

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ENERGY DIVISION

Item # 31
ID # 11388
RESOLUTION E-4495
June 21, 2012

RESOLUTION

Resolution E-4495 . Pacific Gas and Electric Company requests for approval of deviation from California Public Utilities Code Section 320.

PROPOSED OUTCOME: This resolution grants the request and authorizes Pacific Gas and Electric (PG&E) to relocate approximately 1,300 feet of 12 kV aerial power distribution lines and replace four wood poles and a stub pole and guy along Highway 12 at Madrone Road in Sonoma County. Highway 12 is within a state scenic corridor.

ESTIMATED COST: This project costs \$154,652. It is to be funded by the State Highway Operation and Protection Program (SHOPP), under the safety category (Program Code 201.010). The construction capital cost of the project is being shared with the Sonoma County through a cooperative agreement, with the County sharing roughly 1/3 of the construction capital cost.

By Advice Letter 4029-E and Supplemental Advice Letter 4029-E-A dated May 2, 2012.

SUMMARY

California Public Utilities Commission (CPUC) approves the California Public Utilities Code Section 320 (P.U. Code § 320) deviation request, because it has a much lower cost than undergrounding the facilities, local government approval, is visually consistent with the existing facilities, and it can be seen with certainty that the project will not have a significant effect on the environment.

On April 17, 2012, PG&E requested authorization from the CPUC for deviation from the scenic highway undergrounding requirements of the P.U. Code § 320 through a Tier 3 Advice Letter 4029-E.

On May 2, 2012, PG&E filed a Supplemental Advice Letter 4029-E-A to update the engineering description of the project and include CalTrans determination that its highway widening project is exempt from the California Environmental Quality Act (CEQA) review.

No protests were received.

This Resolution approves PG&E's request to relocate approximately 1,300 feet of 12 kV aerial power distribution lines and replace four wood poles and a stub pole and guy along Highway 12 at Madrone Road in Sonoma County.

BACKGROUND

California P.U. Code § 320 was enacted in 1971 and reads in part as follows:

The legislature hereby declares that it is the policy of this state to achieve, whenever feasible and not inconsistent with sound environmental planning, the undergrounding of all future electric and communication distribution facilities which are proposed to be erected in proximity to any highway designated a state scenic highway pursuant to Article 2.5 (commencing with Section 260) of Chapter 2 of Division 1 of the Streets and Highways Code and which would be visible from such scenic highways if erected above ground. The Commission shall prepare and adopt by December 31, 1972, a statewide plan and schedule for the undergrounding of all such utility distribution facilities in accordance with the aforesaid policy and the rules of the Commission relating to the undergrounding of facilities.

The CPUC shall require compliance with the plan upon its adoption.

The CPUC is responsible for the administration of Section 320 of the P.U. Code. After hearings conducted in Case 9364, CPUC Decision (D) 80864 implemented the State Legislation. D.80864 states that:

In order to facilitate administration, letter requests for deviations will be accepted, reviewed by the Commission staff and, where appropriate, approved by Commission resolution. (74 CPUC 457, D.80864)

D.80864 stipulates that no communications or electric utility shall install overhead distribution facilities "in proximity to" and "visible from" any prescribed corridor on a designated scenic highway in California unless a showing is made before the CPUC and a finding made by the CPUC that undergrounding would not be feasible or would be inconsistent with sound environmental planning. The Decision also defines "in proximity to" as being within 1,000 feet from each edge of the right-of-way of designated State Scenic Highways.

D.80864 also stipulates that when repairs or replacement of existing overhead facilities in the same location do not significantly alter the visual impact of the Scenic Highway, they should not be considered as new construction and need not be converted to underground.

NOTICE

Notice of AL 4029-E and AL 4029-E-A were made by publication in the CPUC's Daily Calendar. PG&E states that a copy of the Advice Letter was mailed and distributed in accordance with Section 3.14 of General Order 96-B.

PROTESTS

The CPUC received no protests.

DISCUSSION:

Higher undergrounding cost and the consistency of the project with the existing environmental conditions are the determining factors in the CPUC staff recommendation.

CPUC staff evaluated this deviation request taking into account a number of considerations, including:

- nature of the project;
- local government recommendation;
- visibility, aesthetics, and environmental impact; and
- economic feasibility.

Nature of the Project

PG&E submitted a request on behalf of the Department of Transportation (Caltrans) to relocate four wood poles and one stub pole and guy in an existing 12kV distribution pole line located along the west side of California State Highway Route 12, at the Madrone Road intersection, in Sonoma County.

Pole relocations would allow Caltrans to install traffic signals, perform minor road widening and roadway intersection improvements, and to improve safety and traffic flow at the intersection.

This project is to be funded by the State Highway Operation and Protection Program (SHOPP), under the safety category (Program Code 201.010). The construction capital cost of the project is being shared with the Sonoma County through a cooperative agreement, with the County sharing roughly 1/3 of the construction capital cost.

These four poles and one stub pole are located along a section of California State Route 12 that is currently designated as a State Scenic Highway. Relocation of these poles would be subject to P.U. Code § 320.

The scope of the project has changed since PG&E initially submitted

Advice Letter 4029-E. Caltrans was unable to acquire an easement for an area of land that was necessary for the engineering of the wood stub pole and guy on the east side of Highway 12. PG&E also proposed to increase the height of two poles from 55 feet to 65 feet to minimize their impacts to a mature oak tree in the relocation area of the project.

The overhead relocation alternative requires replacing one (1) existing 45-foot wood pole, three (3) existing 55-foot wood poles, and one existing 30-foot stub pole and guy with new wood poles. Poles P2 and P10 are proposed to be replaced by 65-foot poles to minimize impact on a mature oak tree. The new poles will be installed using avian-safe design standards, and would be relocated to an easement of an adjacent property to be acquired by Caltrans. PG&E will replace the existing stub pole and guy by a 60-foot tall dead end pole intersect the existing distribution pole line that runs westerly from Highway 12. PG&E will install new anchors on poles at both ends of the project to support the changed angle of the line. The relocated span is approximately 1,300 feet. The cable is ¾" in diameter, aluminum color, approximately 38' high at the poles to 32' high at the center, accounting for sag. PG&E will replace the two existing overhead transformers and transfer the primary switch and recloser to one of the new poles. The existing primary wire will be transferred to the new pole line and lengthened accordingly. The secondary wire service at Pole P10 will be undergrounded. This secondary supplies electric service to a well at the east end. It is approximately 75' long. Distribution poles and overhead lines will be relocated to clear the proposed road improvements. Existing poles along Hwy 12 do not have telephone and cable television lines.

The underground alternative would require PG&E to replace one (1) existing pole with a larger-diameter pole to accommodate a new riser at the southeast corner of the intersection of Highway 12 and Madrone Road. Another riser would be installed on an existing pole that requires reframing. Two anchors would need to be installed at the ends of the project area. The project requires approximately 1,300 feet of undergrounding between the two new risers. The line would be installed using open trench techniques, located approximately at the edge of pavement between the proposed fog line and the State's right-of-way line. The new underground primary line would be installed in a trench to a primary splice box. Then it would travel west approximately 50 feet under an existing tap line to a new pole that would convert the line back to overhead. At the same location, an underground secondary line would cross Highway 12 to feed a service line on the east side of the road.

The project is planned for July through September 2012. This relocation of line and replacement of poles will be permanent deviations.

Economic feasibility

Caltrans estimated that the total capital construction cost of this safety improvement project is \$1.2 million and the programmed support cost for engineering and right-of-way is \$1.8 million. Therefore, the total intersection improvement project cost is \$3 million.

PG&E submitted the following cost estimates to the CPUC on April 17, 2012. The costs are based on Caltrans supplying and installing conduit and substructures system per PG&E requirements.

<i>Options</i>	<i>Administrative / Overhead Cost</i>	<i>Labor Cost</i>	<i>Material Cost</i>	<i>Total Cost</i>	<i>Comparative Cost Ratio</i>
Overhead	\$23,086	\$90,425	\$41,141	\$154,652	1:1
Underground	\$39,161	\$673,709	\$100,416	\$813,286	5.26:1

PG&E's estimated total cost to install poles and 1,300' of aerial cables is \$154,652. The estimated cost of putting this pole line segment underground is \$813,286. The cost ratio is 5.26 to 1, and undergrounding this pole line segment would increase the total project cost by \$658,634, which is more than one fifth of the total intersection improvement project cost.

Local Government Recommendation

Since the exemption process requires the CPUC to consider the opinion of local government, Caltrans has requested a recommendation from Sonoma County. By a letter dated January 28, 2010, Sonoma County Department of Transportation and Public Works indicates that relocation of a limited number of aerial utility poles would not negatively impact the visual integrity of the surrounding environment, hence supports the overhead alternative.

Visibility, Aesthetics, and Environmental Impact

The designated scenic portion of Highway 12 in Sonoma County is 12 miles long, and spans from Danielli Avenue east of Santa Rosa to London Way near Aqua Caliente. There are existing power lines within this scenic portion of the highway. PG&E believes an overhead relocation would have an insignificant aesthetic impact at this location on the scenic corridor. Replacement poles in the overhead alternative would be roughly the same size as the existing poles, with the new overhead conductor in approximately the same location in relation to the new edge of pavement.

In the underground alternative, although four poles would be removed, one of the remaining poles would increase in size with a new riser, and requires adding new pad-mount transformers and a pad-mount switch. It is likely the pad-mounted equipment would be more visible in this setting than the overhead lines. Therefore, the relocation of the 12 kV power lines will have a less than significant impact on the scenic highway. A birds-eye view aerial photo of the site area and photos of the affected poles, and Caltrans' Utility Plan drawings are provided as Attachments 2 and 3 respectively.

Photographs and project drawings submitted by PG&E showing the proposed relocation indicate little adverse impact on visibility and aesthetics of the highway.

CEQA requires the Commission to consider the environmental consequences of its discretionary decisions. The CPUC has reviewed CalTrans' determination finding that the project is categorically exempt from CEQA because it can be seen with certainty that there is no possibility that the project may have a significant effect on the environment. We agree with CalTrans' conclusions.

Summary

Since the factors discussed above favor the relocation of overhead cables and poles instead of undergrounding at the intersection of Highway 12 and Madrone Road, and this requested deviation is in compliance with D.80864, the CPUC should approve and grant this deviation. Construction work associated with this deviation is granted through the end of 2012.

COMMENTS

P.U. Code section 311(g)(1) provides that this resolution must be served on all parties and subject to at least 30 days public review and comment prior to a vote of the CPUC. Section 311(g)(2) provides that this 30-day period may be reduced or waived upon the stipulation of all parties in the proceeding.

All parties in the proceeding have stipulated to waive the 30-day waiting period required by P.U. Code section 311(g)(1) and the opportunity to file comments on the draft resolution. Accordingly, this matter will be placed on the CPUC's agenda directly for prompt action.

FINDINGS

1. The CPUC administers § 320 of the P.U. Code requiring undergrounding of utilities lines along designated Scenic Highways, and considers letter requests for deviations.
2. The applicant must show that undergrounding would not be economically feasible, technically practical, or would be inconsistent with sound environmental planning.
3. By Advice Letter 4029-E dated April 17, 2012, and Supplemental Advice Letter 4029-E-A dated May 2, 2012, PG&E requested authority for deviation from the undergrounding requirements of § 320 of the P.U. Code.
4. This project involves relocating approximately 1,300 feet of aerial power lines and replacing four poles and one stub pole and guy along Highway 12. The cable is ¾" in diameter, aluminum color, approximately 38' high at the poles to 32' high at the center, accounting for sag.

5. The scope of the project has changed since PG&E initially submitted Advice Letter 4029-E. Caltrans was unable to acquire an easement for an area of land that was necessary for the engineering of the wood stub pole and guy on the east side of Highway 12. PG&E also proposed to increase the height of two poles from 55 feet to 65 feet to minimize their impacts to a mature oak tree in the relocation area of the project.
6. PG&E plans to begin construction in July, 2012, and complete the project in September 2012.
7. This relocation and replacement will be permanent.
8. There are existing power lines within this scenic portion of highway. Hence, overhead facilities would remain visible from the highway even if we deny PG&E's request.
9. PG&E asserts that an overhead relocation would have an insignificant aesthetic impact at this location on the scenic corridor.
10. The cost of the underground option at this location would exceed placing this segment of power line overhead by 5.26 to 1.
11. By a letter dated January 28, 2010, Sonoma County Department of Transportation and Public Works indicates that relocation of a limited number of aerial utility poles would not negatively impact the visual integrity of the surrounding environment, hence supports the overhead alternative.
12. The California Department of Transportation acted as the Lead Agency pursuant to CEQA for the environmental review of the project.
13. CalTrans determined that the project is categorically exempt from CEQA review because it can be seen with certainty that there is no possibility that the project may have a significant effect on the environment.
14. The CPUC has reviewed and considered CalTrans' CEQA determination.
15. The record supports the Commission finding that the project is categorically exempt from CEQA review.
16. The CPUC should approve and grant this deviation; construction work associated with this deviation is granted through the end of 2012.

THEREFORE, IT IS ORDERED THAT:

1. The Highway 12/Madrone Road project is categorically exempt from CEQA review because it can be seen with certainty that there is no possibility that the project may have a significant effect on the environment.
2. PG&E's request to relocate approximately 1,300 feet of aerial power lines and replace four poles and a stub pole and guy along Highway 12 is approved. Construction work associated with this deviation is granted through the end of 2012.

This Resolution is effective today.

I hereby certify that the Public Utilities Commission adopted this Resolution at its regular meeting on June 21, 2012. The following Commissioners voting favorably thereon:

PAUL CLANON
Executive Director