BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In The Matter of the Application of Southern California Edison Company (U338E) for a Permit to Construct Electrical Facilities With Voltages Between 50 kV and 200 kV Banducci Substation Project.	Application 12-11-011 (Filed November 15, 2012)

DECISION GRANTING SOUTHERN CALIFORNIA EDISON COMPANY A PERMIT TO CONSTRUCT THE BANDUCCI SUBSTATION PROJECT

Summary

This decision grants Southern California Edison Company a permit to construct the Banducci Substation Project. This proceeding is closed.

1. Proposed Project

Southern California Edison Company (SCE) seeks a permit to construct the Banducci Substation Project (Project), which includes construction of the following components:

- Construction of a new Banducci 66/12 kilovolt (kV) Substation,
- Construction of two new 66 kV subtransmission lines segments that would loop into the existing Correction-Cummings-Kern River #1 66 kV subtransmission line,
- Construction of three new underground 12 kV distribution getaways, and
- Installation of telecommunication facilities to connect the proposed Banducci Substation to SCE's existing telecommunication system.

SCE's project objectives include adding sufficient additional substation capacity to the Electrical Needs Area (ENA), as well as three additional 12 kV distribution circuits, to increase capacity and meet current and projected load growth in the Cummings Valley, specifically in the communities of Bear Valley Springs and Stallion Springs.

2. Procedural Background

SCE filed this application on November 15, 2012 along with a Proponents Environmental Assessment (PEA). On November 19, 2012, SCE filed a Compliance Filing including a declaration of advertising, posting, and mailing to affected governmental bodies and property owners giving notice of the application, as required by General Order (GO) 131-D, Section XI.A. No protests were filed.

Beginning formally on August 8, 2012, the Commission requested numerous times that all PEAs must be submitted in an approved format. Four completeness review letters for the PEA requiring further supplementation, resubmission, and reviewing were sent December 17, 2012; February 25, 2013; May 8, 2013; and July 2, 2013. SCE resubmitted the PEA for this application June 19, 2014.

On November 14, 2014, the Commission's Energy Division circulated a Notice of Intent (NOI) to adopt a Mitigated Negative Declaration (MND) for the project and released the draft MND/Initial Study (IS) for a 30-day public review and comment period. The NOI gave notice of a public meeting to be held on December 11, 2014, to take public comment on the project. The public meeting and the availability of the draft MND/IS were also announced in the local newspaper.

Written comments were received from two public agencies, one private citizen, and SCE.

Energy Division issued the Final MND/IS on February 23, 2015.[1] Although a few revisions were made to clarify and revise certain mitigation measures described in the draft MND/IS, the Final MND/IS does not identify any new significant environmental impacts, and does not omit any existing mitigation measures, from those identified in the draft MND/IS.

On May 18, 2015, a telephonic prehearing conference was held pursuant to Rule 7.2 of the Commission's Rules of Practice and Procedure (Rules). SCE was the only party in attendance.

3. Scope of Issues

Pursuant to GO 131-D, in order to issue a permit to construct, the Commission must find that the project complies with the California Environmental Quality Act (CEQA). CEQA requires the lead agency (the Commission in this case) to conduct a review to identify environmental impacts of the project and ways to avoid or reduce environmental damage, for consideration in the determination of whether to approve the project or a project alternative. If the initial study shows that there is no substantial evidence that the proposed project may have a significant effect on the environment, or if the initial study identifies potentially significant effects and the project proponent makes or agrees to revisions to the project plan that will reduce all project-related environmental impacts to less than significant levels, then the lead agency shall prepare a negative declaration or MND, subject to public notice and the

[1] The Final MND/IS is hereby identified as reference Exhibit A and received into the record of this proceeding.

opportunity for the public review and comment. (CEQA Guidelines §§ 15070-15073.)

CEQA requires that, prior to approving the project or a project alternative, the lead agency consider the MND along with any comments received during the public review process, and that the lead agency adopt the MND only if it finds on the basis of the whole record that there is no substantial evidence that the project will have a significant effect on the environment and that the MND reflects the lead agency's independent judgment and analysis. (CEQA Guidelines § 15074(a)-(b).)

If the lead agency adopts an MND, CEQA requires that it also adopt a program for monitoring or reporting on the changes or conditions required to mitigate or avoid significant environmental effects. (CEQA Guidelines §§ 15074(d).)

In addition, pursuant to GO 131-D and Decision (D.) 06-01-042, the Commission will not certify a project unless its design is in compliance with the Commission's policies governing the mitigation of electromagnetic field (EMF) effects using low-cost and no-cost measures.

As described previously, the Energy Division has prepared a Final MND/IS for the proposed project. Accordingly, the issues to be determined in this proceeding are:

1. Is there substantial evidence that, with the incorporation of mitigation measures identified in the Mitigation Implementation and Monitoring Plan included in the Final MND/IS, all project-related environmental impacts can be reduced to less than significant levels?

2. Was the Final MND/IS completed in compliance with CEQA, did the Commission review and consider the Final MND/IS prior to approving the project, and does the Final

MND/IS reflect the Commission's independent judgment and analysis?

3. Is the proposed project designed in compliance with the Commission's policies governing the mitigation of EMF effects using low-cost and no-cost measures?

4. Environmental Impacts

The proposed project will have either no significant impacts or less than significant impacts with respect to aesthetics, greenhouse gas emissions, land use and planning, mineral resources, population and housing, public services, recreation, and utilities and service systems.

The proposed project has potentially significant impacts with respect to agriculture & forestry resources, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, transportation and traffic, and mandatory findings of significance. With the implementation of the mitigation measures identified in the Mitigation Implementation and Monitoring Plan included in the Final MND/IS, they will be reduced to less than significant levels.

5. EMF

The Commission has examined EMF impacts in several previous proceedings.[2] 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

[2] *See* D.06-01-042 and D.93-11-013.

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, we do require, pursuant to GO 131-D, Section X.A, that all requests for a permit to construct 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 four 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 right-of-way).

The design guidelines include the following measures recommended by SCE to reduce the magnetic field strength levels from electric power facilities:

- Utilize structure heights that meet or exceed SCE's EMF preferred design criteria; and
- Utilize subtransmission line construction that reduces the space between conductors compared with other designs.
- Place major substation electrical equipment (such as transformers, switchracks, buses and underground duct banks) away from the substation property lines; and
- Configure the transfer and operating buses with the transfer bus closest to the nearest property line.

This design complies with SCE's EMF Design Guidelines prepared in accordance with the Commission's EMF decisions D.93-11-013 and D.06-01-042.

6. Waiver of Comment Period

This is a decision under California statute (California Environmental Quality Act) that both makes comprehensive provision for public review and comment in the decision-making process and sets a deadline from initiation of the proceeding within which the Commission must resolve the proceeding. Accordingly, pursuant to Section 311(g) (2) of the Public Utilities Code and Rule 14.6(c) (8) of the Commission's Rules, the otherwise applicable 30-day period for public review and comment is waived.

7. Category and Need for Hearing

This proceeding was preliminarily categorized as "Ratesetting" and it was preliminarily determined that hearings were needed. (Resolution ALJ 176-3305.) We confirm the Commission's preliminary determination as to category. Because no protests or responses were filed and no appearances were made at the prehearing conference, other than the applicant, we conclude that hearings are not needed.

8. Assignment of Proceeding

Michael Picker is the assigned Commissioner and Junaid Rahman is the assigned Administrative Law Judge in this proceeding.

Findings of Fact

1. The proposed project will have either no significant impacts or less than significant impacts with respect to aesthetics, greenhouse gas emissions, land use and planning, mineral resources, population and housing, public services, recreation, and utilities and service systems.

2. With the implementation of the mitigation measures identified in the Mitigation Implementation and Monitoring Plan identified in the MND and attached to this order, potentially significant impacts on with respect to

agriculture & forestry resources, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, transportation and traffic, and mandatory findings of significance will be reduced to less than significant levels.

3. The proposed project is designed in compliance with the Commission's policies governing the mitigation of EMF effects using low-cost and no-cost measures.

4. The Final MND/IS was completed in compliance with CEQA.

5. The Commission has reviewed and considered the information contained in the Final MND/IS.

6. The Final MND/IS reflects the Commission's independent judgment and analysis.

Conclusions of Law

1. SCE should be granted a permit to construct the Banducci Substation project in conformance with the Mitigation Implementation and Monitoring Plan attached to this order.

2. The proceeding should be categorized as ratesetting.

3. Hearings are not needed.

4. This proceeding should be closed.

5. This order should be effective immediately.

O R D E R

IT IS ORDERED that:

1. Southern California Edison Company is granted a permit to construct the Banducci Substation project in conformance with the Mitigation Implementation and Monitoring Plan.

2. The Mitigation Implementation and Monitoring Plan, included as part of the Final Mitigated Negative Declaration/Initial Study and attached to this order, is adopted.

3. Application 12-11-011 is categorized as ratesetting.

4. Hearings are not needed.

5. Application 12-11-011 is closed.

This order is effective today.

Dated _____, 2015, at San Francisco, California.