CEQA related to the Proposed Project, including the requirement to meet various public notice provisions;⁵ and

² Section I.

³ Section IX.B.1.f.

⁴ Section IX.B.1.

⁵ Section IX.B.2-5.

3. Describe the measures to be taken or proposed by the utility to reduce the potential for exposure to EMF generated by the Proposed Project.⁶

These requirements are discussed separately below.

6. Proposed Facilities Description

The Amended Application describes the facilities proposed and related costs. PG&E's Amended Application included a project description and map in its request.⁷

The Proposed Project is intended to meet the objective of providing reliable electric service to the Fulton-Fitch Mountain DPAs, particularly the electric load west of Highway 101 in and around the Town of Windsor. The Application includes a list of governmental agencies that have reviewed the Proposed Project.⁸

7. Environmental Review

CEQA requires that the Commission consider the environmental consequences before acting upon or approving the Proposed Project.⁹ Under CEQA, the Commission must act as either the Lead Agency or a Responsible Agency for project approval. The Lead Agency is the public agency with the greatest responsibility for supervising or approving the Proposed Project as a whole.¹⁰ Here, the Commission is the Lead Agency. The actions and steps taken

⁶ Section X.

⁷ Supplemental PEA, Section 2.0.

⁸ Application, p. 12.

⁹ CEQA Guidelines, Section 15050(b).

¹⁰ CEQA Guidelines, Section 15051(b).

for environmental review of the Proposed Project, in accordance with GO 131-D and CEQA, are discussed below.

7.1. PEA

PG&E included its PEA with the initial Application, pursuant to GO 131-D, Section IX.B.1.e.¹¹ PG&E filed a Supplemental PEA on May 26, 2011. The PEA and Supplemental PEA describe the environmental setting, regulations, and Applicant Proposed Mitigation Measures (APMM) for minimizing potential effects and evaluates potential environmental impacts that could result from construction and operation of the Proposed Project. The PEA and Supplement evaluates the environmental impacts that may result from the construction and operation of the Proposed Project.

The PEA and Supplemental PEA conclude that the Proposed Project will have less than significant, or no impact, to all environmental resource categories. Although PG&E does not anticipate significant impacts to any resource category, PG&E incorporates specific APMMs into the project construction plans as an added measure of protection to environmental resources that occur in the area.¹²

We adopt the APMMs as part of our approval of the Proposed Project, and require PG&E to comply with the APMMs and the other mitigation measures contained in the Mitigation, Monitoring, Reporting and Compliance Plan (MMRCP) discussed below.

¹¹ The PEA and Supplemental PEA were prepared by PG&E with portions of the Supplemental PEA prepared by TRC Solutions, Inc..

¹² Supplemental PEA, Attachment A.

7.2. Draft IS/MND

On July 15, 2013, the Energy Division released for public review a Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Proposed Project. The Draft IS/MND found that approval of the Proposed Project will have no environmental impact in the areas of aesthetics, greenhouse gas emissions, population/housing, mineral resources, utilities, geology/soils, and recreation. The Draft IS/MND also determined that, with mitigation incorporated, approval of the Proposed Project will result in less than significant impacts in the areas of air quality, biological resources, land use, transportation/traffic, agriculture, cultural resources, hazardous materials, public services, water quality and noise. The Proposed Project would not have any significant environmental impacts that cannot be mitigated to a less than significant level with the mitigation measures identified in the Mitigation Monitoring, Reporting and Compliance Plan (MMRCP).

7.3. MMRCP

As required by CEQA, the Draft IS/MND included a MMRCP. The MMRCP describes the mitigation measures, specifically details how each mitigation measure will be implemented, and includes information on the timing of implementation and monitoring requirements. The Commission also uses the MMRCP as a guide and record of monitoring the utility's compliance with its provisions. PG&E has agreed to and shall comply with each measure and provision of the MMRCP. The Commission adopts the MMRCP as part of its approval of the Proposed Project.¹³

¹³ CEQA Guideline Section 15074(d).

7.4. EMF

The Commission has examined EMF impacts in several previous proceedings.¹⁴ We found the scientific evidence presented in those proceedings was uncertain as to the possible health effects of EMFs and we did not find it appropriate to adopt any related numerical standards. Because there is no agreement among scientists that exposure to EMF creates any potential health risk, and because CEQA does not define or adopt any standards to address the potential health risk impacts of possible exposure to EMFs, the Commission does not consider magnetic fields in the context of CEQA and determination of environmental impacts.

However, recognizing that public concern remains, such as that expressed in the protests to the original and amended application, we do require, pursuant to GO 131-D, Section X.A, that all requests for a PTC include a description of the measures taken or proposed by the utility to reduce the potential for exposure to EMFs generated by the Proposed Project. We developed an interim policy that requires utilities, among other things, to identify the no-cost measures undertaken, and the low-cost measures implemented, to reduce the potential EMF impacts. The benchmark established for low-cost measures is 4 percent of the total budgeted project cost that results in an EMF reduction of at least 15 percent (as measured at the edge of the utility ROW).

The Field Management Plan (FMP) contained in the Application as Exhibit D ¹⁵ addresses the EMF measures that will be taken in connection with

¹⁴ See D.06-01-042 and D.93-11-013.

¹⁵ On November 15, 2013, PG&E filed an updated FMP Checklist for the proposed Windsor Substation to be located at 10789 Old Redwood Highway.

the Proposed Project. The short interconnecting power line and the distribution work that is part of the Proposed Project are exempt from the requirement to prepare a FMP under the Commission-approved EMF Design Guidelines.

However, as no-cost and low-cost options for the Windsor Substation, PG&E's updated Substation EMF FMP Checklist ¹⁶ states that the Proposed Project will comply with the "no-cost and low-cost" design options by ensuring that the components in the Windsor Substation meet or exceed the recommended setback distances from the substation fence or property line. We adopt the updated FMP for the Proposed Project and require PG&E to comply with it.

7.5. Public Notice and Review

PG&E's initial application and PEA were accepted as complete by the Commission's Energy Division on May 20, 2010. However, the PEA was modified by a Supplemental PEA filed on May 26, 2011. On July 15, 2013, the Energy Division published a Notice of Intent (NOI) to Adopt a MND, and released the Draft IS/MND for a 30-day public review and comment period.

The Draft IS/MND was distributed to federal, state, and local agencies; property owners within 300 feet of the Proposed Project; and other interested parties (identified in the Draft IS/MND). A Public Notice of the Proposed Project also was published in the local newspaper, announcing the availability of the Draft IS/MND. The 30-day public review and comment period ended on August 14, 2013.

Comment letters on the Draft IS/MND were received from David Randolph, the Town Manager for the Town of Windsor and PG&E. Those

¹⁶ Updated EMF Plan Checklist, Exhibit A, November 15, 2013.

comments and the Commission's responses to those comments are contained in the Final MND. No other parties to the proceeding submitted comments on the Draft IS/MND.

7.6. Final MND

A Final MND was prepared pursuant to CEQA guidelines, and released by the Energy Division in October, 2013. The Final MND addresses all aspects of the Draft IS/MND, includes the comments received on the Draft IS/MND and the responses to those comments by the Lead Agency (Energy Division), and includes a final version of the MMRCP.

Although a few revisions were made to clarify and revise certain mitigation measures described in the Draft IS/MND, the Final MND does not identify any new significant environmental impacts, and does not omit any existing mitigation measures, from those identified in the Draft IS/MND.

Before granting the Application, we must consider the Final MND.¹⁷ We have done so and find that the Final MND (which incorporates the Draft IS/MND) was prepared in compliance with and meets the requirements of CEQA. We further find that on the basis of the whole record, there is no substantial evidence that the Proposed Project will have a significant effect on the environment and that the Final MND reflects the Commission's independent judgments and analysis.¹⁸ We adopt the Final MND in its entirety, and incorporate it by reference in this decision approving the Proposed Project.

The Final MND concludes that the Proposed Project will not have a significant adverse impact on the environment, because the mitigation measures

¹⁷ CEQA Guideline Section 15004(a).

described therein, and agreed to and incorporated by PG&E into the Proposed Project, will ensure that any potentially significant impacts that have been identified with the Proposed Project will remain at less than significant levels.

The IS/Draft MND and the Final MND will be received into the record of this proceeding as reference exhibits A and B, respectively. The Final MND is available for inspection on the Commission's website at:

<http://www.cpuc.ca.gov/PUC/energy/Environment/>.

8. Conclusion

Following release of the Final MND, the Administrative Law Judge (ALJ) scheduled a PHC on November 14, 2013, to discuss the need for hearing, any other issues to be considered in the proceeding, and a timetable for resolving the issues.¹⁹ At the PHC, PG&E was the only party to appear, and no party identified any remaining issues that required evidentiary hearing. The ALJ therefore confirmed the preliminary finding in Resolution ALJ-176-3253 that an evidentiary hearing was not necessary.

Based on the analysis of the Initial Study, the Draft and Final MNDs, and the mitigation measures identified therein and incorporated into the Proposed Project, the Commission finds that the Proposed Project will not have a significant impact on the environment. We have reviewed the Amended Application and, after considering all of the above requirements, find it complete and in compliance with GO 131-D.

¹⁸ CEQA Guideline Section 15074(b).

¹⁹ *Administrative Law Judge's Ruling Scheduling a Prehearing Conference and Requiring Prehearing Conference Statements*, filed October 31, 2013.

We conclude that granting this PTC is in the public interest and the Application, as amended by PG&E on December 5, 2011, should be approved. Our order today adopts the Final MND (which incorporates the Draft IS/MND), subject to the conditions therein, and authorizes work on the Proposed Project to begin. Before commencing construction of the Proposed Project, PG&E must have in place all required permits, easements or other legal authority for the project site.

The Energy Division may approve requests by PG&E for minor project refinements which meet the fixed criteria described below and that may be necessary to complete the project due to final engineering or other reasons. Minor project refinements cannot create a new significant impact or a substantial increase in the severity of a previously identified significant impact, based on the thresholds used in the environmental document. They cannot require new conditions for approval, without which the refinements would result in a new significant impact or a substantial increase in the severity of a previously identified significant impact. They cannot conflict with any mitigation measure or applicable law or policy or trigger an additional permit requirement. Specifically, they must not change mitigation measures. Minor project refinements must be located within the geographic boundary of the study area of the MND. PG&E shall seek any other project refinements by a petition to modify this decision.

9. Categorization and Need for Hearing

In Resolution ALJ 176-3253 dated May 6, 2010, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. No evidentiary hearing was held on the application. Today's decision grants the relief requested.

10. Comments on Proposed Decision

The proposed decision of the ALJ in this matter was mailed to the parties in accordance with Section 311 of the Public Utilities Code and comments were allowed under Rule 14.3 of the Commission's Rules of Practice and Procedure. Comments were filed on March 13, 2014 by PG&E, and no reply comments were filed.

11. Assignment of Proceeding

Michel Peter Florio is the assigned Commissioner and Julie M. Halligan is the assigned ALJ in this proceeding.

Findings of Fact

1. PG&E's Application for a PTC, as amended on December 5, 2011, conforms to GO 131-D.
2. The Proposed Project includes: (1) construction of the new, three-bank, 115/12 kV distribution substation on 2.6 acres of a 4.1 acre property in the Town of Windsor, California; (2) replacing an existing wood pole located along the Fulton No. 1 60 kV Power Line with a new, weathered tubular steel pole and installing one additional new tubular steel pole within PG&E's property, to support a new interconnecting power line between the new substation and the existing Fulton No. 1 Power Line; (3) installing underground distribution line vaults and conduits for current and future use; (4) installing three underground 12 kV circuits initially, with up to nine additional circuits to be installed in the future as needed; (5) installing 700 feet (0.1 mile) of new underground distribution line; and (6) rebuilding approximately 7,900 feet (1.5 miles) of the existing Fulton No. 1 60 kV power line to hold a new double-circuit 12 kV distribution line underneath existing higher voltage lines (underbuild); and (7) replacing conductors (reconductoring) on approximately 9,420 feet (1.8 miles)

of existing overhead and underground single-circuit distribution line with 12 kV double-circuit conductor along Old Redwood Highway.

3. The Proposed Project will improve the reliability of PG&E's electric system in the Town of Windsor area in Sonoma County.

4. All comments received by the Commission during the environmental review of the Proposed Project pursuant to CEQA have been reviewed and addressed in the Final MND.

5. The Final MND (which incorporates the Draft IS/MND) related to the Proposed Project conforms to the requirements of CEQA.

6. The Final MND identified no significant environmental impacts of the Proposed Project that could not be avoided or reduced to non-significant levels with the mitigation measures described therein.

7. On the basis of the whole record, there is no substantial evidence that the project will have a significant effect on the environment.

8. The MMRCPP, included as part of the Final MND, specifically describes the mitigation measures to be taken.

9. PG&E agrees to comply with the mitigation measures described in the Final MND.

10. The Commission considered the Final MND in deciding to approve the Proposed Project.

11. The Final MND reflects the Commission's independent judgment.

12. Based on the mitigation measures included in the Final MND, the Proposed Project will not have a significant impact upon the environment.

13. The Proposed Project includes no-cost and low-cost measures (within the meaning of D.93-11-013, and D.06-01-042) to reduce possible exposure to EMF.

Conclusions of Law

1. PG&E has complied with the notice requirements for PTCs described in GO 131-D, Section XI.
2. Evidentiary hearings are not necessary.
3. The Commission is the Lead Agency for compliance with the provisions of CEQA.
4. A Draft IS/MND analyzing the environmental impacts of the Proposed Project was processed in compliance with CEQA.
5. A Final MND on the Proposed Project was processed and completed in compliance with the requirements of CEQA.
6. The Draft IS/MND and the Final MND (which includes the MMRCP and EMF FMP) should be adopted in their entirety.
7. Possible exposure to EMF has been reduced by the no-cost and low-cost measures PG&E will include in the Proposed Substation Project that are specified in its Appendix C of the Final MND, pursuant to D.93-11-013, and D.06-01-042.
8. PG&E should obtain all necessary permits, easement rights or other legal authority for the project site prior to commencing construction.
9. PG&E's Application for a PTC should be approved, subject to the mitigation measures set forth in the Final MND.
10. A.10-04-024 should be closed.
11. This order should be effective immediately so that construction of the Proposed Project can begin.

O R D E R

IT IS ORDERED that:

1. Pacific Gas and Electric Company (PG&E) is granted a Permit to Construct the Windsor Substation Project, including: (1) construction of the new, three-bank, 115/12 kilovolt (kV) distribution substation on 2.6 acres of a 4.1 acre property in the Town of Windsor, California; (2) replacing an existing wood pole located along the Fulton No. 1 60 kV Power Line with a new, weathered tubular steel pole and installing one additional new tubular steel pole within PG&E's property, to support a new interconnecting power line between the new substation and the existing Fulton No. 1 Power Line; (3) installing underground distribution line vaults and conduits for current and future use; (4) installing three underground 12 kV circuits initially, with up to nine additional circuits to be installed in the future as needed; (5) installing 700 feet (0.1 mile) of new underground distribution line; and (6) rebuilding approximately 7,900 feet (1.5 miles) of the existing Fulton No. 1 60 kV power line to hold a new double-circuit 12 kV distribution line underneath existing higher voltage lines (underbuild); and (7) replacing conductors (reconductoring) on approximately 9,420 feet (1.8 miles) of existing overhead and underground single-circuit distribution line with 12 kV double-circuit conductor along Old Redwood Highway.

2. The Final Mitigated Negative Declaration (which incorporates the Draft Initial Study/Mitigated Negative Declaration) is adopted pursuant to the requirements of the California Environmental Quality Act, Public Resources Code § 21000 et seq.

3. The Mitigation Monitoring, Reporting and Compliance Plan, included as part of the Final Mitigated Negative Declaration, is adopted.

4. The Permit to Construct is subject to Pacific Gas and Electric Company's compliance with the mitigation measures set forth in the Final Mitigated

Negative Declaration and Mitigation Monitoring, Reporting and Compliance Plan.

5. Pacific Gas and Electric Company shall have in place, prior to commencing construction, all of the necessary easements rights, or other legal authority, to the Windsor Substation Project sites.

6. Application 10-04-024 is closed.

This order is effective today.

Dated _____, at San Francisco, California.

Attachment 1