

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**



FILED
05/03/21
04:59 PM

Order Instituting Rulemaking to Consider Revisions to)
Electric Rule 20 and Related Matters.)
Rulemaking 17-05-010)
(Filed May 11, 2017))
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**JOINT REPLY COMMENTS OF CITY OF ANAHEIM PUBLIC UTILITIES
DEPARTMENT AND CALIFORNIA MUNICIPAL UTILITIES ASSOCIATION ON
THE PROPOSED PHASE 1 DECISION REVISING ELECTRIC RULE 20 AND
ENHANCING PROGRAM OVERSIGHT**

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Dated: May 3, 2021

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In accordance with Rule 14.3 of the Rules of Practice and Procedure of the California Public Utilities Commission (“Commission”), the City of Anaheim Public Utilities Department (“APU”) and the California Municipal Utilities Association (“CMUA”) (collectively “Joint POU”) respectfully submit these reply comments on the proposed *Phase 1 Decision Revising Electric Rule 20 and Enhancing Program Oversight* (“Proposed Decision”), dated April 7, 2021.¹

I. COMMENTS

A. The Joint POU’s Agree that Telecommunications Undergrounding Rules and Cost Allocation Should be Addressed in Phase 2.

The Joint POU’s strongly support undergrounding of all infrastructure, including electric and telecommunications facilities. As many commenters noted in opening comments, undergrounding provides a number of additional benefits beyond aesthetics.² Among other benefits, undergrounding improves traffic safety by removing poles that impede visibility or

¹ Pursuant to Rule 1.8(d), CMUA authorizes APU to sign and file these comments on their behalf.

² See City of Chula Vista Opening Comments at 3; City of Berkeley Opening Comments at 3; Laguna Beach Opening Comments at 3; Los Angeles County Opening Comments at 3.

have a history of vehicle-pole collisions, and enhances safety by removing poles and wires that may impede evacuation routes.³ Undergrounding in fire threat zones also reduces instances of Public Safety Power Shutoff, and maintains cell towers in service to relay evacuation orders and emergency service calls that may otherwise be exposed to wildfires damaging the fiber optics cables on overhead poles that provide backbone network connectivity. However, these benefits are not met by undergrounding electric facilities while telecommunications infrastructure remains above ground on topped poles. In order to improve the undergrounding rules and achieve the greatest public benefit of undergrounding, it is important that the Commission address telecommunications undergrounding rules in this proceeding.

In opening comments the California Cable & Telecommunications Association (“CCTA”), and AT&T and Frontier (“Joint Parties”) request that the Commission address telecommunications funding mechanisms for undergrounding in Phase 2 of this proceeding.⁴ While the Joint POU’s do not agree with the Joint Parties’ cost recovery proposals, the Joint POU’s agree with the request to include this issue in Phase 2.⁵ However, funding of telecommunications undergrounding should be considered only as part of a broader consideration of telecommunications undergrounding rules. As the Joint POU’s stated in opening comments, the complementary connection between Rule 20 and telecommunications undergrounding rules has long been acknowledged by the Commission and the continued

³ *Id.*

⁴ *See* CCTA Opening Comments at 1-2; Joint Parties Opening Comments at 3.

⁵ Joint Parties Opening Comments at 3.

disparity between electric undergrounding rules and telecommunications undergrounding rules will continue to act as a barrier to completing undergrounding projects.⁶

Additionally, CCTA claimed in opening comments that the Proposed Decision does not accurately describe telecommunications entities' undergrounding programs.⁷ This illustrates the lack of clarity and transparency of the telecommunications undergrounding rules and the divide that exists between telecommunications undergrounding and Rule 20. The Joint POU, therefore, request that the Commission address all aspect of the telecommunications undergrounding rules, including consistency with Rule 20, to help ensure that undergrounding projects can be completed, with all poles and infrastructure removed, in a timely manner.

B. The Joint POU, Agree that the Commission Should Address an Alternative to Support Undergrounding Projects Before Discontinuing New Work Credits.

The Joint POU agree with commenters that the Proposed Decision's determination to discontinue the allocation of new work credits after December 31, 2022 effectively sunsets the Rule 20A program.⁸ The Joint POU further agree with party comments that the allocation of new work credits should continue until the Commission has adopted a feasible alternative.⁹ Eliminating the allocation of new work credits after December 31, 2022 without establishing an alternative to the Rule 20A program creates uncertainty affecting the future of undergrounding

⁶ Joint POU Opening Comments at 2; *See also* Program Review: California Overhead Conversion Program, Rule 20A for Years 2011-2015, at 8; Order Instituting Rulemaking to Consider Revisions to Electric Rule 20 and Related Matters at 12 (“The staff report also observes that there is a need for additional coordination between electric and telecommunications companies on conversion projects, a subject envisioned for Phase 2 of R.00-01-005.”); D.01-12-009.

⁷ *See* CCTA Opening Comments at 3.

⁸ *See* Chula Vista Opening Comments at 3; City of Berkeley Opening Comments at 3; City of Hayward Opening Comments at 2; City of San José Opening Comments at 4; League of California Cities Opening Comments at 3, San Diego Gas & Electric Company Opening Comments at 2; San Luis Obispo Opening Comments at 3.

⁹ *See* California State Association of Counties Opening Comments at 3; Chula Vista Opening Comments at 4; Laguna Beach Opening Comments at 2.

for both ongoing and planned future projects. In order to avoid this uncertainty, as well as stranded undergrounding projects, the Commission should continue the allocation of new work credits until alternative options have been fully addressed in this proceeding.

II. CONCLUSION

The Joint POU's thank the Commission for its consideration of the matters addressed herein.

Dated: May 3, 2021

Respectfully submitted,

_____/s/_____

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