

Decision 09-07-040 July 30, 2009

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of SOUTHERN CALIFORNIA
EDISON COMPANY (U338E), for a Permit To
Construct Electrical Facilities With Voltages
Between 50 kV and 200 kV: Kimball Substation
Project.

Application 06-12-032
(Filed December 29, 2006)

**DECISION ADDRESSING THE SOUTHERN CALIFORNIA EDISON
COMPANY APPLICATION FOR A PERMIT TO CONSTRUCT
THE KIMBALL SUBSTATION PROJECT**

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**DECISION ADDRESSING THE SOUTHERN CALIFORNIA EDISON
COMPANY APPLICATION FOR A PERMIT TO CONSTRUCT
THE KIMBALL SUBSTATION PROJECT**

1. Summary

This decision grants Application 06-12-032 by Southern California Edison Company (SCE) for a permit to construct the proposed project known as the Kimball Substation Project (Proposed Project), pursuant to General Order 131-D, in the City of Chino, California. Approval of this Application allows SCE to construct additional transmission capacity serving the Cities of Chino, Ontario and unincorporated western Riverside County to ensure that customer electrical demand can be met safely and reliably without overloading the existing electric facilities serving the area.

The Proposed Project includes:

1. Construction of the proposed Kimball Substation on an approximately 2 acre site.
2. Modification of approximately 6.7 miles of the Chino-Corona-Pedley 66 kilovolt (kV) subtransmission line.
3. Construction of two new 340-foot long underground circuits extending the Chino-Corona-Pedley line into the proposed Kimball Substation.
4. Addition of a second circuit to an approximately 0.9 mile segment of the existing Archibald-Chino-Corona 66 kV subtransmission line and construction of a new 0.4 mile segment to connect the Chino-Corona-Pedley 66 kV line to the Archibald-Chino-Corona 66 kV line.

Modifications 3 and 4 will form the new Chino-Cimgen-Kimball 66 kV subtransmission line.

5. Construction of six 12 kV underground circuits extending from the proposed Kimball Substation to the nearest public street; and
6. Installation of new fiber-optic cable and communication equipment along an existing telecommunications line to connect the proposed Kimball Substation to SCE's existing telecommunication system.

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

SCE is an investor-owned public utility operating an interconnected and integrated electric utility system that generates, transmits, and distributes electric energy in portions of Central and Southern California.² In addition to its California properties, SCE separately or jointly owns facilities in Nevada, Arizona, and New Mexico that produce power and energy for use in California.

The Proposed Project will provide additional transmission capacity serving the Cities of Chino, Ontario and unincorporated western Riverside County to ensure customer electrical demand is met safely and reliably. In

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

² SCE's service territory is located in 15 counties in Central and Southern California, consisting of Fresno, Imperial, Inyo, Kern, Kings, Los Angeles, Madera, Mono, Orange, Riverside, San Bernardino, Santa Barbara, Tulare, Tuolumne and Ventura Counties, and includes approximately 179 incorporated communities and outlying rural territories. SCE also supplies electricity to certain customers for resale under tariffs filed with the Federal Energy Regulatory Commission.

conjunction with the filing of Application (A.) 06-12-032 (Application), SCE filed its Proponent's Environmental Assessment (PEA).

The electrical needs of the Cities of Chino, Ontario and unincorporated western Riverside County (the Electrical Needs Area) are currently served from SCE's main electrical grid via a portion of SCE's Chino and Mira Loma 220 kV systems, which are comprised of 220/66 kV transformers, 66 kV subtransmission lines, 66/12 kV transformers, and 12 kV distribution lines. The Chino 66/12 kV, Soquel 66/12 kV, Archibald 66/12 kV, and Mira Loma 66/12 kV Substations currently provide electrical service to approximately 37,000 metered customers and are the source substations for the new large residential, commercial, and light industrial developments within the Electrical Needs Area (ENA) with some distributions lines ranging in length from five to seven miles. The existing Chino-Corona-Pedley 66 kV subtransmission line will be the source line for the new Kimball Substation, and will be looped into the proposed substation. The existing lines to be modified are located in either SCE-owned rights-of-way or public street rights-of-way, and modifications include replacement of the existing wood poles with 160 light weight steel (LWS) poles and replacement of the conductor.

3. The Proposed Project

SCE states that the amount of electricity that can presently be delivered into the ENA by the Chino, Soquel, Archibald, and Mira Loma Substations is limited to the maximum amount of electricity that these four substations can transmit before exceeding designed operating limits. The combined electrical capacity of these substations is presently limited to 275 megavolt-ampere (MVA). SCE added capacity to the Archibald Substation in 2007, which will increase the combined operating capacity of these four substations to 311 MVA. SCE states

that general plans and specific plans affecting the ENA indicate that by 2025 there will be approximately 16,000 acres of new residential development consisting of 59,800 new units, 900 acres of new commercial development, and 1,160 acres of new light industrial development. This represents approximately 490 MVA of demand at full build-out by 2025 within the ENA.

Although SCE presently plans to upgrade Mira Loma Substation in 2010 to increase capacity in the ENA, these modifications do not eliminate the need for the Proposed Project because the distribution circuits from Mira Loma Substation as well as from Chino, Soquel, and Archibald Substations to certain areas within the ENA are too long to reliably serve demand. SCE states that areas within the ENA are presently experiencing low voltage conditions caused by long distribution lines. SCE has various plans in place to correct the low voltage conditions but asserts that as the source of electrical demand continues to grow and move further from existing substations, it will be more difficult to maintain Commission-mandated voltage levels.

The distribution lines that serve the ENA originate from Archibald, Chino, Soquel, and Mira Loma Substations. Some of these distributions lines range in length from five to seven miles, which were once sufficient to serve electrical demand in the area when the land was primarily used for agriculture. However, a transition from agricultural communities to residential development in the ENA is affecting SCE's ability to serve growing electrical demand using these long distribution lines.

SCE states that the length of the distribution lines from the source substations to portions of the ENA need to be shorter than the existing five to seven mile long distribution lines in order to accommodate the greater demand. The shorter distribution line length is necessary to maintain adequate voltage

levels at the end of the line and permits electric system operational flexibility. The shorter distribution line lengths allow SCE to transfer load between distribution lines and between substations in response to variations in demand, thereby reducing the possibility of overloading the equipment and its subsequent failure.

When completed, the Proposed Project will ensure that safe and reliable electric service is provided to meet customer electrical demand without overloading the existing electric facilities that supply the ENA by (1) increasing the total transformation capacity available within the ENA, (2) providing enhanced system reliability by locating Kimball Substation in proximity to area of load growth, (3) enhancing operational flexibility by providing the ability to transfer load between distribution lines and substations within the ENA, and (4) meeting projected demand in the ENA.

The Proposed Project includes the following:

1. Construction of a new 66/12 kV substation (Kimball Substation). The proposed Kimball Substation will be constructed on an approximately 2 acre site in the City of Chino, and will be an unmanned, automated, low-profile, 56 MVA 66/12 kV substation.
2. Modification of approximately 6.7 miles of the Chino-Corona-Pedley 66 kV subtransmission line and the construction two new 340-foot long underground circuits to extend the Chino-Corona-Pedley line into the proposed substation. The existing lines to be modified are located in either SCE-owned rights-of-way or public street rights-of-way. Along approximately 5.6 miles of the line, the existing wood poles will be replaced with LWS poles and the conductor will be replaced. Along approximately 1.1 mile of the line, the conductor will be replaced on poles that will have been replaced before construction of the Proposed Project as part of a separate relocation project exempt from General Order

(GO) 131-D. These modifications will form the new Chino-Kimball 66 kV subtransmission line.

3. Addition of a second circuit to an approximately 0.9 mile segment of the existing Archibald-Chino-Corona 66 kV subtransmission line and construction of a new 0.4 mile segment within public street rights-of-way to connect the Chino-Corona-Pedley 66 kV line to the Archibald-Chino-Corona 66 kV line. These modifications will form the new Chino-Cimgen-Kimball 66 kV subtransmission line.
4. Construction of six 12 kV underground circuits extending from the proposed substation to the nearest public street.
5. Installation of new fiber optic cable and communication equipment to connect the proposed Kimball Substation to SCE's existing telecommunication system.

The estimated cost of the project is \$13.3 million.³ The original one-year construction period was scheduled to begin in July 2008 and the originally planned operating date for the Proposed Project was June 2009. However, this schedule was subsequently revised. Construction is now scheduled to begin in September 2009 and SCE plans to begin operating the Proposed Project in June 2010.

4. Notice and Procedural Issues

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 Commission's environmental review and analysis of the Proposed Project. For permits to construct (PTCs), the utility must comply with notice requirements

³ PEA, at 2-2.

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 as determined by the most recent local assessor's parcel roll available to the utility at the time notice is sent; and
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.

SCE represents that it has complied with all applicable notice requirements. The Application itself was noticed in the Commission's Daily Calendar on January 3, 2007. No party filed a protest.

5. Requirements for a PTC

GO 131-D defines an electric "power line" as one designed to operate between 50 kV and 200 kV,⁴ 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 California Environmental Quality Act (CEQA) compliance).⁵ 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;⁶
2. Show compliance with the provisions of CEQA related to the Proposed Project, including the requirement to meet various public notice provisions;⁷ and
3. Describe the measures to be taken or proposed by the utility to reduce the potential for exposure to electric and magnetic fields (EMF) generated by the Proposed Project.⁸

⁴ Section I.

⁵ Section IX.B.1.f.

⁶ Section IX.B.1.

⁷ Section IX.B.2-5.

These requirements are discussed separately below.

6. Proposed Facilities Description

The Application describes the facilities proposed and related costs. SCE included a project description and map in its request.⁹

The Proposed Project will meet the objectives of serving projected electrical demand requirements in the ENA in a cost-effective manner while maintaining electrical system reliability, enhancing operational flexibility and minimizing environmental impact. Other alternatives would require distribution lines greater than five miles in length, resulting in the inability to maintain reliable voltage levels, or overloading the existing circuits that serve the ENA resulting in power outages.

The Application includes a list of governmental agencies that have reviewed the Proposed Project.¹⁰ These agencies include the City of Chino regarding any adverse comments, and the California Native American Heritage Commission regarding the presence of Native American cultural resources.

7. Environmental Review

CEQA requires that the Commission consider the environmental consequences before acting upon or approving the Proposed Project.¹¹ 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

⁸ Section X.

⁹ PEA, Section 3.0.

¹⁰ Application, p. 8.

whole.¹² Here, the Commission is the Lead Agency. The actions and steps taken for environmental review of the Proposed Project, in accordance with GO 131-D and CEQA, are discussed below.

7.1. Proponent's Environmental Assessment

SCE included its PEA with the Application, pursuant to GO 131-D, Section IX.B.1.e.¹³ The PEA evaluates the environmental impacts that may result from the construction and operation of the Proposed Project. SCE's PEA contains a project description in Section 3.0, and maps and diagrams in Figures 1.1 through 6.1.

The PEA concludes that the Proposed Project will have less than significant, or no impact, to all environmental resource categories. Although SCE does not anticipate significant impacts to any resource category, SCE incorporates specific procedures into the project construction plans as an added measure of protection to environmental resources that occur in the area (Applicant's Proposed Measures).¹⁴

We adopt the Applicant's Proposed Measures (APMs) as part of our approval of the Proposed Project, and require SCE to comply with the APMs and the other mitigation measures contained in the Mitigation, Monitoring, Reporting and Compliance Plan discussed below.

¹¹ CEQA Guidelines, Section 15050(b).

¹² CEQA Guidelines, Section 15051(b).

¹³ The PEA was prepared by SCE with portions of the PEA prepared by EPG, Inc. of Phoenix, AZ.

¹⁴ PEA, Appendix H.

7.2. Draft Initial Study/Mitigated Negative Declaration

As the next step in the environmental review, the Commission's Energy Division (Energy Division) reviewed the PEA. On June 21, 2007, the Energy Division informed SCE by letter that the Application was deemed complete for purposes of reviewing environmental impacts, and began preparing an Initial Study (IS). The IS determined the Proposed Project will not have a significant adverse impact on the environment, conditioned on certain mitigation measures.

On April 8, 2009, the Energy Division released for public review a Draft IS/Mitigated Negative Declaration (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 agricultural resources, mineral resources, population and housing, noise, public services, and utilities. 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 aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use planning, and transportation and traffic.

7.3. Mitigation, Monitoring, Reporting and Compliance Plan

As required by CEQA, the Draft IS/MND included a Mitigation, Monitoring, Reporting and Compliance Plan (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. SCE has agreed to and shall comply with each measure and provision of the MMRCP.

The Commission adopts the MMRCPP as part of its approval of the Proposed Project.¹⁵

7.4. Electric and Magnetic Fields

The Commission has examined EMF impacts in several previous proceedings.¹⁶ 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, 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% of the total budgeted project cost that results in an EMF reduction of at least 15% (as measured at the edge of the utility right-of-way).

¹⁵ CEQA Guideline Section 15074(d).

¹⁶ See D.06-01-042 and D.93-11-013.

The Field Management Plan (FMP) contained in the Application,¹⁷ and included as Appendix C in the Final MND, addresses the EMF measures that will be taken in connection with the Proposed Project. As no-cost and low-cost options, SCE will ensure that 66 kV major components in the Kimball Substation meet or exceed the recommended setback distances from the substation fence or property line, and the proposed subtransmission lines supplying the substation will be phased for magnetic field reduction. SCE will also upgrade and install new taller (75-foot) LWS poles to increase the distance of subtransmission lines from the ground, use pole-head configurations with less phase-to-phase distance or circuit-to-circuit distance, and will phase current on those lines for magnetic field reduction. We adopt the FMP for the Proposed Project and require SCE to comply with it.

7.5. Public Notice and Review

On April 8, 2009, the Energy Division published a Notice of Intent to Adopt a MND (NOI), and released the Draft IS/MND for a 30-day public review and comment period.¹⁸

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 May 6, 2009.

¹⁷ Appendix F.

¹⁸ The July 1, 2009 Administrative Law Judge ruling identified, marked and received into the record the IS/Draft MND as Reference Exhibit A.

Comment letters on the Draft IS/MND were received from the California Department of Toxic Substances, the Department of Transportation Division of Aeronautics, the South Coast Air Quality Control Board, the Riverside County Fire Department, the City of Chino, and SCE. Those comments and the Commission's responses to those comments are contained in the Final MND.

7.6. Final MND

A Final MND was prepared pursuant to CEQA guidelines, and released by the Energy Division on June 30, 2009.¹⁹ 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.²⁰ 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

¹⁹ The July 1, 2009 Administrative Law Judge ruling identified, marked and received into the record the Final MND as Reference Exhibit B.

²⁰ CEQA Guideline Section 15004(a).

judgments and analysis.²¹ 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 described therein, and agreed to and incorporated by SCE 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

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 Application and, after considering all of the above requirements, find it complete and in compliance with GO 131-D.

We conclude that granting this PTC is in the public interest and the Application 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

²¹ CEQA Guideline Section 15074(b).

construction of the Proposed Project, SCE must have in place all required permits, easements or other legal authority for the project site.

9. Waiver of Comment Period

No protests were filed to the Application and no hearing was held. Today's decision grants the relief requested in an uncontested matter. Accordingly, pursuant to Rule 14.6(c)(2), the otherwise applicable 30-day period for public review and comment is waived.

10. Assignment of Proceeding

Dian M. Grueneich is the assigned Commissioner and Richard Smith is the assigned Administrative Law Judge in this proceeding.

Findings of Fact

1. SCE's Application for a PTC conforms to GO 131-D.
2. The Proposed Project includes (1) construction of the Kimball Substation, modification of approximately 6.7 miles of the Chino-Corona-Pedley 66 kV subtransmission line; (2) construction of two new 340-foot long underground circuits extending the Chino-Corona-Pedley line into the proposed Kimball Substation; (3) addition of a second circuit to an approximately 0.9 mile segment of the existing Archibald-Chino-Corona 66 kV subtransmission line; (4) construction of a new 0.4 mile segment within public street rights-of-way to connect the Chino-Corona-Pedley 66 kV line to the Archibald-Chino-Corona 66 kV line; (5) construction of six 12 kV underground circuits extending from the proposed Kimball Substation to the nearest public street; and (6) installation of new fiber-optic cable and communication equipment along an existing telecommunications line to connect the proposed Kimball Substation to SCE's existing telecommunication system.

3. The existing lines to be modified are located in either SCE-owned rights-of-way or public street rights-of-way, and include replacement of the existing wood poles with 160 LWS poles and replacement of the conductor.

4. The Proposed Project will improve the reliability of SCE's electric system in the cities of Chino and Ontario and adjacent unincorporated areas in western Riverside County and southwestern San Bernardino County.

5. No protests were filed to the Application.

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

7. 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.

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

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

10. SCE agrees to comply with the mitigation measures described in the Final MND.

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

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

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

14. 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. SCE represents that it has complied with the notice requirements for PTCs described in GO 131-D, Section XI.
2. The Application is uncontested and 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 Field Management Plan) should be adopted in their entirety.
7. Possible exposure to EMF has been reduced by the no-cost and low-cost measures SCE will include in the Proposed Project that are specified in Appendix C of the Final MND, pursuant to D.93-11-013, and D.06-01-042.
8. SCE should obtain all necessary permits, easement rights or other legal authority for the project site prior to commencing construction.
9. SCE's Application for a PTC should be approved, subject to the mitigation measures set forth in the Final MND.
10. The requirement for a 30-day period for public review and comment should be waived, pursuant to Rule 14.6(c)(2).
11. A.06-12-032 should be closed.
12. 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. Southern California Edison Company is granted a Permit to Construct the Kimball Substation Project, including (1) construction of the Kimball Substation, modification of approximately 6.7 miles of the Chino-Corona-Pedley 66 kilovolt subtransmission line; (2) construction of two new 340-foot long underground circuits extending the Chino-Corona-Pedley line into the proposed Kimball Substation; (3) addition of a second circuit to an approximately 0.9 mile segment of the existing Archibald-Chino-Corona 66 kilovolt subtransmission line; (4) construction of a new 0.4 mile segment within public street rights-of-way to connect the Chino-Corona-Pedley 66 kilovolt line to the Archibald-Chino-Corona 66 kilovolt line; (5) construction of six 12 kilovolt underground circuits extending from the proposed Kimball Substation to the nearest public street; and (6) installation of new fiber-optic cable and communication equipment along an existing telecommunications line to connect the proposed Kimball Substation to Southern California Edison Company's existing telecommunication system.

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 Southern California Edison Company's compliance with the mitigation measures set forth in the Final Mitigated Negative Declaration and Mitigation Monitoring, Reporting and Compliance Plan.

5. Southern California Edison Company shall have in place, prior to commencing construction, all of the necessary easements rights, or other legal authority, to the Kimball Substation Project sites.

6. The comment period for today's decision is waived.

7. Application 06-12-032 is closed.

This order is effective today.

Dated July 30, 2009, at San Francisco, California.

MICHAEL R. PEEVEY

President

DIAN M. GRUENEICH

JOHN A. BOHN

RACHELLE B. CHONG

TIMOTHY ALAN SIMON

Commissioners