

Decision 10-05-006 May 6, 2010

**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 Cabrillo-Santa Ynez 115 kV Power Line Reconductoring Project pursuant to General Order 131-D (U39E).

Application 09-07-010  
(Filed July 9, 2009)

**DECISION GRANTING PACIFIC GAS AND ELECTRIC COMPANY  
A PERMIT TO CONSTRUCT THE CABRILLO – SANTA YNEZ  
RECONDITIONING PROJECT**

**1. Summary**

This decision grants Application 09-07-010 by Pacific Gas and Electric Company (PG&E) for a permit to construct the Proposed Project known as the Cabrillo - Santa Ynez 115 kilovolt (kV) Power Line Reconductoring Project (Proposed Project) pursuant to General Order 131-D, between the cities of Lompoc and Buellton, California. In this Application, PG&E asserts that the Cabrillo - Santa Ynez 115 kV Power Line is at risk of deteriorating beyond acceptable reliability levels. Approval of this Application allows PG&E to improve transmission reliability and provide sufficient peak period transmission voltage for over 14,000 customers in western Santa Barbara County. This power line is also one segment of an approximately 80-mile 115 kV transmission loop that serves over 71,000 customers in the general area between Santa Maria, Lompoc, Santa Ynez, and Solvang.

The Proposed Project would:

1. Reconductor, or replace the wires on, approximately 14.1 miles of the existing 14.6-mile-long, single circuit, power line. PG&E proposes to reconductor in place within existing easements rather than to create an entirely new transmission corridor.
2. Replace the existing corroded conductors beginning approximately one half-mile east of Cabrillo Substation and ending at Santa Ynez Switching Station. The new conductors will not change the capacity or the length of the line, but will provide enhanced voltage support.
3. Replace 125 existing wood poles in order to support the new heavier conductors and to meet General Order 95 clearance standards. The new poles will be direct-buried, light-duty steel poles and above ground heights would not change significantly except at two locations where poles would be 5 to 12 feet taller than existing poles in order to provide adequate ground clearance and reduce electro and magnetic fields near residences.

As the Lead Agency for environmental review, we find the Final Mitigated Negative Declaration prepared for this project meets the requirements of the California Environmental Quality Act.<sup>1</sup>

This proceeding is closed.

## **2. Background**

Pacific Gas and Electric Company (PG&E) is an investor-owned public utility providing both electricity and natural gas service in northern and central California. For electricity service, it serves approximately five million customers through an interconnected and integrated system that generates, transmits, and distributes electric energy over a 70,000 square mile service territory.

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<sup>1</sup> Public Resources Code Section 21000, *et seq.*

The Proposed Project is located in western Santa Barbara County. The primary population centers in the project area are Lompoc, with a population of 41,099, and Buellton, with a population of 4,292.<sup>2</sup>

The purpose of the project is to improve the electrical reliability of the Cabrillo - Santa Ynez 115 kilovolt (kV) power line by reconductoring. The power line experienced six line outages due to equipment failure in 2008. Five of these outages were due to deteriorated conductors or insulator failures. The existing 4/0 All Aluminum conductor (AAC) and conductors located along 14.1 miles of the single-circuit power line are corroding, making the line brittle and prone to failure. The primary purpose of the power line upgrade is to prevent future power line failures.

The existing Cabrillo - Santa Ynez power line was upgraded from 70 kV to 115 kV with distribution-style dead-end shoes in 1988. This upgrade cost-effectively provided strength to meet tensioning requirements for this line. Subsequent investigation determined that this style of distribution design causes excessive bending of the conductor. The sharp bends, when exposed to the frequent local winds, create cyclic fatigue in the conductor, resulting in increased failures.

The Cabrillo - Santa Ynez power line is located in a coastal climate. This climate produces foggy and windy conditions throughout the year, which has contributed to the accelerated deterioration of the existing conductors and associated hardware, causing frequent failures. The Proposed Project would

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<sup>2</sup> Population estimates are from 2008 city data referenced at page 3.13.1 of the Draft Initial Study/Mitigated Negative Declaration (IS/MND) prepared by the authors of the

*Footnote continued on next page*

replace aging wood poles with new light-duty steel poles, and outdated or deteriorated hardware with an upgraded conductor, new insulators, and other required hardware along 14.1 miles of the existing power line. The remainder of the approximately 80-mile 115 kV transmission loop that serves over 71,000 customers in the general area between Santa Maria, Lompoc, Santa Ynez, and Solvang does not require reconductoring because it currently uses the new multi-chip model (MCM) AACs.

As well as improving reliability, the Proposed Project will also allow PG&E to meet General Order (GO) 95 clearance standards and to provide sufficient transmission voltage in the area during peak and abnormal operating conditions.

PG&E anticipates the Proposed Project will last approximately 15 months. The schedule proposed is to begin construction in Spring 2010 with a completion date of June 2011.<sup>3</sup>

### **3. The Proposed Project**

The existing line is a 115 kV, single-circuit, 14.6-mile-long power line. The proposed reconductoring on approximately 14.1 miles of this line will not change the capacity or the length of the line.

The existing wood poles with 4/0 AAC conductor will be replaced one-for-one with light-duty steel poles. Other lines, equipment, and utilities such as communications lines that are collocated on the existing poles will be transferred to the new poles.

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IS/MND for the Commission. Project background and specifics of the proposed project are from PG&E's application as well as the Draft IS/MND).

<sup>3</sup> See IS/MND at 2-28.

New poles typically will be located within the existing alignment approximately within five feet from the current location. Pole 70 will be moved approximately 35 feet to remove the pole from the wetland and the known breeding ground of the California tiger salamander (*Ambystoma californiense*) while maintaining satisfactory span length, proper ground clearance, and allowing better year-round access to the pole for operations and maintenance activities.

The existing poles are made of wood. Each new pole installed will be a light-duty steel pole, and will not require foundations. The light-duty steel poles have a surface treatment designed to render the appearance of natural weathering. Tangent poles will be used when the run of poles continues in a straight line. Dead-end poles, which are stronger, will be used at the end of each reel of conductor.

PG&E will use existing standard raptor-safe design for its poles, providing 8.5 feet distance between conductors with an occasional 12 kV underbuild. In areas of underbuild, triangular raptor perch deterrents will be installed.

The new pole heights meet the requirements to accommodate the new conductor sway and suspension style. The light-duty steel poles consist of two sections. The bottom section is approximately 20 feet in total height. The existing poles are 60 to 75 feet in height and are buried approximately 7 to 10 feet into the ground, with a typical height of 50 to 65 feet above ground. The new light-duty steel poles will be buried approximately 11 to 13.5 feet in the ground and will be approximately 49 to 64 feet above ground.

The power line segment being reconducted is 115 kV single-circuit line with some existing underbuild 12 kV distribution; the replacement line will include the underbuild transferred to the new poles.

The existing bare aluminum conductor (three conductors at 4/0 AAC, seven-strand; 0.52-inch-diameter) will be replaced with three new 715 aluminum non-specular type conductor (715 MCM AAC, 0.97-inch-diameter) to address coastal climate deterioration issues and to provide enhanced voltage support.

To optimize operations and maintenance activities, insulators along the entire 14.6-mile line between Cabrillo Substation and Santa Ynez Switching Station will be replaced during construction, thereby creating a consistent age. Workers will climb the poles and replace the insulators or access the insulators from a line truck bucket.

The approximate distance from the ground to the lowest conductor will follow the GO 95 requirements: thoroughfares traversed by vehicles, 30 feet minimum; water crossing less than 20 acres, 27 feet minimum; and highway crossings, 30 feet minimum. As state above, there will be 8.5 feet distance between conductors. Distances between poles (spans) are anticipated to vary between 350 and 780 feet.

No work will be performed on Cabrillo Substation or Santa Ynez Switching Station as part of this Project. A portion of the Cabrillo Substation yard will be used as temporary work area.

#### **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 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 [California Energy Commission], 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.
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 the above applicable notice requirements.

Notice of the Application itself also appeared in the Commission's June 5, 2009 Daily Calendar. On August 3, 2009, the Cloud 9 Vineyards, LLC (Cloud 9 Vineyards) timely filed a protest to the Application on the grounds that Rule 3.12 of the Commission's Rules of Practice and Procedure (Rules) requires the proposed power line to be installed underground and the failure to do so would have an adverse impact on the scenic value of the area.

PG&E replied to Cloud 9 Vineyard's protest on August 27, 2009. PG&E asserts that Rule 3.12, which codifies the rules set by the Commission in Decision (D.) 80864 (74 CPUC 454), applies only to overhead distribution facilities (which operate at less than 50 kV), not to power line projects like the Cabrillo - Santa Ynez 115 kV Proposed Project. Further, the rule applies to future projects, not to a reconducted power line using the existing right of way corridor and not making any changes to the existing visual baseline environment.

We agree with PG&E that the undergrounding requirements of Rule 3.12 do not apply to the Proposed Project due to the size of the Cabrillo - San Ynez power line. Rule 3.12 was developed in D.80864 to implement the directive of Public Utilities Code Section 320, which declares it is "the policy of the 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. . . ." In D.80864, the Commission notes that distribution facilities are generally lines with maximum voltage in the range of 12-33 kVs. Since this decision, the Commission has adopted uniform definitions in GO 131-D namely that a transmission line is a line designed to

operate at or above 200 kV, a power line is a line designed to operate between 50 and 200 kV, and a distribution line is a line designed to operate under 50 kV.”<sup>4</sup>

In addressing the visual impacts of the Proposed Project on the Cloud 9 Vineyards, PG&E asserts that at the protestant’s property, two existing poles will be replaced with new light-duty, direct-buried steel poles that will be similar in appearance, with a slightly smaller diameter and the same height or up to ten feet taller than the existing approximately 55-foot high wooden poles. The IS/MND confirms PG&E’s statements regarding the visual impact on Cloud 9 Vineyards and concludes that “Impacts would be less than significant and no mitigation would be required.”<sup>5</sup>

We therefore find that the Application was properly noticed, and an evidentiary hearing is not necessary in order to address the Rule 3.12 and scenic impact issues raised by Cloud 9 Vineyards in its August 3, 2009 protest.

## **5. Requirements for a PTC**

As discussed above, GO 131-D, Section I, defines an electric “power line” as one designed to operate between 50 and 200 kV. Section III.B of GO 131-D requires utilities to first obtain Commission authorization, in the form of a PTC, before beginning construction of a power line.

Under GO 131-D, Section IX.B.1.f, 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

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<sup>4</sup> GO 131-D, Section 1.

<sup>5</sup> January 2010 draft IS/MND, at 3.1 - 7.

construction methods beyond that required for compliance with the California Environmental Quality Act (CEQA). PTC applications must, however:

- 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 Proponent's Environmental Assessment (PEA). (Section IX.B.1);
- 2) show compliance with the provisions of CEQA (Public Resources Code Section 21000, *et seq.*) related to the proposed project, including the requirement to meet various public notice provisions (Section IX.B.2-5); 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 (Section X).

These requirements are discussed separately below.

## **6. Proposed Facilities Description**

The subject application describes the facilities proposed and includes a map of the project in an attached PEA.

The Proposed Project, located in western Santa Barbara County between the cities of Lompoc and Buellton, involves PG&E reconductoring approximately 14.1 miles of an existing 115 kV power line in order to upgrade outdated or deteriorated hardware on the power line and provide enhanced voltage support. No new easements are required and most of the proposed access routes are located along existing roads currently used for operation and maintenance. While no new roads need to be constructed, portions of some existing roads will need to be re-established through tree trimming, vegetation clearing, and some minor grading. In order to support the heavier conductors being installed, aluminum poles will replace existing wooded poles.

PG&E included a list of governmental agencies that were contacted regarding the project. These agencies include: the United States Army Corps of Engineers, the United States Fish and Wildlife Service, the California Department of Fish and Game, the California Department of Transportation, the California Central Cost Regional Water Quality Control Board, the County of Santa Barbara, the Cities of Lompoc and Buellton, and the Native American Heritage Commission.

## **7. Environmental Review and EMF Compliance**

CEQA requires that the Commission consider the environmental consequences before acting upon or approving the Project.<sup>6</sup> 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 project as a whole.<sup>7</sup> Here, the Commission is the lead agency. The actions and steps taken for environmental review of the Project, in accordance with GO 131-D and CEQA, are discussed below.

### **7.1. Proponent's Environmental Assessment**

Pursuant to GO 131-D, Section IX.B.1.e, the Application must include a PEA. PG&E filed its PEA in this proceeding on July 9, 2009. This PEA describes the environmental setting, regulations, and Applicant Proposed Measures (APMs) for minimizing potential effects and evaluates potential environmental impacts that could result from construction and operation of the Project. With

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<sup>6</sup> California Code of Regulations, Title 14, Chapter 3 (CEQA Guidelines), Section 15050(b).

<sup>7</sup> CEQA Guidelines, Section 15050(b).

implementation of the APMs, the PEA finds that potential impacts would be less than significant. The PEA filed by PG&E contains a project description and maps and diagrams in Section 2.0.

PG&E's APMs were incorporated into the Proposed Project's design and construction plans to minimize potential environmental impacts.

## **7.2. Draft IS/MND**

As the next step in the environmental review, the Commission's Energy Division reviewed the PEA and prepared an Initial Study (IS) to address the environmental issues related to the project. On August 6, 2009, the Energy Division informed PG&E by letter that the Application was deemed complete for purposes of reviewing environmental impacts, and began preparing an IS. Where potentially significant impacts were identified by the IS, additional mitigation measures were added by Energy Division, superseding or supplementing existing APMs to further reduce impacts to a less than significant level.<sup>8</sup>

On January 8, 2010, 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, or a less than significant, environmental impact in the following areas: aesthetics; greenhouse gases; land use; mineral resources; population and housing; public services; recreation; and utilities and service systems.

The Draft IS/MND also found that, with mitigation incorporated, approval of the project would result in no, or less than significant, impacts in the

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<sup>8</sup> See discussion in IS/MND at 2-30 through 2-44.

areas of: agricultural resources; air quality; biological resources; cultural resources; geology and soils; hazards and hazardous materials; hydrology and water quality; noise; and transportation and traffic.

### **7.3. Mitigation Monitoring Plan (MMP)**

As required by CEQA, the Draft IS/MND included a MMP. The MMP 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 MMP 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 MMP. The Commission adopts the MMP as part of its approval of the Proposed Project.<sup>9</sup>

### **7.4. Electric and Magnetic Fields**

The Commission has examined EMF impacts in several previous proceedings.<sup>10</sup> 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.

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<sup>9</sup> CEQA Guideline Section 15074(d).

<sup>10</sup> See D.06-01-042 and D.93-11-013.

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 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).

There are currently no applicable regulations related to EMF levels from power lines or substations. PG&E's proposed Transmission Magnetic Basic Field Management Plan states "there are no feasible no-cost EMF reduction measures that would be implementable for the proposed project"; however, there are low-cost measures that would be applied to priority residential areas.<sup>11</sup> This plan proposes to raise the height of seven poles in the residential land use area by 10 feet. We adopt the proposed Transmission Magnetic Basic Field Management Plan and require PG&E to comply with it.

### **7.5. Public Notice and Review**

On January 8, 2010, 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.

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<sup>11</sup> See Appendix D of PG&E's application, at 4.

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 February 8, 2010.

Comment letters on the Draft IS/MND were received from: the Cultural Preservation Consultant for the Santa Ynez Band of Mission Indians; the Executive Officer for Santa Barbara County; the attorney for applicant PG&E; and the Regional Manager for the California Department of Fish and Game. 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 March 16, 2010. 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, and includes a final version of the MMP.

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. In response to PG&E's comments, three APMs were found to no longer be necessary for the project and, therefore, were removed from the MMP and the Final IS/MND. In response to the California Department of Fish and Game's

comments, Table 3.5-4 in the Draft IS/MND was revised to include the amount and type of special-status species habitat to be impacted by project activities.

Before granting the Application, we must consider the Final MND.<sup>12</sup> 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.<sup>13</sup> 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 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 are identified as reference exhibits A and B, respectively, and will be received into the record of this proceeding. 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

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<sup>12</sup> CEQA Guideline Section 15004(a).

<sup>13</sup> CEQA Guideline Section 15074(b).

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

## **9. Comments on Proposed Decision**

The proposed decision of the assigned Administrative Law Judge (ALJ) in this matter will be mailed to the parties for comment in accordance with Section 311 of the Public Utilities Code and Rule 14.3 of the Commission's Rules of Practice and Procedure. No comments were filed on the proposed decision.

## **10. Assignment of Proceeding**

Dian M. Grueneich is the assigned Commissioner and Christine M. Walwyn is the assigned ALJ in this proceeding.

### **Findings of Fact**

1. PG&E's Application for a PTC conforms to GO 131-D.
2. The Proposed Project would (1) reconductor, or replace the wires on, approximately 14.1 miles of the existing 14.6-mile-long, single circuit, power line; and (2) replace three existing corroded conductors beginning approximately one half-mile east of Cabrillo Substation and ending at Santa Ynez Switching

Station and replace 125 existing wood poles in order to support the new heavier conductors and to meet GO 95 clearance standards.

3. The Proposed Project will use existing easements and access roads.

4. The Proposed Project will improve transmission reliability and provide sufficient peak period transmission voltage for over 14,000 customers in western Santa Barbara County.

5. A protest to the application was timely filed by Cloud 9 Vineyards.

6. The Final MND finds that the visual impact on Cloud 9 Vineyards of the Proposed Project will be less than significant and no mitigation will be required.

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

8. 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.

9. The IS/Draft MND should be identified, marked, and received into the record as Reference Exhibit A and the Final MND should be identified, marked, and received into the record as Reference Exhibit B.

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

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

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

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

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

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

16. 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 represents that it has complied with the notice requirements for PTCs described in GO 131-D, Section XI.

2. Rule 13.2 of the Commission's Rules of Practice and Procedure is not applicable to the Proposed Project.

3. This decision affirms the preliminary categorization of this proceeding as ratemaking and that no evidentiary hearings are necessary.

4. The Commission is the Lead Agency for compliance with the provisions of CEQA.

5. A Draft IS/MND analyzing the environmental impacts of the Proposed Project was processed in compliance with CEQA.

6. A Final MND on the Proposed Project was processed and completed in compliance with the requirements of CEQA.

7. The Final MND (which incorporates the Draft IS/MND and includes the MMP and EMF Field Management Plan) should be adopted in their entirety.

8. Possible exposure to EMF has been reduced by the low-cost measures PG&E will undertake to raise the height of seven poles in the residential land use area by 10 feet.

9. PG&E should obtain all necessary permits, easement rights or other legal authority for the project site prior to commencing construction.

10. PG&E's Application for a PTC should be approved, subject to the mitigation measures set forth in the Final MND.

11. Application 09-07-010 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. Pacific Gas and Electric Company is granted a Permit to Construct the Cabrillo - Santa Ynez Reconditioning Project , including (1) reconditioning the wires on approximately 14.1 miles of the existing 14.6-mile-long, single circuit, power line, (2) replacing three existing corroded conductors beginning approximately one half-mile east of Cabrillo Substation and ending at Santa Ynez Switching Station, and (3) replacing 125 existing wood poles in order to support the new heavier conductors and to meet General Order 95 clearance standards, subject to Pacific Gas and Electric Company's compliance with the mitigation measures set forth in the Final Mitigated Negative Declaration and Mitigation Monitoring Plan.

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 Plan, included as part of the Final Mitigated Negative Declaration, is adopted.

4. Pacific Gas and Electric Company shall have in place, prior to commencing construction, all of the necessary easements rights, or other legal authority, for the Project site.

5. Application 09-07-010 is closed.

This order is effective today.

Dated May 6, 2010, at San Francisco, California.

MICHAEL R. PEEVEY

President

DIAN M. GRUENEICH

JOHN A. BOHN

TIMOTHY ALAN SIMON

NANCY E. RYAN

Commissioners