

Decision 10-09-023 September 23, 2010

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

John S. Davis,

Complainant,

vs.

Southern California Edison Company,

Defendant.

(ECP)

Case 10-02-024

(Filed February 22, 2010)

John S. Davis for himself, Complainant.

Amy Liu for Defendant.

DECISION GRANTING RELIEF

Complainant, John S. Davis, seeks to have Southern California Edison Company (SCE) replace the noisy pad-mounted transformer recently installed in his backyard with a quieter unit. Mr. Davis suggests either the ABB or Cooper Industries models as a replacement transformer. SCE refuses to comply, stating that the current transformer meets all noise standards. Public hearing was held March 30, 2010. We hold in favor of Complainant and order SCE to replace the noisy pad-mounted transformer with a quieter one, at no cost to Complainant.

Mr. Davis testified that SCE's recently installed pad-mounted transformer causes noise inside his house. SCE installed the pad-mounted transformer 13 feet from the wall of his bedroom. The noise can be heard as a hum from his

bed, in his bedroom closet, in two other bedrooms, and down the hall. There were no complaints or problems from 1976 until early 2009 during which time SCE had provided a GE pad-mounted transformer. When the GE transformer began to leak in April 2009, SCE installed a low quality, noisy transformer. Mr. Davis requests that SCE be ordered to install a higher quality and quieter transformer, possibly an ABB model or a Cooper Industries model. The noisy transformer that SCE installed was made by Howard Industries.

Mr. Davis testified that his family has lived at 13336 Rusty Fig Circle, Cerritos, since 1976. He said he and his wife lived with a pad-mounted GE electricity transformer, 13 feet from their master bedroom, in their back yard for 33 years. They had no problems and no complaints; in their bedroom they could not hear the GE transformer. In April 2009, he contacted SCE to report that the GE transformer was leaking. SCE replaced the GE transformer with a Howard Industries unit which made an extremely loud disturbance, creating a nuisance which is unbearable. The Howard transformer was so noisy and loud that an SCE employee stated it could be heard in front of the house near the street. SCE stated it would replace the new transformer with the same model Howard transformer with deadeners applied to the inside of its cover. In June 2009, SCE installed the modified replacement transformer. The second Howard replacement unit was only slightly less noisy than the first and much louder than the original GE. SCE has refused to take any further action.

Mr. Davis said that the GE transformer that they lived with for 33 years made only a light buzzing sound and could not be heard beyond five feet. The Howard Industries transformer makes a different noise, which is a low-tone hum, that can be heard from 50 feet. The Howard unit generates a quiet hum inside his house which is most audible in the closest area of the master bedroom,

13 feet from the transformer. The low-tone hum coming from the Howard unit is clearly audible and very loud compared to the light buzz from the original GE which could not be heard beyond five feet. The pervasive low-tone hum of the replacement transformer is a disturbing nuisance to his family. The low-tone hum is a nuisance and will be adverse to his property's resale value requiring complete disclosure.

SCE's witness testified that the pad-mounted transformer located in Mr. Davis' back yard serves 20 homes in the neighborhood. He said that the initial complaint by Mr. Davis was that the transformer was leaking oil. SCE replaced the original transformer April 16, 2009. This same day, Mr. Davis contacted SCE again, this time to report a humming noise coming from the new transformer. On April 17, 2009, a SCE field engineer conducted an on-site acoustical survey and recorded the noise level of the transformer to be within normal standards. Despite this, in order to satisfy Mr. Davis, in June 2009, SCE replaced the transformer installed on April 16, 2009, with a specially designed low-noise transformer.

SCE's witness said Mr. Davis has continued to complain about noise from the transformer. SCE conducted two additional on-site acoustical surveys, a daytime survey performed on July 9, 2009, between 10:30 a.m. and 12:00 p.m. and a nighttime survey performed on July 30, 2009, between 9:30 p.m. and 10:30 p.m. The survey results show the sound level measurements are within the normal range. SCE field engineers shared the result of the surveys and explained to Mr. Davis that the transformer is operating as expected. Additionally, SCE field engineers discussed alternatives such as relocation, replacement, or concealment to be performed at Mr. Davis' expense. Mr. Davis declined these options.

On March 23, 2010, SCE engineers invited an independent third party vendor, Veneklasen & Associates, to perform two acoustic surveys. The daytime survey was conducted at 11:00 a.m. on March 23, 2010, and the nighttime survey was conducted at 12:30 a.m. on March 24, 2010. The ambient decibel readings outside of the residence were around 45 dbA for both the daytime and nighttime surveys. However, ambient decibel readings inside the residence were significantly lower for both surveys.

SCE's witness testified that to accommodate Mr. Davis' request for a non-standard special order transformer installation, SCE can install the requested pad-mount transformer under the provision of SCE's Tariff Rule 2, Description of Service, Section H, Added Facilities. This tariff provision allows customers to request at their own expense facilities which are above and beyond SCE's standard facilities. For Mr. Davis, the total replacement cost of the non-standard transformer is approximately \$17,990.

The evidence presented by SCE shows the cost of the ABB transformer is \$2,467; the Cooper Industries, \$2,285. A comparable Howard Industries transformer is \$3,023.

Discussion

We will order SCE to replace the Howard Industries pad-mounted transformer in Mr. Davis' backyard with an ABB model or a Cooper Industries model, at no cost to Mr. Davis. SCE replaced a quiet GE transformer with a noisier Howard Industries unit for the convenience of SCE and the inconvenience of Mr. Davis and his family. The transformer in Mr. Davis' backyard serves 20 families which is a convenience for SCE and 19 other families, but an inconvenience for the Davis family. There is no evidence regarding whether the GE transformer was reparable, but to replace it with a transformer

of lesser quality is clearly a degradation of service. The fact that the Howard unit meets minimum noise standards is irrelevant in this instance. Our concern is with the lowering of a standard for SCE's convenience with a concomitant inconvenience for Mr. Davis and his family. After 33 years of quiet, to be told that a similar quiet unit costs \$17,990 is unreasonable. This is especially so when Mr. Davis, who does not benefit, bears the entire cost while 19 families plus SCE benefit at no cost.

O R D E R

IT IS ORDERED that:

1. Southern California Edison Company shall at no cost to Mr. Davis, replace the Howard Industries pad-mounted transformer located in his backyard at 13336 Rusty Fig Circle, Cerritos, California with a pad-mounted transformer, either an ABB or Cooper Industries low noise transformer - 75kVA/120/240/12kV.
2. Case 10-02-024 is closed.

This order is effective today.

Dated September 23, 2010, at San Francisco, California.

MICHAEL R. PEEVEY
President
DIAN M. GRUENEICH
TIMOTHY ALAN SIMON
NANCY E. RYAN
Commissioners

Commissioner John A. Bohn, being necessarily absent, did not participate.