

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE

SAN FRANCISCO, CA 94102-3298

August 27, 2008

TO PARTIES OF RECORD IN CASE 07-06-001 DECISION 08-08-038,
MAILED AUGUST 27, 2008.

On July 25, 2008, a Presiding Officer's Decision in this proceeding was mailed to all parties. Public Utilities Code Section 1701.2 and Rule 15.5(a) of the Commission's Rules of Practice and Procedures provide that the Presiding Officer's Decision becomes the decision of the Commission 30 days after its mailing unless an appeal to the Commission or a request for review has been filed.

No timely appeals to the Commission or requests for review have been filed. Therefore, the Presiding Officer's Decision is now the decision of the Commission.

The decision number is shown above.

/s/ PHILIP S. WEISMEHL for
Angela K. Minkin, Chief
Administrative Law Judge

ANG:rbg

Attachment

Decision 08-08-038

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Lawrence A. Rupprecht,

Complainant,

vs.

Southern California Edison Company
(U338E),

Defendant.

Case 07-06-001
(Filed June 1, 2007)

Lawrence Rupprecht, in pro per, complainant.
Gary Chen, Attorney at Law, for Southern California
Edison Company, defendant.

**PRESIDING OFFICER'S DECISION DISMISSING COMPLAINT AND
ORDERING EXTRAORDINARY RELIEF PURSUANT TO
GENERAL ORDER 95, RULE 12.4**

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**PRESIDING OFFICER'S DECISION DISMISSING COMPLAINT AND
ORDERING EXTRAORDINARY RELIEF PURSUANT TO
GENERAL ORDER 95, RULE 12.4**

1. Summary of Decision

Lawrence Rupprecht (Rupprecht or complainant) seeks to have existing overhead electric facilities to his residence in Cathedral City reconfigured and partially undergrounded. He claims that the existing configuration violates certain provisions of Commission General Order (GO) 95, and that accordingly a secondary pole on his property must be replaced, and a span of wire must be upgraded, at the sole expense of Southern California Edison Company (Edison or defendant), his service provider.

We disagree with complainant's contentions, and we conclude that the complaint must be dismissed. However, as a result of the matters called to our attention by the complaint, we order Edison to inspect and measure the clearance of the secondary line above the residence of complainant's neighbor at 39015 Elna Way. If that clearance fails to comply with the clearance requirement of GO 95, we order Edison to alter or reconstruct the line at its expense in the interest of safety, as provided in Rule 12.4 of GO 95.

The complaint is dismissed and Case 07-06-001 is closed.

2. Procedural History

The complaint was filed June 1, 2007, and timely answered. The assigned administrative law judge conducted a telephonic prehearing conference with the parties on October 30, 2007. The evidentiary hearing (EH), which was initially set for November 29, 2007, was continued to January 14, 2008, at the request of the parties. The EH commenced in Palm Springs on that date. It concluded, and the matter was submitted, on January 15, 2008.

3. Background

Rupprecht is a residential customer of Edison in Cathedral City, a desert community in Riverside County. His residence is on property that was originally Lot 29 of Cathedral Heights Subdivision, the map for which was filed with the county in 1955.

As originally created, Lot 29 was 1.13 acres in area. It was bordered on the north by Valley Vista Drive, on the east by Elna Way, on the south by Lot 28, and on the west by Lot 34. The original subdivision map shows a five-foot-wide public utility easement reserved along the west lot line adjacent to Lot 34, and more recent parcel maps also show that a five-foot-wide easement was created adjacent to the south lot line bordering Lot 28 for a pole line.

By parcel map filed June 5, 1980, Lot 29 was subdivided into Parcel 1 and Parcel 2, with the new north - south property line splitting the lot more or less equally. Parcel 1 was the west half, and Parcel 2, on the north part of which the residence was situated, was the east half. By parcel map filed August 16, 1982, Parcel 2 was subdivided into two lots with the new property line running from a point on the original east lot line on Elna Way to a point on the north-south property line created by the 1980 lot split. Lot 29 has thus been split into three separate parcels since the original subdivision map was filed.

In 1970, a residence, the first to be constructed on Lot 29, was built in the northeast quadrant of that lot before the first subdivision was accomplished. It bears the address 67931 Valley Vista Drive. In anticipation of construction of the house on that parcel, Edison set a secondary pole (1863761E) at a location that is just inside the corner of what is now the parcel where 67931 Valley Vista Drive is located. A span of secondary line was installed from another Pole, 232970S, north to Pole 1863761E, and the service drop for 67931 extended from

Pole 1863761E to the load center of the residence. Pole 232970S is situated on the utility easement on the south side of the most recently created lot, adjacent to Lot 28.

Homes were subsequently built on the two other parcels of Lot 29, the first on the westerly parcel, and the most recent on the southeasterly parcel in 1999. The latter residence, which bears the address 39015 Elna Way, was built beneath the secondary electric line spanning Poles 232970S and 1863761E. All three residences are served by drops from the latter pole, which is located near the junction of the three parcels, near the center of Lot 29. The transformer serving all three houses is mounted on Pole 232970S.

In 2004, Rupprecht purchased 67931 Valley Vista Drive, the house built in 1970 on the northeasterly lot, with the intention of remodeling and reselling it. Rupprecht is a professional handyman with considerable experience in this business.

The original 125 amp load center on the house showed signs of arcing, indicating that it was overloaded and needed to be replaced. Rupprecht decided to upgrade to 200 amp service as part of his work on the house. He also planned to install underground service from Pole 1863761E to the new load center to replace the existing service drop, and he obtained the necessary permit to do this work from Cathedral City.

In August 2005, he installed a new five-ton capacity heating and cooling (HVAC) system to replace the existing one of substantially lower capacity. Initially he connected the new HVAC system to the existing 125 amp load center. He noticed at this time that the lights in the house dimmed whenever the air conditioning started up.

Rupprecht made some preliminary inquiries to Edison about upgrading the electrical system at the house, and in April 2006, Rupprecht contacted Edison about accomplishing the upgrade. He met with Connie Terheggen, Edison's City Planner, and made some adjustments in the plans as a result of the meeting. On April 17, 2006, he delivered right-of-way maps and an application to Terheggen, along with a check for the \$2,000 nonrefundable engineering fee to develop the project design.

On June 2, 2006, Rupprecht received a fax from Terheggen setting forth two alternative options, or scenarios, for accomplishing the planned work. The first would require relocation of the transformer serving his house and the one to the west to a completely different pole on the northwest corner of Lot 29, and undergrounding to both lots at Rupprecht's expense; it also required obtaining an easement from the affected neighbor. The second scenario would require the installation of a new pole, transformer, two handholds, underground secondary, two services and two meters, removal of the wire from Pole 239270S to Pole 1863791E, removal of two overhead services and meters, and removal of Pole 1863791E, but would not involve obtaining an easement from Rupprecht's neighbor, so it was the preferable alternative. Edison's estimate for this work was \$18,498.19, minus the \$2,000 non-refundable engineering fee.

Because Terheggen had verbally indicated a substantially lower estimated cost for the work during their initial meeting, at this point Rupprecht felt "ripped off," according to his testimony. He filed an informal complaint with the Commission's Consumer Affairs Branch on June 13, 2006, about his experience, and about his concern regarding the low clearance of the secondary line above the roof of the Elna Street property.

On July 11, he received a message from Eva Weaver, Edison's Consumer Affairs/Review Manager, to whom his informal complaint had been referred. Her message explained that the existing configuration of overhead lines to the three houses on the subdivided Lot 29 resulted from progressive lot splits, and used prescriptive rights retained by Edison, but that relocation of any of the existing facilities, or conversion to underground lines, would require new easements. She also explained that the financial responsibility for these changes would be Rupprecht's, under Edison tariff Rule 16.F.2.b, Service Extensions; Existing Service Facilities, Service Relocation or Rearrangement. Quoting from that tariff, her message explained that, " 'Any relocation or arrangement of [Edison's] existing service facilities at the request of the Applicant (aesthetics, building additions, remodeling, etc.) and agreed upon by [Edison] shall be performed in accordance with Section D except that the Applicant shall pay [Edison] its total costs.' "

Weaver's message also stated that Edison was investigating the clearance complaint at the Elna house, and would take corrective action if a problem was found. Early on the morning of August 2, 2006, an Edison crew "resagged" (i.e., raised) the line over the Elna house, an event that Rupprecht personally witnessed. Rupprecht, based upon his six-foot stature and his visual estimate of the new clearance, still believes that the roof clearance does not comply with the requirements of the Commission's General Order (GO) 95. Edison claims that it is now fully compliant.

Rupprecht also received a letter from Thomas Ward of the Commission's Consumer Affairs Branch, rejecting his informal complaint and noting that Edison had addressed the clearance problem over the Elna house.¹

In early October 2006, Rupprecht met with Terheggen at his property and obtained Edison's approval for the location of the new load center.² On October 17, Cathedral City inspected and approved the location of the new load center. On the same date, an Edison contractor moved the service line from the old load center to the new 200 amp load center, replacing it with heavier gauge wire. The contractor who accomplished this work commented to Rupprecht that the wires to both poles were "too small," and that Pole 1863791E should be replaced. This comment was apparently the genesis of Rupprecht's present complaint.

Following completion of the rewiring to the new load center, Rupprecht continued to observe that his lights flickered when the air conditioner started. He attributed this problem to the fact that the wiring from Pole 239270S to 1863791E was number 1/0, which he believes is "too small," rather than larger 4/0, which he believes is necessary to accommodate the amperage of the combined load from his house and the two others connected to the secondary line. He reported his observations and recommendations to Terheggen on November 9, 2006.

¹ Rupprecht offered this letter in evidence at the EH, and it was received as Exhibit 14.

² On this occasion, Rupprecht once again broached the subject of undergrounding the line from the existing pole to the new load center. Terheggen explained that if the line were undergrounded, he would have to grant Edison an easement, and there would be a \$500 fee associated with that. At this point, Rupprecht apparently abandoned his effort to have the undergrounding done as part of his own work.

Terheggen promptly responded that Edison would re-analyze his voltage and flicker based on the load he was using, and stated that if those calculations proved that work needed to be done, it would be accomplished as standard maintenance.

On January 8, 2007, Rupprecht appealed the Consumer Affairs Branch's rejection of his informal complaint. On April 2, he received a reply from the Branch, which did not alter its determination. Rupprecht thereafter filed his formal complaint requesting the relief described in the Summary, above.

Edison's efforts to address Rupprecht's concerns continued until shortly before the hearing, so the issues raised by the complaint are somewhat dynamic. These efforts culminated on January 3, 2008, with Edison's replacement of the transformer that serves his home and the others served by the controversial lines. The complaint was not formally amended to conform to the state of the facts at the time of the hearing, but we will deem that such amendment was made and resolve this matter in accordance with our understanding of the issues remaining in contention when the case was submitted on January 15.³

4. Discussion

Rupprecht contends that Edison must replace Pole 1863791E with one that is sound, and must replace the existing 1/0 wire to that pole from Pole 239270S

³ Following submission of the case, the administrative law judge encouraged the parties to continue their efforts to resolve any remaining problems, particularly in light of Rupprecht's testimony that he did not know whether there was a continuing problem with flickering. He testified this was because he had not turned on the air conditioner after the transformer changeout due to the low winter season temperatures. It appears, however, that Rupprecht is holding onto his position that the size of the wires and the condition of the secondary pole violate GO 95, and require remediation at Edison's expense.

with 4/0 wire, because the existing facilities violate pertinent provisions of GO 95. The specific provisions of GO 95 he cited at the EH are Rule 12.1-D (Replacement of Poles); Rule 37, Table 1 (Clearance of Wires above Buildings); and Rule 49.1-A (Detailed Strength Requirements, Poles, Towers and Other Structures). He also urges the Commission to exercise its power to order reconstruction of facilities or alteration of existing lines if, in its opinion, safety or public interest requires, as permitted under Rule 12.4.

4.1. Pole Replacement

Rupprecht's contention that Pole 1863791E must be replaced is based upon its apparent condition.⁴ He offered compelling photographic evidence to support his personal observations. There is obvious weathering at the base, and a longitudinal fissure extends from the ground level a considerable distance up the pole. This fissure is about one inch wide at the base, and one photograph shows a ruler inserted completely through the diameter of the pole near the ground.

Jeremy Edwards, an experienced Edison planner, who visited Rupprecht's property in the company of a pole inspector in November 2007 and witnessed the pole being inspected, testified credibly that the pole was sufficiently sound to accommodate the existing wiring, and that it did not need to be replaced. He acknowledged the existence of the longitudinal crack in the pole, which is referred to as a "freeway." He explained that freeways occur during the manufacturing process, and that they do not significantly affect the structural integrity of a pole because of the manner in which it is manufactured.

⁴ The pole has no crossarms, and is anchored to the ground with two guy wires.

Edwards testified that the pole was fumigated for termites in 2001, showed no signs of hollowing or shell damage, and satisfied Edison's criteria for wind stress on the basis of calculations he made from Edison's manuals. Edison's employees also climbed the pole without concern that it was structurally unsound, and they are trained not to do so if there is any doubt. These facts effectively rebut Rupprecht's claim that the pole requires replacement because of its condition.

4.2. Clearance of the line over the Elna Property

We conclude that Rupprecht has not satisfied his burden of proof that the present clearance violates clearances specified by GO 95, because, neither party offered any testimony about taking an actual measurement of the clearance. By reason of this omission the record is also insufficient to carry out our responsibility of ensuring that Edison is complying with public safety requirements, and we believe that greater verification is required.

Rule 12.4 of GO 95 states, "If, in its opinion, safety ... requires, the Commission may order reconstruction or alteration of existing lines." We will invoke this rule on our own motion as a result of the absence of reliable evidence, and order Edison to inspect and measure the clearance of the secondary line above the residence of complainant's neighbor at 39015 Elna Way. If that clearance fails to comply with the clearance specified by GO 95, we order Edison to alter or reconstruct the line at its expense in the interest of safety, as provided in Rule 12.4.

4.3. "Flicker" and the replacement of the secondary line.

Edison does not dispute Rupprecht's claim that his lights flickered when his new air conditioner started up after he first installed it. However, flicker is

not an indication that his system is “underpowered,” as he claims, and does not demonstrate that the current configuration violates tolerances prescribed by GO 95. Moreover, the evidence is uncertain that the problem of flicker persisted after Edison replaced the transformer on January 3, 2008, less than two weeks before the EH, because Rupprecht did not turn on the air conditioner to test it.

Flicker occurs when a motor load comes on and there is an inrush of current. The capacity of the cable cannot accommodate this inrush of current, and the lights dim momentarily as the inrush occurs. This is the phenomenon that Rupprecht described. By contrast, if a system is “underpowered,” the lights would remain dimmed because the system could not handle the total load, and Rupprecht admitted that this does not occur. If it did, the load would cause observable damage, such as wiring going bad and arcing of the panel, which did not occur after the 200 amp load center was installed.

Edison installed a new transformer and service drop to Rupprecht’s house and upgraded it to 4/0 wire after he complained to the Commission. Edwards testified that these measures compensated for the flicker issue within the allowable range. He also took measurements of the system and calculated the demand. His testimony is that the existing 1/0 wire between the two poles can hold the capacity of the current demand.

Edison does not size its system to potential, but rather to demand – to the amount of amperage that the customer will be using. Based upon amps measured at Rupprecht’s meter and reflected in his monthly bills, Edwards calculated that his current demand is well within system tolerance. He also testified that if these measurements indicate that the system needs to be upgraded, it will be upgraded at the time the need is demonstrated.

Accordingly, our findings are in Edison's favor on this issue, and we conclude that there is no violation of GO 95.

5. Conclusion

Rupprecht has not demonstrated by a preponderance of the evidence that Edison is violating any of the provisions of GO 95 that he cites. He may be competent and knowledgeable about internal electrical circuitry on the homeowner's side, but he has not demonstrated that Edison's facilities at his property are inadequate or unsafe. Edison employees evaluated and addressed his complaints on several occasions. Edison's testimony supports our determination that its facilities comply with GO 95 at this location, subject to reinspection of its line over the Elna property. If the inspection we order reveals that the clearance is non-compliant, Edison must alter or reconstruct the line to correct the problem.

It is not certain at this point that the flicker problem persists at Rupprecht's property. If it does, it is probably true that substituting 4/0 for 1/0 wire on the supply line would provide sufficient capacity – a large enough pipeline, so to speak – to accommodate the current inflow from the new air conditioner and eliminate the phenomenon. Even if some flicker persists, this by itself does not indicate that the system violates GO 95 in any respect. We will not require Edison to reconstruct Rupprecht's system at the expense of other ratepayers, because the need to do so has not been shown.

We will dismiss the complaint, but order extraordinary relief on our own motion, as set forth above.

6. Assignment of Proceeding

Timothy Alan Simon is the assigned Commissioner and Victor D. Ryerson is the Presiding Officer in this proceeding.

Findings of Fact

1. Complainant is a resident of Cathedral City, a desert community in Riverside County. His residence, 67931 Valley Vista Drive, is situated on a parcel that is part of Lot 29 of Cathedral Heights Subdivision, the subdivision map for which was filed with Riverside County in 1955.

2. Defendant is the service provider for complainant's residence. Defendant serves complainant's residence via a secondary line from Pole 232970S to Pole 1863761E, which is situated on complainant's parcel. At the present time complainant receives his electric service via a service drop from Pole 1863761E to the load center on his residence.

3. Lot 29 has been progressively subdivided into three lots since its creation, and a residence has been built on each lot. The residence immediately to the south of complainant's, 39015 Elna Way, was built beneath the secondary electric line spanning Poles 232970S and 1863761E. All three residences are served by drops from Pole 1863761E, which is located near the junction of the three lots, more or less at the center of Lot 29. The transformer serving all three houses is mounted on Pole 232970S.

4. Complainant purchased 67931 Valley Vista Drive, the house on the northeasterly lot, in 2004, with the intention of remodeling and reselling it. He is a professional handyman with considerable experience buying, improving and selling residential properties.

5. At the time he purchased the house, the 125 amp load center showed signs of arcing, indicating that it was overloaded and needed to be replaced. Complainant decided to upgrade to 200 amp service as part of the work of improvement at the house. He also planned to install underground service from

Pole 1863761E to the new load center to replace the existing service drop, and he obtained the necessary permit to do this work from Cathedral City.

6. In August 2005 complainant installed a new five-ton capacity heating and cooling (HVAC) system to replace the existing one, which was of substantially lower capacity. Initially, he connected the new HVAC system to the existing 125 amp load center. He noticed at that time that the lights in the house dimmed whenever the air conditioning started up.

7. In early October 2006, complainant met with Edison's City Planner, Connie Terheggen, at his property and obtained Edison's approval for the location of the new load center. On October 17, Cathedral City inspected and approved the location of the new load center. On the same date, an Edison contractor moved the service line from the old load center to the new 200 amp load center, replacing it with heavier gauge wire. The contractor who accomplished this work commented to complainant that the wires to both poles were "too small," and that Pole 1863791E should be replaced.

8. Following completion of the new load center's rewiring, complainant continued to observe that his lights flickered when the air conditioner started. He attributed this problem to the fact that the wiring from Pole 239270S to Pole 1863791E was number 1/0, which he believes is "too small," rather than larger 4/0, which he believes is necessary to accommodate the amperage of the combined load from his house and the two others connected to the secondary line. He reported his observations and recommendations to Terheggen on November 9, 2006.

9. Terheggen promptly responded that Edison would re-analyze his voltage and flicker based on the load he was using, and stated that if those calculations

proved that work needed to be done, it would be accomplished as standard maintenance.

10. After complainant failed to obtain a result from Edison that was satisfactory to him, he filed this formal complaint. An evidentiary hearing was set for January 14, 2008.

11. In early November, 2007, complainant met with Jeremy Edwards, Edison's new City Planner for Cathedral City, and a pole inspector to inspect and discuss his concerns about the condition of Pole 1863761E. The inspector tested the pole for hollowness and shell damage by striking the pole with a hammer, and concluded that the pole showed no signs of such damage. Edwards ran calculations to determine whether Pole 1863791E satisfied all temperature and loading factor criteria and met stress factors to which the pole was subjected. Edwards' calculations indicated that the pole satisfied all such criteria.

12. Edison continued to make efforts to address complainant's concerns until January 3, 2008, on which date Edison replaced the transformer that serves his home and the others served by the secondary line between Pole 239270S and Pole 1863791E.

13. Although the issues have evolved since complainant first discussed his plans with Edison, his contentions at the time of the hearing were that the secondary wire violates provisions of GO 95 because it is of insufficient gauge, causing his lights to flicker when the air conditioner turns on; that Pole 1863791E violates provisions of GO 95 because its condition is unsound; and that the wire over the Elna house violates the clearance requirements of GO 95 because it is too close to the roof. The relief he seeks is replacement of the secondary wire from Pole 239270S to Pole 1863791E with 4/0 wire, which is heavier than the existing wire; replacement of Pole 1863791E, particularly if it must accommodate

the heavier 4/0 wire; and correction of the clearance of the wire above the Elna house because it poses a safety hazard.

14. Flicker occurs when a motor load comes on and there is an inrush of current. If the capacity of the cable cannot accommodate this inrush of current, the lights dim momentarily as the inrush occurs. This is the phenomenon of which Rupprecht complains. By contrast, if a system is “underpowered,” the lights remain dimmed because the system cannot handle the total load. Rupprecht admits that this does not occur at his residence.

15. If a system is underpowered, the load causes observable damage, such as wiring going bad and arcing of the panel, which has not occurred since Rupprecht installed the 200 amp load center at his residence. Moreover, it is uncertain whether flicker has continued since Edison replaced the transformer on complainant’s service line on January 3, 2008. Even if it does persist, flicker is not necessarily an indication that complainant’s system is underpowered, and does not demonstrate that a local supply configuration violates tolerances prescribed by GO 95.

16. Complainant’s contention that Pole 1863791E must be replaced is based solely upon his visual observation of its condition. Specifically, there is obvious weathering at the base of the pole, and a longitudinal fissure extends from the ground level up a considerable distance. This fissure is about one inch wide at the base, and extends completely through the diameter of the pole near the ground.

17. The existence of a longitudinal crack in a utility pole is referred to as a “freeway” by utility companies. Freeways occur during the manufacturing process, and do not significantly affect the structural integrity of a pole because of the manner in which the pole is manufactured.

18. Pole 1863791E was fumigated for termites in 2001, and showed no signs of hollowing or shell damage upon testing in early November 2007 by Edison. Edison's employees also climbed the pole without concern that it was structurally unsound, and they are trained not to do so if there is any doubt. Calculations performed by an experienced Edison City Planner indicate that Pole 1863791E meets all temperature and loading factor criteria and satisfy stress factors and modulus of rupture requirements relied upon by Edison in its system design.

19. There is no evidence in the record concerning any actual measurement taken by either party of the clearance of the line above the Elna property.

Conclusions of Law

1. Complainant has not cited a specific section of GO 95 that he relies upon in asserting that his wiring is "underpowered" because of the occurrence of flicker.

2. Based upon the evidence before us we cannot conclude that complainant's wiring violates any provision of GO 95.

3. We conclude that the wood pole in question satisfies temperature and loading factors under GO 95 Rule 43, and safety and modulus of fracture requirements under Rule 44 and Rule 48.1, by reason of the facts stated in Findings of Fact 17 and 18. On this basis we conclude that complainant has not satisfied his burden of proof that the condition of Pole 1863791E violates any provision of GO 95.

4. We conclude that complainant has not satisfied his burden of proof that the present clearance violates the clearance requirement specified by GO 95.

5. Neither party offered any testimony about taking an actual measurement of the clearance. Conclusion of Law 4 therefore does not adequately serve the purpose of carrying out our responsibility to ensure that Edison is complying

with public safety requirements. Consequently, verification of the clearance is required.

6. Pursuant to Rule 12.4 of GO 95, the Commission may order reconstruction or alteration of existing lines and it is reasonable to invoke this rule on our own motion because of the uncertainty of the evidence.

7. It is reasonable to order Edison to inspect and measure the clearance of the secondary line above 39015 Elna Way, and report its observation to complainant and the Commission.

8. If the clearance fails to comply with the clearance specified by GO 95, it is reasonable to order Edison to alter or reconstruct the line at its expense in the interest of safety, as provided in Rule 12.4.

O R D E R

IT IS ORDERED that:

1. Pursuant to Commission General Order (GO) 95, Rule 12.4, Southern California Edison Company (Edison) shall, within 30 days of the effective date of this Order, inspect and measure the clearance of the secondary line above the residence at 39015 Elna Way, Cathedral City, and report its findings in writing to Lawrence A. Rupprecht, to the owner of the subject property, and to the assigned commissioner and the assigned administrative law judge. If that clearance fails to comply with any requirement of GO 95, Edison shall immediately alter or reconstruct the line at its sole expense so that it complies with all applicable clearance requirements.

2. Except as provided under the preceding paragraph, relief is denied and Case 07-06-001 is closed.

This order is effective today.

Dated August 26, 2008, at San Francisco, California.