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ATTACHMENT A
General Order 131-D (Redlined)

GENERAL ORDER NO. 131-~~DE~~
(Supersedes General Order No. 131-~~ED~~)

PUBLIC UTILITIES COMMISSION OF THE
STATE OF CALIFORNIA

RULES RELATING TO THE PLANNING AND CONSTRUCTION OF ELECTRIC
GENERATION, TRANSMISSION/POWER/DISTRIBUTION LINE FACILITIES, AND
SUBSTATIONS LOCATED IN CALIFORNIA.

Adopted ~~June 8, 1994. Effective July 8, 1994.~~
~~[DATE] by Decision 94-06-014 [XX-XX-XXX]~~
~~Modified August 11, 1995. Effective September 10, 1995.~~
~~Decision 95-08-038~~
~~Modified December 14, 2023. Effective December 14, 2023.~~
~~Decision 23-12-035~~

SECTION I. GENERAL

Pursuant to the provisions of Sections 451, 564, 701, 702, 761, 762, 768, 770, 1001 and
1001.1 of the Public Utilities Code:

IT IS HEREBY ORDERED that except as specifically provided herein, no electric public
utility, now subject, or which hereafter may become subject, to the jurisdiction of
~~this~~ the California Public Utilities Commission ~~(Commission)~~, shall begin
construction in this state of any new electric generating plant, or of the modification,
alteration, or addition to an existing electric generating plant, or of electric
transmission/power/distribution line facilities, or of new, upgraded, or modified
substations or switchyards without first complying with the provisions of this
General Order.

For purposes of this General Order, ~~a~~ the following definitions shall apply:

A. A "transmission line" is a line designed to operate at or above 200
kilovolts (kV).-

B. A "power line" is a line designed to operate between 50 and 200 kV.-

~~A.C.~~ A "distribution line" is a line designed to operate under 50 kV.

D. ~~→~~ "Construction" does not include the following, so long as that work
does not result in a serious or major disturbance to an environmental
resource: (1) installation of environmental monitoring equipment; (2)

soil or geological investigation; or (3) work to determine the feasibility of the use of the site for the proposed facilities.

E. An “existing electrical transmission facility” is an electrical transmission line, power line, substation, or switchyard that has been constructed for operation at or **above** 50 kV.

F. An “extension” is:

1. An increase in the length of an existing electrical transmission facility within existing transmission easements, rights-of-way, or franchise agreements; or

2. One of the following types of projects:

a. Generation tie-line (gen-tie) segments, i.e., the construction of a new transmission or power line from an existing electrical transmission facility to connect to a new electric generation facility; or

b. Substation loop-ins, i.e., looping one or more existing transmission lines into and out of a new California Independent System Operator (CAISO)-approved substation.

G. An “expansion” is an increase in the width, capacity, or capability of an existing electrical transmission facility, including but not limited to the following types of projects:

1. Rewiring or reconductoring to increase the capacity of an existing transmission line.

2. Expanding the load carrying capacity of existing towers.

3. Converting a single-circuit transmission line to a double-circuit line.

H. An “upgrade” is the replacement or alteration of existing electrical transmission facilities, or components thereof, to enhance the rating, voltage, capacity, capability, or quality of those facilities, including but not limited to the following types of projects:

1. Reconductoring existing transmission or power lines to use conductors with greater power transfer capability and/or increased voltage levels, where the reconductoring requires replacement of the existing supporting structures.

2. Adding smart grid capabilities or aboveground **wildfire hardening** equipment to an existing transmission or power line.

3. Installing new mid-line series capacitors on a transmission or

power line to support an increase in the power transfer capability of the line.

- I. A “modification” is a change to an existing electrical transmission facility or equipment without extending or expanding the physical footprint of the facility.
- J. “Equivalent facilities or structures” are new transmission line or power line facilities or supporting structures that are installed to replace existing transmission line or power line facilities or supporting structures, or new substation or switchyard facilities or equipment that are installed to replace existing substation or switchyard facilities or equipment, and that provide power at no greater voltage than the facilities or structures being replaced.
- K. “Accessories” are transmission line, power line, substation, or switchyard equipment required for the safe and reliable operation of the transmission system, including but not limited to switches, connectors, relays, real-time monitoring equipment (e.g., telemetry, SCADA), communications and weather monitoring equipment, fiber optic grounding wires, and control cabinets.

SECTION II. PURPOSE OF THIS GENERAL ORDER

The Commission has adopted ~~these revisions to~~ this General Order to be responsive to:

- The requirements of the California Environmental Quality Act (CEQA) (Public Resources (Pub. Res.) Code § 21000 et seq. ~~and~~), Senate Bill No. 529 (Hertzberg), Stats. 2022, Assembly Bill No. 1373 (Garcia), Stats. 2023, Assembly Bill No. 2292 (Petrie-Norris), Stats. 2024, and Assembly Bill No. 551 (Bennett), Stats. 2024;
- ~~the~~The need for public notice and the opportunity for affected parties to be heard by the Commission; and
- ~~the~~The obligations of the utilities to serve their customers in a timely and efficient manner; ~~and~~

- ~~the need to replace the present complaint treatment of under-200-kV projects with a new streamlined review mechanism.~~

SECTION III. NEED FOR COMMISSION AUTHORIZATION

~~For purposes of this General Order, construction does not include any installation of environmental monitoring equipment, or any soil or geological investigation, or work to determine feasibility of the use of the site for the proposed facilities, which do not result in a serious or major disturbance to an environmental resource.~~

A. Certificate of Public Convenience and Necessity (CPCN)

1. No electric public utility shall begin construction in this state of any ~~of the following without first obtaining a certificate of public convenience and necessity (CPCN) from the Commission:~~

a. A new electric generating plant having in aggregate a net capacity available at the busbar ~~in excess of~~ more than 50 megawatts (MW), ~~or of the~~.

b. The modification ~~of~~, alteration ~~of~~, or addition to an existing electric generating plant that results in a 50 MW or more net increase in the electric generating capacity available at the busbar of the existing plant, ~~or of major~~ Major electric.

~~a.c.~~ Electric transmission line facilities which are designed for immediate or eventual operation at 200 kV or more - (except for the replacement of existing ~~power~~ transmission line facilities or supporting structures with equivalent facilities or structures, the minor relocation of existing ~~power~~ transmission line facilities, the conversion of existing overhead lines to underground, or the placing of new or additional conductors, insulators, or their accessories on or replacement of supporting structures already built) ~~without this Commission's having first found that said facilities are necessary to promote the safety, health, comfort, and convenience of the public, and that they are required by the public convenience and necessity, and instead~~.

2. The following project types, even if involving a transmission line, do not require a CPCN. In lieu of ~~complying with Section III.A, filing~~ an ~~electric public utility is~~ application to obtain a CPCN, utilities are authorized to file a permit to construct application or claim an exemption for these project types under

Section III.B ~~to construct an:~~

- a. An extension, expansion, upgrade, or other modification to an electric public utility's existing electrical transmission facilities, ~~(including electric transmission lines and substations, and switchyards)~~ within existing transmission easements, rights of way, or franchise agreements, irrespective of whether the electrical transmission facility is above a 200-kV voltage level.

B. Permit to Construct (PTC)

1. No electric public utility shall begin construction in this state of any of the following without first obtaining a PTC from the Commission:
 - a. Any electric power line facilities ~~or~~ substations, or switchyards which are designed for immediate or eventual operation at any voltage between 50 kV and 200kV ~~or new;~~
 - b. New or upgraded substations or switchyards with high side voltage exceeding 50 kV ~~without this Commission having first authorized the construction of said;~~ or
 - a.c. The extension, expansion, upgrade, or other modification of existing electrical transmission facilities by issuance of a permit to construct, except where exemptions apply as specified in accordance with the provisions of Sections IX Section III.B, X, 2 and XI.B of this General Order. An upgraded substation is one in which there is an increase in substation land area beyond Section III.C.1, or where the existing utility-owned property or an increase in the voltage rating of the substation above 50 kV. Activities which increase the voltage of elects to file a substation CPCN application pursuant to the voltage for which the substation has been previously rated are deemed to be substation modification projects and not substation upgrade projects Section III.A.
2. Notwithstanding Section III.B.1, ~~Compliance with Section IX.Ba~~ PTC is not required for:
 - a. ~~power line facilities or substations with an in-service date occurring before January 1, 1996, which have been reported to the Commission in accordance with the Commission's decision adopting GO 131-D.~~
 - a. ~~the~~ The replacement of existing power line facilities or supporting structures, or existing substation facilities or equipment, with equivalent facilities or structures.

- b. ~~the~~The minor relocation of existing power line facilities up to 2,000 feet in length, or the intersetting of additional support structures between existing support structures.
 - c. ~~the~~The conversion of existing overhead lines to underground.
 - d. ~~the~~The placing of new or additional conductors, (including advanced conductors), insulators, or their accessories on supporting structures already built.
 - e. ~~power~~Power lines ~~or~~, substations, or switchyards to be relocated or constructed which have undergone environmental review pursuant to CEQA as part of a larger project, ~~and for which the final CEQA document (Environmental Impact Report (EIR) or Negative Declaration) finds no significant unavoidable environmental impacts caused by the proposed line or substation.~~
 - f. ~~power~~Power line facilities ~~or~~, substations, or switchyards to be located in an existing franchise, road-widening setback easement, or public utility easement; or power line facilities, substations, or switchyards in an existing right-of-way (ROW), fee-owned property, or other property on which a public utility has a legal right to operate existing power line facilities, substations, or switchyards; or power line facilities, substations, or switchyards in a utility corridor designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. ~~for which a final Negative Declaration or EIR finds no significant unavoidable environmental impacts.~~
 - g. The construction of projects that are categorically exempt pursuant to § 15300 et seq. of the Guidelines adopted to implement CEQA, 14 California Code of Regulations § 15000 et seq. (CEQA Guidelines). ~~containing or in a utility corridor~~
 - h. The construction of projects that are statutorily exempt pursuant to § 15260 et seq. of the CEQA Guidelines.
3. The PTC exemptions cited in III.B.2 (a) through (f) shall not apply when there is reasonable possibility that the activity may impact an environmental resource of hazardous or critical concern pursuant to § 15300.2(a) of the CEQA Guidelines where designated, precisely mapped and officially adopted pursuant to law by federal, state, or local agencies. The PTC exemption cited in III.B.2 (g) shall not apply when a project is categorically exempt pursuant to §§ 15303, 15304, 15305, 15306, or 15311 of the CEQA Guidelines and there is reasonable possibility that the activity

may impact an environmental resource of hazardous or critical concern pursuant to § 15300.2(a) of the CEQA Guidelines where designated, precisely mapped and officially adopted pursuant to law by federal, state, or local agencies ~~for which a final Negative Declaration EIR, MND, or EIRND finds no significant unavoidable environmental impacts.~~

~~4. the construction of projects that are statutorily or categorically exempt pursuant to § 15260 et seq. of the Guidelines adopted to implement the CEQA, 14 Code of California Regulations § 15000 et seq. When a PTC is not required based on the exemptions above~~ However foregoing, notice of the proposed construction ~~of such facilities~~ must be made in compliance with Section ~~XIVIII~~.B herein below, except that ~~such notice is not required for~~ notice of the proposed construction of projects that are statutorily or categorically exempt pursuant to the CEQA Guidelines must be reported to the ~~construction of projects that are statutorily or categorically exempt pursuant to CEQA Guidelines. made in annual reports and quarterly briefings~~ If Commission's Energy Division staff as described in Section IV.

~~4.5.~~ If a protest of the construction of facilities claimed by the utility to be exempt from compliance with Section ~~IXVIII~~.B is timely filed pursuant to Section ~~XIIIX~~, construction may not commence until the Executive Director or Commission has issued a final determination.

~~2. The foregoing exemptions shall not apply when any of the conditions specified in CEQA Guidelines § 15300.2 exist:~~

- ~~a. there is reasonable possibility that the activity may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped and officially adopted pursuant to law by federal, state, or local agencies; or~~
- ~~b. the cumulative impact of successive projects of the same type in the same place, over time, is significant; or~~
- ~~e. there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.~~

C. Electric Distribution Lines and Other Substations Projects

1. The ~~Notwithstanding Section III.A or Section III.B,~~ construction of ~~electric~~ Electric distribution (under 50 kV) the following does not require the issuance of a CPCN or PTC by this Commission nor discretionary permits or approvals by local governments.

- a. Distribution line facilities;
- b. New, expanded, or upgraded substations or switchyards with a high side voltage under 50 kV, ~~or;~~
- c. Substation or switchyard modification projects which do not result in an expanded, extended, or upgraded substation or switchyard; or
- d. Substation or switchyard upgrade or modification projects which increase the voltage of an existing substation or switchyard to the voltage for which the substation or switchyard has been previously rated within the existing substation or switchyard boundaries, ~~does not require the issuance of a CPCN or permit by this Commission nor discretionary permits or approvals by local governments. However~~

~~1.2.~~ For projects described in Section III.C.1., to ensure safety and compliance with local building standards, the utility must first communicate with, and ~~obtain~~request the input of, local authorities regarding land use matters and obtain any non-discretionary local permits required for the construction and operation of these projects.

~~SECTION V. UTILITY REPORT OF LOADS AND RESOURCES~~

~~Every electric public utility required to submit a report of loads and resources to the California Energy Commission (CEC) in accordance with Section 25300 et seq. of the Public Resources Code shall also furnish an electronic copy of its report to the Public Utilities Commission.~~

SECTION IV. UTILITY ~~REPORT OF~~ REPORTING ON PLANNED TRANSMISSION/ POWER LINE, AND SUBSTATION FACILITIES

A. ~~Every electric public utility shall annually~~Each year, on or before ~~March 1,~~furnish July 31, every electric public utility, including independent transmission owners, shall submit to the ~~Commission's~~ Energy Division (~~Energy Division~~) an electronic copy of a ~~fifteen \$1 million that year~~

~~(15) forecast of, for~~report on all planned transmission ~~facilities of 200 kV or greater and a five-year (5) forecast of planned~~ line, power line, substation, ~~and/or switchyard facilities and substations of between 50 kV and 200 kV.~~facility projects that have cost or are projected to cost over \$1 million, and that had capital expenditures in the prior five years or will have capital expenditures in the next four years:

1. The annual report shall include:

- ~~1. A list of transmission, power lines, and substations, arranged in chronological order by the planned service date, for which a CPCN or a permit to construct has been received, but which have not yet been placed in service.~~
 - ~~2. A list of planned transmission, power lines, and substations of 50 kV or greater or planning corridors, arranged in chronological order by the planned service date, on which proposed route or corridor reviews are being undertaken with governmental agencies or for which applications have already been filed.~~
 - ~~3. A list of planned transmission, power lines, and substations of 50 kV or greater or planning corridors, arranged in chronological order by the planned service date, on which planning corridor or route reviews have not started, which will be needed during the forecast periods.~~
- ~~B. For each transmission or power line route, substation, or planning corridor included in the above lists, the following information, if available, shall be included in the report:~~
- ~~1. Planned operating date.~~
 - a. Project name, including any other past or current names used;
 - b. Location, including all cities and counties included in the scope of the project;
 - c. Project description: A general overview of the project;
 - a.d. Transmission or power line name, names, and/or substation and switchyard names;
 - ~~2. The terminal points (substation name and location):~~
 - e. Transmission project size (length in miles);
 - f. Substation or switchyard project footprint (acres);
 - b.g. Number of circuits;
 - ~~c. Voltage — kV.~~
 - h. Normal Transmission voltage level (kV);
 - d.i. Substation or transformer capacity (MVA) under normal and emergency continuous contingency operating ratings — MVA levels;
 - ~~3. Length in feet or miles.~~
 - j. Estimated cost in dollars as of the CAISO year the PUCFT (year when approved by CAISO, if applicable);
 - k. Commission filing type (CPCN, PTC, Advice Letter, or if expected or found to be categorically or statutorily exempt from CEQA pursuant to Section III.B.2, or projects for which the utility did not file an application pursuant to the criteria in Section III.A.1.c);
 - l. Commission application file date;

- m. Commission application approval date;
- n. Construction start date;
- o. Original planned in-service date;
- p. Current projected or actual in-service date;
- q. Reason for change in in-service date;
- r. Year and actual dollars put into FERC-jurisdictional rate base (\$000); and
- s. Year and actual dollars put into Commission-jurisdictional rate base (if applicable).

2. This report is ~~filed~~ expected to be separate and distinct from the Transmission Project Review (TPR) Process reports first required by Resolution E-5252. However, for entities that participate in the TPR Process, the latest TPR data deemed compliant by the Commission's Energy Division (Energy Division) shall be used to complete this report.

~~4. Cities and counties involved.~~

~~5. Other comments.~~

~~SECTION VI. UTILITY REPORT OF INFORMATION REGARDING FINANCING OF NEW ELECTRIC GENERATING AND TRANSMISSION CAPACITY~~

~~Every electric public utility shall biennially, on or before June~~

~~B.~~ On a quarterly basis, every electric public utility, including independent transmission owners, shall organize a meeting with the Energy Division, unless Energy Division staff confirm in writing that such a meeting is not needed. At that meeting, the utility will present a briefing that includes the following:

- 1. A forecast of all transmission line, power line, substation, and/or switchyard facility projects over \$1 ~~of every odd numbered year~~ million that will have any capital expenditures in the current year and/or four future years, including CAISO-approved projects and non-CAISO approved projects.
- 2. A forecast of any CPCN or PTC applications or advice letters expected to be submitted within the following two years, including expected filing dates.
- 3. A list of all projects expected to be determined to be categorically or statutorily exempt from CEQA pursuant to Section III.B.2.
- 4. The original planned in-service date, current projected in-service date, and reason for any change in the projected in-service date for each project.

~~B.C.~~ Each year, on or before July 31, every electric public utility, including independent transmission owners, shall furnish a report to the Commission of the financial information designated in Appendix A-

~~hereto; provided however, that no.~~ However, a public utility shall not be required to submit such financial information if ~~such~~the utility does not plan, for a ~~fifteen~~15-year ~~(15)~~ period commencing with the year in which the financial information is to be filed ~~to (1) construct within the State of California any new electric generating plant having in the aggregate a net capacity in excess of 50 MW, or (2) modify, alter, or add to any existing electric generating plant that results in a 50 MW, or more, net increase in the electric generating capacity of an existing plant within the State of California, or (3) construct in California,~~ to construct any electric transmission line ~~facilities which are designed for immediate or eventual operation at any voltage in excess of 200 kV,~~ power line, substation, or switchyard that is Federal Energy Regulatory Commission (FERC) jurisdictional and under the control of the CAISO (except for the replacement or minor relocation of existing transmission line facilities, or the placing of additional conductors, insulators or their accessories on, or replacement of, supporting structures already built).

SECTION ~~VH~~IV. ELECTRIC GENERATING AND RELATED TRANSMISSION FACILITIES SUBJECT TO THE WARREN-ALQUIST ENERGY RESOURCES CONSERVATION AND DEVELOPMENT ACT

If an electric public utility proposes to construct electric generating and related transmission facilities which are subject to the power plant siting jurisdiction of the California Energy Commission (CEC) as set forth in Section 25500 et seq. of the Public Resources Code, it shall comply with the following procedure:

- A. In accordance with Public Resources Code Section 25519(c), Public Utilities Code Section 1001, and CEQA, this Commission's Rules of Practice and Procedure 2.4 and 2.5 do not apply to any application filed pursuant to this section.
- B. Upon acceptance of an electric utility's Notice of Intent (NOI) filing by the CEC, the utility shall provide an electronic copy of the NOI to the Executive Director of this Commission.
- C. When an electric utility files with the CEC an application for certification (AFC) to construct an electric generating facility pursuant to Section 25519 of the Public Resources Code and any AFC regulations of the CEC, it shall provide an electronic copy of the AFC, including a copy of the CEC's Final Report in the NOI proceeding for the facility, to the Executive Director of this Commission.
- D. No later than 30 days after acceptance for filing of the AFC referred to above in Subsection C, the utility shall file with this Commission an application for a CPCN. The application shall comply with this Commission's Rules of Practice and Procedure and shall include the

data and information set forth in Appendix B hereto. In complying with this provision, the utility may include portions of the CEC's Final Report in its NOI proceeding by attaching such portions as an appendix to its application filed with this Commission. The utility may also include portions of the AFC filed with the CEC by reference. A copy of the application shall be provided to the CEC and to every person, corporation, organization, or public agency that has intervened in the CEC's AFC proceeding.

- E. No later than 30 days after the filing of the application, the Commission staff shall review it and notify the utility in writing of any deficiencies in the information and data submitted in the application. The utility shall correct any deficiencies within 60 days thereafter, or explain in writing to the Commission staff why it is unable to do so. It shall include in any such letter an estimate of when it will be able to correct the deficiencies. Upon correction of any deficiencies in the application, any public hearings which are necessary may be held on the application while the utility's AFC application is under process before the CEC. The Commission may issue an interim decision on the application before the issuance by the CEC of a final decision in the AFC proceeding. However, any such interim decision shall not be final and shall be subject to review after the CEC issues its final decision in the AFC proceeding as prescribed in Public Resources Code [Sections](#)§§ 25522 and 25530.
- F. No later than 30 days after issuance of a certificate by the CEC in a final decision in the utility's AFC proceeding in accordance with Public Resources Code [Sections](#)§§ 25209, 25522, and 25530 the Commission shall issue a decision on the application for a CPCN from this Commission, unless a later date for issuance of the decision is mutually agreed to by the Commission and the applicant, or is necessitated by conditions under Paragraph G.
- G. If the CEC's certificate in the AFC proceedings sets forth requirements or conditions for the construction of the proposed electric generating facility which were not adequately considered in the proceeding before the Commission, and which will have a significant impact on the economic and financial feasibility of the project, or the rates of the utility, or on utility system reliability, the utility, or Commission staff, or any party, may request that the Commission hold a public hearing on such implications. Any such hearing, if granted, shall be initiated no later than 30 days after the filing of any such request. It is the intent of this Commission that a final decision shall be issued within 90 days after conclusion of the hearing, if held.

- H. If judicial review of the CEC's issuance of a certificate in the AFC proceeding is sought in any court, the utility shall immediately notify this Commission and include a copy of the court filing.

SECTION ~~VIII~~VI. ELECTRIC GENERATING FACILITIES NOT SUBJECT TO THE WARREN-ALQUIST ENERGY RESOURCES CONSERVATION AND DEVELOPMENT ACT

An electric public utility proposing to construct in this state new generation facilities in excess of 50 MW net capacity, available at the busbar and related transmission facilities, or proposing to modify an existing generation facility and related transmission facilities in this state in order to increase the total generating capacity of the generation facility by 50 MW or more net capacity available at the busbar, shall initiate pre-filing consultation with Energy Division staff pursuant to Rule 2.4 of the Commission's Rules of Practice and Procedure not less than six (6) months prior to the filing of a CPCN application and shall file for a CPCN not less than 12 months prior to the date of a required decision by the Commission unless ~~the Commission authorizes~~Energy Division staff authorize a shorter period ~~for exceptional circumstances in writing.~~

- A. An application for a CPCN shall comply with this Commission's Rules of Practice and Procedure. In addition, it shall include or have attached to it the following:
1. The information and data set forth in Appendix B.
 2. A statement of the reasons why and facts showing that the completion and operation of the proposed facility is necessary to promote the safety, health, comfort, and convenience of the public.
 3. Safety and reliability information, including planned provisions for emergency operations and shutdowns.
 4. A schedule showing the program for design, material acquisition, construction, and testing and operating dates.
 5. Available site information, including maps and description, present, proposed, and ultimate development; and, as appropriate, geological, aesthetic, ecological, tsunami, seismic, water supply, population, and load center data, locations and comparative availability of alternate sites, and justification for adoption of the site selected.
 6. Design information, including description of facilities, plan efficiencies, electrical connections to system, and description of control systems, including air quality control systems.
 7. Any measures taken or proposed by the utility to reduce the potential exposure to electric and magnetic fields (EMFs) generated by the proposed facilities.
 8. Demonstration of compliance with other applicable

Commission policies (e.g., the Environmental and Social Justice (ESJ) Action Plan).

7.9. A Proponent's Environment Assessment (PEA) ~~or equivalent information~~ on the environmental impact of the proposed facility and its operation so as to permit compliance with the requirements of CEQA and this Commission's Rules of Practice and Procedure 2.4 and 2.5. If a PEA is filed, it may include the data described in Items 1 through ~~68~~, above. ~~An applicant may file a draft version of an initial study, Negative Declaration (ND), Mitigated Negative Declaration (MND), Environmental Impact Report (EIR), Addendum, or analysis of the applicability of an exemption from CEQA instead of a PEA in compliance with the requirements of VI.B below.~~

B. ~~first not less than 12~~ ~~No~~ Notwithstanding any other provision herein, to support the Commission in its preparation of a CEQA document for a project, an applicant may elect to ~~prepare and submit with its application, in lieu of a PEA, a draft version of an initial study, ND, MND, EIR, Addendum, or analysis of the applicability of an exemption from CEQA; provided that applicants electing to prepare and submit draft versions of CEQA documents must first initiate pre-filing consultation with Energy Division staff pursuant to Rule 2.4 of the Commission's Rules of Practice and Procedure at least six (6) months prior to the filing of the application and earlier if reasonably feasible, unless Energy Division staff authorize a shorter period in writing, and provides the draft documents to Energy Division staff for review during the pre-filing period.~~

1. An applicant-prepared version of a draft CEQA document shall comply with the CEQA Guidelines and Public Resources Code § 21000 et seq., shall provide substantial evidence for all findings and conclusions, and shall include ~~any required~~ issue-specific technical studies (e.g., biological resource studies, cultural resource studies).

2. In accordance with ~~CEQA Guidelines~~ § 15084, the Commission shall subject all materials prepared by others to independent review and analysis. Any CEQA document circulated for public review shall reflect the independent judgment of the Commission.

C. ~~No~~ later than 30 days after the filing of the ~~CPCN~~ application, the Commission staff shall review it and notify the utility of any deficiencies in the information and data submitted in the application.-

D. The utility shall correct any deficiencies within 60 days ~~thereafter~~ ~~after~~ notice or explain in writing to the Commission staff why it is unable to

do so. ~~If~~The utility shall include in any such letter an estimate of when it will be able to correct the deficiencies.-

~~B.E.~~ Upon correction of any deficiencies in the application, ~~the~~ Commission staff shall determine whether CEQA applies, and if so, whether ~~a~~ Negative Declaration ~~an EIR, mitigated negative declaration (MND), or an EIR~~ negative declaration (ND) has been or will be prepared, ~~and the~~ The process required by CEQA and Commission Rules 2.4 and 2.5 will be followed in addition to the Commission's standard decision-making process for applications. The Commission shall issue a decision within the time limits prescribed by Government Code ~~Section~~ § 65920 et seq. (the Permit Streamlining Act).

SECTION ~~IX~~VII. TRANSMISSION LINE, POWER LINE, AND SUBSTATION FACILITIES

A. Transmission Line Facilities of 200 kV and Over

1. An electric public utility desiring to build transmission line facilities in this state for immediate or eventual operation at or above 200 kV that require a CPCN under Section III.A, above, shall ~~file~~:
 - a. File an application for a CPCN not less than 12 months prior to the date of a required decision by the Commission unless the Commission authorizes a shorter period because of exceptional circumstances;
 - b. Provide written notice to Energy Division staff not less than 12 months prior to the filing of a CPCN application (unless Energy Division staff authorize a shorter period in writing); and
 - c. Initiate pre-filing consultation with Energy Division staff pursuant to Rule 2.4 of the Commission's Rules of Practice and Procedure not less than six (6) months prior to the filing of a CPCN application unless Energy Division staff authorize a shorter period in writing.
2. An application for a CPCN shall comply with this Commission's Rules of Practice and Procedure and shall also include the following:
 - a. A detailed description of the proposed transmission facilities, including the proposed transmission line route and alternative routes, if any; proposed transmission equipment; such as tower design and appearance, heights, conductor sizes, voltages, capacities, substations,

switchyards, etc.; and a proposed schedule for certification, construction, and commencement of operation of the facilities.

- b. A map of suitable scale of the proposed routing showing details of the right-of-way in the vicinity of settled areas, parks, recreational areas, scenic areas, and existing electrical transmission lines within one mile of the proposed route.
- c. A statement of facts and reasons why the public convenience and necessity require the construction and operation of the proposed transmission facilities.
- d. A detailed statement of the estimated cost of the proposed facilities.
- e. Reasons for adoption of the route selected, including comparison with alternative routes, including the advantages and disadvantages of each.
- f. A schedule showing the program of right-of-way acquisition and construction.
- g. A listing of the governmental agencies with which proposed route reviews have been undertaken, including a written agency response to applicant's written request for a brief position statement by that agency. (Such listing shall include ~~The~~ the California Native American Heritage Commission, which shall constitute notice on ~~California-Indian Reservation~~ Tribal governments.) In the absence of a written agency position statement, the utility may submit a statement of its understanding of the position of such agencies.
- h. Any measures taken or proposed by the utility to reduce the potential exposure to EMFs generated by the proposed facilities.
- i. Demonstration of compliance with other applicable Commission policies (e.g., the ESJ Action Plan).
- ~~h.~~j. A PEA or equivalent information on the environmental impact of the project in accordance with the provisions of CEQA and this Commission's Rules of Practice and Procedure, Rules 2.4 and 2.5. If a PEA is filed, it may include the data described in Items a through ~~g~~ above. An applicant may file a draft version of an initial study, ND, MND, EIR, Addendum, or analysis of the applicability of an exemption from CEQA instead of a PEA in compliance with the requirements in VII.C below.

3. No later than 30 days after the filing of the application, the

Commission staff shall review it and notify the utility in writing of any deficiencies in the information and data submitted in the application.-

4. The utility shall correct any deficiencies within 60 days ~~thereafter,~~after notice or explain in writing to the Commission staff why it is unable to do so. ~~It~~The utility shall include in any such letter an estimate of when it will be able to correct the deficiencies.-

~~3.5.~~ Upon correction of any deficiencies in the application, the Commission staff shall determine whether CEQA applies, and if so, whether ~~a Negative Declaration or~~ an EIR, MND, or ND has been or will be prepared, ~~and the~~. The process required by CEQA and Commission Rules of Practice and Procedure 2.4 and 2.5 will be followed in addition to the Commission's standard decision-making process for applications. The Commission shall issue a decision within the time limits prescribed by Government Code ~~Sections~~§§ 65920 et seq. (the Permit Streamlining Act).

B. Transmission Line, Power Line, ~~and Substation,~~ and Switchyard Facilities Designed to Operate Over 50 kV Which Are Not Included in Subsection A ~~of this Section~~

1. ~~Unless exempt as specified in Section III herein, or~~ Unless already included in an application before this Commission for a CPCN, an electric public utility desiring to build transmission line, power line, ~~or~~ substation, or switchyard facilities in this state for immediate or eventual operation over 50 kV, that require a ~~permit to construct~~ PTC under Section III.B, above, shall ~~file an application for a permit to construct not less than nine (9) months prior to the date of a required decision by the Commission unless the Commission authorizes a shorter period because of exceptional circumstances. An application for a permit to construct shall comply with the Commission's Rules of Practice and Procedure, including Rules;~~ 2.4 and 2.5.

- a. The File an application for a ~~permit~~ PTC application not less than nine (9) months prior to ~~construct~~ the date of a required decision by the Commission;
- b. Provide written notice to Energy Division staff not less than 12 months prior to the filing of a PTC application (unless Energy Division staff authorize a shorter period in writing); and
- c. Initiate pre-filing consultation with Energy Division staff

pursuant to Rule 2.4 of the Commission's Rules of Practice and Procedure not less than six (6) months prior to the filing of a PTC application unless Energy Division staff authorize a shorter period in writing.

2. A PTC application shall also comply with the Commission's Rules of Practice and Procedure, including Rules 2.4 and 2.5, and shall include the following:

- a. A description of the proposed power line or substation or switchyard facilities, including the proposed power line route; proposed power line equipment, such as tower design and appearance, heights, conductor sizes, voltages, capacities, substations, switchyards, etc., and a proposed schedule for authorization, construction, and commencement of operation of the facilities.
- b. A map of the proposed power line routing or substation or switchyard location showing populated areas, parks, recreational areas, scenic areas, and existing electrical transmission or power lines within 300 feet of the proposed route or substation or switchyard.
- c. Reasons for adoption of the power line route or substation or switchyard location selected, including comparison with alternative routes or locations, including the advantages and disadvantages of each.
- d. A listing of the governmental agencies with which proposed power line route or substation or switchyard location reviews have been undertaken, including a written agency response to applicant's written request for a brief position statement by that agency. (Such listing shall include ~~The~~the Native American Heritage Commission, which shall constitute notice on ~~California-Indian-Reservation~~ Tribal governments.) In the absence of a written agency position statement, the utility may submit a statement of its understanding of the position of such agencies.
- e. Any measures taken or proposed by the utility to reduce the potential exposure to EMFs generated by the proposed facilities.
- f. Demonstration of compliance with other applicable Commission policies (e.g., the ESJ Action Plan).
- e.g. A PEA or equivalent information on the environmental impact of the project in accordance with the provisions of CEQA and this Commission's Rules of Practice and Procedure 2.4 and 2.5. If a PEA is filed, it may include the

data described in Items a through ~~d above~~^{f above}. An applicant may file a draft version of an initial study, ND, MND, EIR, Addendum, or analysis of the applicability of an exemption from CEQA instead of a PEA in compliance with the requirements in VII.C below.

- ~~The above information requirements notwithstanding, an~~
3. An application for a ~~permit to construct~~^{PTC} need not include ~~either~~ 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 CEQA compliance.
 4. No later than 30 days after the filing of the application for a ~~permit to construct~~^{PTC}, the Energy Division shall review it and notify the utility in writing of any deficiencies in the information and data submitted in the application. ~~Thereafter, within~~
 5. Within 30 days of notice of such notice, the utility shall correct any deficiencies or explain in writing to the Energy Division when it will be able to correct the deficiencies or why it is unable to do so.-
 - ~~4.6.~~ Upon correction of any deficiencies in the application, the Energy Division shall determine whether CEQA applies, and if so, whether ~~a Negative Declaration or~~ an EIR, MND, or ND must be prepared, and the process required by CEQA and the Commission's Rules of Practice and Procedure 2.4 and 2.5 will be followed.
 - ~~5.7.~~ If the Commission finds that a project properly qualifies for an exemption from CEQA, the Commission will timely grant or deny the ~~permit to construct~~^{PTC}.
 - ~~6.8.~~ If the Energy Division determines, after ~~completing its~~^{the} completion of an initial study, that the project would not have a significant adverse impact on the environment, the Energy Division will prepare ~~a Negative Declaration.~~^{an ND}. If the initial study identifies potential significant effects, but the utility revises its proposal to avoid those effects, ~~then~~ the Commission ~~could~~^{may} adopt ~~a Mitigated Negative Declaration. In either case, the Commission will grant the~~ permit to construct.^{an MND.}
 7. If the initial study identifies potentially significant environmental effects, the Energy Division will prepare an EIR. The severity and nature of the effects, the feasibility of mitigation, the existence and feasibility of alternatives to the project, and the benefits of the

project would all be considered by the Commission in deciding whether to grant or deny the permit to construct PTC. ~~The Commission intends to issue a permit to construct or disapprove the project within eight months of accepting the application as complete. This time limit may be extended if necessary to comply with the requirements of CEQA, but may not exceed the time limits specified in CEQA (for the preparation of an EIR).~~

- ~~1. If no protests or requests for hearing are received (pursuant to Section XII), Energy Division staff shall be assigned and the Commission shall issue an ex parte decision on the application within the time limits prescribed by Government Code Section 65920 et seq. (the Permit Streamlining Act). If a protest or request for hearing is received, the matter shall be assigned to an administrative law judge, and the Commission shall issue a decision on the application within the time limits prescribed by the Permit Streamlining Act.~~

~~SECTION X. POTENTIAL EXPOSURE TO ELECTRIC AND MAGNETIC FIELDS (EMF)~~

~~Applications for a CPCN or Permit to Construct shall describe the measures taken or proposed by the utility to reduce the potential exposure to electric and magnetic fields generated by the proposed facilities, in compliance with Commission order. This information may be included in the PEA required by Rule 2.4 of the Commission's Rules of Practice and Procedure.~~

~~SECTION XI. NOTICE~~

C. Preparation of CEQA Documents and Commission Decision

1. Notwithstanding any other provision herein, to support the Commission in its preparation of a CEQA document for a project, an applicant may elect to prepare and submit with its application, in lieu of a PEA, a draft version of: an initial study, ND, MND, EIR, Addendum, or analysis of the applicability of an exemption from CEQA; provided that applicants electing to prepare and submit draft versions of CEQA documents must first initiate pre-filing consultation with Energy Division staff pursuant to Rule 2.4 of the Commission's Rules of Practice and Procedure at least six (6) months prior to the filing of the application and earlier if reasonably feasible, unless Energy Division staff authorize a shorter period in writing, and provides the draft documents to Energy Division staff for review during the pre-filing period.
 - a. An applicant-prepared draft version of a CEQA

document shall comply with the CEQA Guidelines and Public Resources Code § 21000 et seq, shall provide substantial evidence for all findings and conclusions, and shall include any required issue-specific technical studies (e.g., biological resource studies, cultural resource studies).

b. In accordance with CEQA Guidelines § 15084, the Commission shall subject all materials prepared by others to independent review and analysis. Any CEQA document sent out for public review shall reflect the independent judgment of the Commission.

2. Where the electric project proposed in a CPCN or PTC application has been evaluated and approved by the CAISO in a transmission plan prepared in accordance with the CAISO tariff approved by FERC, the following will occur:

a. The project need from the CAISO transmission plan shall form the basis of the statement of objectives required by 14 Cal. Code Regs. § 15124(b) in a CEQA document.

b. In a proceeding evaluating the issuance of a CPCN for a proposed transmission project, if the applicant demonstrates that all the requirements of Public Utilities Code § 1001.1 are satisfied, the Commission shall establish a rebuttable presumption in favor of a CAISO governing board-approved finding that such project is needed.

c. The range of reasonable alternatives to the proposed project in an initial draft EIR circulated for public comment may be limited to alternative routes or locations for construction of the relevant CAISO transmission plan-approved electric project and the “no action” alternative.

SECTION VIII. NOTICE

A. Applications for a CPCN or ~~Permit to Construct~~PTC

Notice of the filing of each application for a CPCN required by Section III.A of this General Order and of the filing of each application for a ~~permit to construct~~PTC required by Section III.B of this General Order, shall be given by the electric public utility within ten days of filing the application:

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 Wildlife, the Department of Health Care Services, the State Water Resources Control Board, the Air Resources Board, and other interested parties having requested such notification.

- b. ~~The utility shall also give notice to the~~ 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 California Coastal Commission, the State Department of Transportation's District Office, and any other State or Federal agency which would have jurisdiction over the proposed construction; ~~and~~
- c. 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 that serves 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.

A copy of the notice shall be provided to the Commission's Public Advisor and the Energy Division on the same day it is mailed. A declaration of mailing and posting as required by this subsection shall be filed with the Commission within five (5) days of completion.

A copy of each application for electric generation facilities shall be served on the Executive Director of the ~~Energy Commission.~~ CEC If applicable, a copy shall be served on the Executive Director of the Coastal Commission. If applicable, a copy shall be served on the Executive Director of the S.F. Bay Conservation and Development Commission. Upon request by any public agency, the applicant shall provide a copy of its application to said public agency. A copy of the application shall be posted on the utility's website.

- B. Transmission Line, Power Line, ~~and~~ Substation, and Switchyard
Facilities Designed to Operate Over 50 kV Which Are Not Included
in Subsection A ~~of this Section~~

The utility shall give notice of the construction of any transmission line,
power line, ~~or~~ substation, or switchyard facilities designed to operate
over 50 kV

deemed exempt pursuant to Section III.B.2 herein, not less than 30 days before the date when construction is intended to begin by:

1. Direct mail to the planning director for each county or city in which the proposed facility would be located and the Executive Director of the Energy Commission; ~~and~~
2. Advertisement, not less than once a week, two weeks successively, in a newspaper or newspapers of general circulation that serves the county or counties in which the proposed facility would be located, the first publication to be not later than 45 days before the date when construction is intended to begin; ~~and~~
3. By posting a notice on-site and off-site where the project would be located; ~~and~~
4. Filing ~~an informational~~ [a Tier 2](#) advice letter with the Energy Division in accordance with General Order 96-B, which includes a copy and distribution list of the notices required by items 1-3 herein. On the same day, a copy of the advice letter must be delivered to the Commission's Public Advisor.

C. Contents of Notices

Each utility shall consult with the Energy Division and Commission's Public Advisor to develop and approve a standard for the notice required by subsections A and B, which shall contain, at a minimum, the following information:

1. The Application Number assigned by the Commission or the Advice Letter Number assigned by the utility; and
2. A concise description of the proposed construction and facilities, its purpose and its location in terms clearly understandable to the average reader; and
3. A summary of the measures taken or proposed by the utility to reduce the potential exposure to electric and magnetic fields generated by the proposed facilities, in compliance with Commission order; and
4. Instructions on obtaining or reviewing a copy of the application, including the Proponent's Environmental Assessment or available equivalent, from the utility; and
5. The applicable procedure for protesting the application or advice letter, as defined in Sections ~~XIII~~ and ~~XIII~~, including the grounds for protest, when the protest period expires, delivery addresses for the Commission's Docket Office, Energy Division, and the applicant and how to contact the Commission's Public Advisor for assistance in filing a protest.

SECTION ~~XIII~~. PROTEST AND REQUEST FOR PUBLIC HEARINGS

Pursuant to [Rule 2.6 of](#) the Commission's Rules of Practice and Procedure, ~~Rule 2.6,~~ those to whom notice has been sent under Section ~~XVIII.A~~ ~~hereof~~ and any other person entitled under the Commission's Rules of Practice and Procedure to participate in a proceeding for a CPCN or a ~~permit to construct~~[PTC](#) may, within 30 days after the notice was mailed or published, object to the granting in whole or in part of the authority sought by the utility and request that the Commission hold hearings on the application. Any such protest shall be filed in accordance with Rule 2.6. If the Commission, as a result of its preliminary investigation after such requests, determines that public hearings should be held, notice shall be sent to each person who is entitled to notice or who has requested a hearing.

The Commission's Public Advisor shall provide information to assist the public in submitting such protests.

SECTION ~~XIII~~. PROTEST TO REQUIRE THE UTILITY TO FILE FOR ~~PERMIT TO CONSTRUCT~~[PTC](#)

Those to whom notice has been given under Section ~~XVIII.B~~ ~~hereof~~ and any other person or entity entitled to participate in a proceeding for a ~~permit to construct~~[PTC](#) may, within 20 days after the notice was mailed and published, contest any intended construction for which exemption is claimed by the utility from the requirements of Section III.B if such persons or entities have valid reason to believe that any of the conditions described in Section III.B.2 exist or the utility has incorrectly applied an exemption as defined in Section III ~~herein,~~ ~~or grounds for protest under General Order 96-B section 7.4.2 exist.~~ The protest shall be filed with the Energy Division, specifying the relevant utility advice letter number, in accordance with General Order 96-B, Sections 3.11, 7.4.1, and 7.4.2. On the same date a protest is filed with the Commission, the protestant shall serve a copy on the subject utility by mail. The utility shall respond within five business days of receipt and serve copies of its response on each protestant and the Energy Division. Construction shall not commence until the Executive Director has ~~issued an Executive Resolution~~ [disposed of the protest.](#)

Within 30 days after the utility has submitted its response, the Executive Director, after consulting with the Energy Division, shall issue ~~an Executive Resolution a~~ [disposition letter](#) on whether: the utility is to file an application for a ~~permit to construct~~[PTC](#), or the protest is dismissed for failure to state a valid reason. Also, the Executive Director shall state the reasons for granting or denying the protest and provide a copy of ~~each Executive Resolution~~ [the disposition letter](#) to the Commission's Public Advisor.

[The utility, any persons that filed a protest to the advice letter, any third party whose name and interest in the relief sought appear on the face of the advice letter, or a](#)

person authorized under exceptional circumstances as set forth in [General Order 96-B or its successor regulation](#) may contest the Executive Director disposition by filing an application for rehearing consistent with Rule 16.1 within 10 days of the issuance of the disposition letter.

The Commission's Public Advisor shall provide information to assist the public in submitting such protests and applications for rehearing.

SECTION ~~XIV~~XI. COMPLAINTS AND PREEMPTION OF LOCAL AUTHORITY

- A. Complaints may be filed with the Commission for resolution of any alleged violations of this General Order pursuant to Article 4 of the Commission's Rules of Practice and Procedure. A complaint which does not allege that the matter has first been brought to the staff for informal resolution may be referred to the staff to attempt to resolve the matter informally (Rule of Practice and Procedure 4.2(b)).
- B. This General Order clarifies that local jurisdictions acting pursuant to local authority are preempted from regulating electric power line projects, distribution lines, substations, or electric facilities constructed by public utilities subject to the Commission's jurisdiction. However, in locating such projects, the public utilities shall consult with local agencies regarding land use matters. In instances where the public utilities and local agencies are unable to resolve their differences, the Commission shall set a hearing no later than 30 days after the utility or local agency has notified the Commission of the inability to reach agreement on land use matters.
- C. Public agencies and other interested parties may contest the construction of under-50-kV distribution lines and electric facilities by filing a complaint with the Commission pursuant to Article 4 of the Commission's Rules of Practice and Procedure.

SECTION ~~XV~~XII. STATE AGENCY REVIEW OF ELECTRIC GENERATING AND RELATED TRANSMISSION FACILITIES NOT SUBJECT TO THE WARREN-ALQUIST ENERGY RESOURCES CONSERVATION AND DEVELOPMENT ACT

Nothing in this order shall be construed to preempt or otherwise limit the jurisdiction of state agencies other than this Commission to exercise the full range of their jurisdiction under state or federal law over facilities subject to this order.

A coastal development permit shall be obtained from the Coastal Commission for development of facilities subject to this order in the coastal zone.

SECTION ~~XVI~~XIII. CEQA COMPLIANCE

Construction of facilities for which a CPCN or ~~permit to construct~~[PTC](#) is

required pursuant to this General Order shall not commence without either a finding that it can be seen with certainty that there is no possibility that the construction of those facilities may have a significant effect on the environment or that the project is otherwise exempt from CEQA, or the adoption of a final EIR, MND, or ~~Negative Declaration~~. ND. Where authority must be granted for a project by this Commission, applicants shall comply with Rules 2.4 and 2.5 of the Commission's Rules of Practice and Procedure.

This latter requirement does not apply to applications covering generating and related transmission facilities for which a certificate authorizing construction of the facilities has been or will also be issued by the CEC. For all issues relating to the siting, design, and construction of electric generating plant or transmission lines as defined in Sections ~~VIII~~VI and ~~IX~~VII.A herein or electric power lines or substations as defined in Section ~~IX~~VII.B herein, the Commission will be the Lead Agency under CEQA, unless a different designation has been negotiated between the Commission and another state agency consistent with CEQA Guidelines § 15051(d).

Pursuant to CEQA Guidelines § 15107 and 15110, the Commission strives to complete Proposed Final MNDs or NDs for projects without federal agency involvement within 270 days or sooner from the date the PTC or CPCN application is deemed complete. Pursuant to CEQA Guidelines §§ 15108 and 15110, the Commission strives to complete Proposed EIRs for projects without federal agency involvement within 455 days or sooner from the date the application is deemed complete. CEQA Guidelines §§ 15109 and 15110 shall apply regarding the suspension of time periods and projects with federal involvement.

Projects requiring Commission approval of a PTC that qualify for an MND or ND and have no federal agency involvement may involve completion of CEQA review within 270 days. Pursuant to CEQA Guidelines § 15070, the Commission shall prepare or have prepared a proposed ND or MND for a project when:

- A. The initial study shows that there is no substantial evidence (as defined in CEQA Guidelines § 15384), in light of the whole record before the agency, that the project may have a significant effect on the environment, or
- B. The initial study identifies potentially significant effects, but:
 1. Revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and
 2. There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.

Appendix A - General Order No. 131-~~DE~~

INFORMATION TO BE INCLUDED IN THE UTILITY REPORT REGARDING FINANCING OF NEW ELECTRIC ~~GENERATING CAPACITY AND~~ TRANSMISSION LINE, POWER LINE, SUBSTATION, AND SWITCHYARD PROJECTS

I. A statement, detailing the economic assumptions used to project all construction expenditures and annual operating costs, including the methodology, assumptions, and sources and authorities associated therewith for a fifteen-year (15) period commencing with the year in which the report is filed, for each of the following:

A. Operating Revenues

1. Electric Transmission
- ~~1. Gas, if applicable~~
2. Miscellaneous
3. Total

~~B. Operating Expenses~~

B. Capital Costs to be Added to FERC Jurisdictional Transmission Rate Base

1. Direct Material Costs
2. Direct Labor Costs
3. Allowance for Funds Used During Construction (AFUDC)
4. Construction Work in Progress (CWIP) added to rate base due to incentive
5. Overhead
- ~~1. Percentage of Original CAISO Project Cost of Electric Energy~~
- ~~4.6. Cost of Gas sold, if Estimate spent to date (where applicable)~~
7. Others

~~B.C. Long-Term Transmission and Distribution~~ Capital Costs

1. Rate of Return
 - ~~1. Maintenance~~
 - Return on Equity (ROE) (common stock)
 - Return on Preferred Stock
 - Long-Term Debt
2. Depreciation
 - Rate (%)
 - Method (e.g., straight-line, fixed)
 - Period (years)
 - Total (nominal \$ to date)
3. Taxes on ROE

D. Transmission Operating and Maintenance (O&M) and Administrative and

General (A&G) Expenses and Taxes

1. Transmission O&M

2. Transmission A&G

3. Insurance

~~3.4. Taxes on Income~~

~~4.5. Property and Other Taxes~~

~~5.6. Other~~

~~6.7. Total~~

~~C.E. Net Transmission Income~~

~~C. Operating Income~~

~~D. Other Income and Deductions~~

~~1. Allowance for Equity Funds Used During Construction~~

~~2. Gains on Bonds Purchased for Sinking Fund~~

~~3. Subsidiary Income~~

~~4. Other~~

~~5. Total~~

~~E. Income Before Interest Charges~~

~~F. Interest Charges~~

~~1. Short term~~

~~2. Long term~~

~~3. Less Allowance for Borrowed Funds Used During Construction~~

- 4. ~~Total~~

- G. ~~Net Income~~

- H. ~~Preferred Dividend Requirement~~

- I. ~~Earnings Available for Common Stock~~

- J. ~~Average Number of Shares of Common Stock Outstanding (Thousands)~~

- K. ~~Earnings Per Share of Common Stock~~

- L. ~~Dividends Per Share of Common Stock~~
 - 1. ~~Declared Basis~~
 - 2. ~~Paid Basis~~

- H. ~~An estimate for each of the following capital requirements items for each year for a fifteen-year period commencing with the year in which the report is filed:~~
 - A. ~~Construction expenditures by year broken down by:~~
 - 1. ~~Generation projects over \$100 million, including those, if any, located out of state~~
 - a. ~~Busbar, including switchyard, expenditures~~
 - 2. ~~All other generation projects, including those, if any, located out of state~~
 - a. ~~Busbar, including switchyard, expenditures~~
 - b. ~~Associated transmission expenditures~~
 - 3. ~~Non-generation transmission expenditures~~
 - 4. ~~Distribution expenditures~~
 - 5. ~~Other expenditures~~

~~Breakdown of each item in 1 above into the following elements:~~

Directs	(M&S + Labor)	Indirects	AFDC	Total
\$	\$	\$	\$	\$
 - B. ~~Bond retirements, sinking fund retirements, etc.~~
 - C. ~~Investments in subsidiary companies~~

- III. ~~An estimate for each of the following items for each year for a fifteen-year period commencing with the year in which the report is filed:~~

- A. ~~Capital balances as of January 1~~
 - B. ~~Capital ratios as of January 1~~
 - C. ~~Imbedded costs of debt and preferred stock~~
 - D. ~~Debt, preferred and common stock issues:~~
 - 1. ~~Amount (\$ and shares)~~
 - 2. ~~Yield and cost of each issue~~
 - E. ~~Income tax information~~
 - 1. ~~Tax operating expense~~
 - 2. ~~State tax depreciation~~
 - 3. ~~Federal tax depreciation~~
 - 4. ~~ITC or other credits available and used~~
 - F. ~~Short term debt balances~~
 - G. ~~Annual equivalent rate used to compute the Allowance for Funds-Used During Construction~~
- IV. ~~Data showing the estimated Results of Operation for electric utility operations for each year for a fifteen-year (15) period, commencing with the year in which the report is filed, in the format set forth below:~~
- A. ~~Kilowatt-hour Sales~~
 - 1. ~~Total~~
 - 2. ~~Residential~~
 - B. ~~Average Price (¢/kWh)~~
 - C. ~~Number of Residential Customers~~
 - D. ~~Gross Revenue—Total~~
 - 1. ~~Base Rates~~
 - 2. ~~ECAC Rates~~
 - 3. ~~ECAC Rate Increases~~
 - 4. ~~Non-ECAC Rate Increases~~
 - 5. ~~Misc. Operating Revenues~~
 - E. ~~Operating Expenses—Total~~
 - 1. ~~Production—Fuel and Purchased Power—Total~~
 - a. ~~Oil~~

- ~~b. Gas~~
- ~~c. Nuclear~~
- ~~d. Coal~~
- ~~e. Geothermal~~
- ~~f. Combined Cycle~~
- ~~g. Purchased Power~~
- ~~h. Other (explain)~~

~~2. Production O&M (non-fuel)~~

~~D.F. Transmission Income~~

- ~~3. Distribution~~
- ~~4. Customer Accounts~~
- ~~5. A&G~~
- ~~6. Depreciation & Amortization~~
- ~~7. Taxes - Total~~
 - ~~a. State Income~~
 - ~~b. Federal Income~~
 - ~~c. Ad Valorem~~
 - ~~d. Other~~

~~8. Other (explain)~~

~~F. Net Operating Income~~

~~G. Rate Base (Weighted Average)~~

~~1. Rate of Return~~

~~H. Net to Gross Multiplier~~

~~V. For those electric utilities which also operate other public utility departments, such as natural gas, steam, and water service, an estimate of the following financial information by department for each year for a fifteen-year (15)-period, commencing with the year in which the report is filed. Any separate utility operation that contributes to less than one (1) percent of the utility's total gross operating revenues may be excluded.~~

- ~~A. Gross Revenue~~
- ~~B. Operating Expenses~~
- ~~C. Net Operating Income~~
- ~~D. Rate Base (Weighted Average)~~
- ~~E. Rate of Return~~

~~VI. The following variables will be provided by the staff of the Public Utilities Commission for use by the utility in generating certain financial information required by Appendix A:~~

~~A. Return on Common Equity~~

~~B. Dividend Yield~~

~~C. Market to Book Ratio~~

~~D. Cost of Long Term Debt (including incremental cost)~~

~~E. Cost of Preferred Stock (including incremental cost)~~

~~F. Common Stock Price~~

~~G. Annual equivalent rate used to compute the Allowance for Funds Used During Construction~~

~~These variables will be furnished 60 days before the annual utility report is due and will be developed by the staff based on its independent expertise.~~

Appendix B – General Order No. 131-~~DE~~

INFORMATION TO BE INCLUDED IN AN APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR ELECTRIC GENERATING FACILITIES

- I. A detailed description of the proposed generating facility and related facilities and the manner in which the same will be constructed, including the type, size, fuel capabilities, and capacity of the generating facilities.
- II. A map of suitable scale showing the location of the proposed power plant and related facilities, and a description of the location of the proposed power plant and related facilities.
- III. A listing of federal, state, regional, county, district, or municipal agencies from which approvals either have been obtained or will be required covering various aspects of the proposed facility, including any franchises and health and safety permits and the planned schedule for obtaining those approvals not yet received.
- IV. Load and resource data setting forth recorded and estimated loads (energy and demands), available capacity and energy, and margins for 5 years actual and 20 years estimated on the same basis, as reported to the CEC including a statement of the compatibility of the proposed generating facility with the most recent biennial report issued by the CEC pursuant to Section 25309 of the Public Resources Code.
- V. Existing rated and effective operating capacity of generating plants and the planned additions for a ten-year (10) period.
- VI. Estimated cost information, including plant costs by accounts, all expenses by categories, including fuel costs, plant service life, capacity factor, total generating cost per kWh (1) at plant, and (2) including related transmission, levelized for the economic life of the plant, year by year for the 12 years commencing with the date of commercial operation of the plant, and comparative costs of other alternatives considered on a levelized or year-by-year basis depending upon availability of data. Estimated capital and operating costs of power to be generated by the proposed plant for all competitive fuels which may be lawfully used in the proposed plant. When substantially the same data are prepared for utility planning purposes they may be used to satisfy all or any portion of these requirements.
- VII. For any nuclear plant a statement indicating that the requisite safety and other license approvals have been obtained or will be applied for.
- VIII. Such additional information and data as may be necessary for a full understanding and evaluation of the proposal.

(End of Appendix)

(END OF ATTACHMENT A)