

**PUBLIC UTILITIES COMMISSION**

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SAN FRANCISCO, CA 94102-3298

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September 19, 2025

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Ratesetting

TO PARTIES OF RECORD IN APPLICATION 22-02-014:

This is the proposed decision of Administrative Law Judge Nilgun Atamturk. Until and unless the Commission hears the item and votes to approve it, the proposed decision has no legal effect. This item may be heard, at the earliest, at the Commission's October 30, 2025, Business Meeting. To confirm when the item will be heard, please see the Business Meeting agenda, which is posted on the Commission's website 10 days before each Business Meeting.

Parties of record may file comments on the proposed decision as provided in Rule 14.3 of the Commission's Rules of Practice and Procedure.

The Commission may hold a Ratesetting Deliberative Meeting to consider this item in closed session in advance of the Business Meeting at which the item will be heard. In such event, notice of the Ratesetting Deliberative Meeting will appear in the Daily Calendar, which is posted on the Commission's website. If a Ratesetting Deliberative Meeting is scheduled, *ex parte* communications are prohibited pursuant to Rule 8.2(c)(4).

/s/ MICHELLE COOKE

Michelle Cooke

Chief Administrative Law Judge

MLC:kp7

Attachment

Decision **PROPOSED DECISION OF ALJ ATAMTURK** (Mailed 9/19/2025)**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

In the Matter of the Application of
Southern California Edison Company
(U338E) for a Permit to Construct
Electrical Facilities With Voltages
Between 50 kV and 200 kV:
Gorman-Kern River Project.

Application 22-02-014

**DECISION GRANTING SOUTHERN CALIFORNIA EDISON COMPANY A
PERMIT TO CONSTRUCT GORMAN-KERN RIVER PROJECT****Summary**

This decision grants Southern California Edison Company's request for a permit to construct the proposed Transmission Line Rating Remediation Gorman-Kern River 66 kilovolt Project, with mitigations identified in the Mitigation Monitoring, Reporting and Compliance Plan attached to this order.

This proceeding is closed.

1. Background

Section 1.1 provides a brief background for the proposed project. Section 1.2 provides an overview of the California Environmental Quality Act (CEQA) process and Section 1.3 provides the procedural background.

1.1. Gorman-Kern River Project Overview

Pursuant to Section III(B) of General Order (GO) 131-E¹ of the California Public Utilities Commission (Commission), and Rules 2.1 through 2.5 and 3.1 of the Commission's Rules of Practice and Procedure (Rules), Southern California Edison Company (SCE) filed the instant application on February 28, 2022, for a permit to construct (PTC) electric facilities with voltages between 50 kilovolts (kV) and 200 kV within southwest Kern County and north Los Angeles County: Gorman-Kern River Project (Proposed or GKR Project). The purpose of the Proposed Project is to remediate physical clearance discrepancies identified on some of SCE's existing 66 kilovolt kV subtransmission lines while continuing to provide safe and reliable electric service, as part SCE's ongoing Transmission Line Rating Remediation (TLRR) Program.² SCE's TLRR Program "focuses on developing and implementing engineering solutions for each identified discrepancy, with the goal of bringing the affected circuits into compliance with GO 95."³ The main components of the Proposed Project are as follows:⁴

- Rebuilding portions of three existing subtransmission lines either by removing and replacing existing subtransmission structures, or modifying individual subtransmission structures;
- Removing existing conductor and installing new conductor or transferring existing conductor on new or modified subtransmission structures;

¹ GO 131-D was in effect when SCE filed the application, but has subsequently been updated as GO 131-E.

² SCE identifies electrical lines operated at voltages between 50 kV and 200 kV as subtransmission lines or subtransmission circuits. Electrical lines operated at voltages at or greater than 200 kV are identified as transmission lines.

³ SCE Application at 2.

⁴ SCE Application at 6-8.

- Modifying individual subtransmission structures to accommodate communications infrastructure such as optical ground wire (OPGW) or All-Dielectric Self-Supporting (ADSS) fiber optic cable;
- Transferring existing distribution circuitry to replacement structures; and
- Installing new OPGW and/or ADSS fiber optic cable.

The majority of the Proposed Project is located within existing rights-of-way between Gorman Substation and the Kern River 1 Hydroelectric Substation and east to Banducci Substation. No new subtransmission lines or substations would be constructed as part of the Proposed Project.⁵ The construction would last approximately 26 months.

1.2. CEQA Process

The Proposed Project is subject to environmental review pursuant to the California Environmental Quality Act (CEQA) and GO 131-E. CEQA requires that the Commission, as the lead agency responsible for approving the project, conduct a review to identify environmental impacts of the proposed project and ways to avoid or reduce environmental harm. That review begins with an initial study (IS). If the IS determines that there is a) no substantial evidence that the project may have a significant effect on the environment, or b) the project proponent agrees to revisions to the project plan that will reduce all project-related environmental impacts to less than significant levels, then the Commission may prepare either a Negative Declaration (ND) or Mitigated Negative Declaration (MND) to that effect. If neither condition is satisfied, then the Commission must prepare a full Environmental Impact Report (EIR).

⁵ SCE Opening Brief at 3.

GO 131-E and Decision (D.) 06-01-042 added the requirement that a project comply with Commission policies governing the mitigation of electromagnetic field (EMF) effects using low- or no-cost measures.

1.3. Procedural Background

SCE filed the instant application on February 28, 2022. On April 1, 2022, the Public Advocates Office at the California Public Utilities Commission (Cal Advocates) filed a protest. No other protests or motions for party status were submitted. On April 11, 2022, SCE filed its response.

The application was deemed complete on September 20, 2023. The Commission's Environmental Review Team published the Draft IS/MND on November 22, 2024. The public comment period closed on December 23, 2024. The Commission received 18 comment letters from various state and local agencies, individual members of the public, and SCE. One comment letter was received after the close of the comment period; this comment was accepted and included in the Final MND. The Commission has considered all comments. The comments received resulted in minor changes to the IS contained in the Draft IS/MND, including minor corrections made to improve writing clarity, grammar, and consistency; clarifications, additions, or deletions resulting from specific responses to comments; and text changes to update information in the Draft IS/MND. On December 14, 2023, the Commission extended the statutory deadline for this proceeding, from October 28, 2023 to December 1, 2025.⁶

The Commission issued the Final IS/MND on March 26, 2025.⁷ No new significant environmental impacts are identified in the Final IS/MND. The Final

⁶ D.23-12-030.

⁷ The Commission hereby admits the final IS/MND (Attachment A) into the record of this proceeding.

IS/MND included responses to the comments received on the Draft IS/MND. The Final IS/MND concluded that, with the incorporation of the mitigation measures in the Mitigation Monitoring, Reporting and Compliance Program (MMRCP), the Proposed Project would not result in any significant impact to the environment.

A prehearing conference (PHC) was held on May 20, 2025, with SCE and Cal Advocates in attendance. The topics considered at the PHC included the categorization of the proceeding, the scope of the proceeding, need for evidentiary hearings and the remaining schedule for the proceeding. At the PHC Cal Advocates made an oral motion to change its status from a party to the proceeding to information-only.⁸

On June 23, 2025, the assigned Commissioner issued the Scoping Memo and Ruling in this proceeding and determined the initial issues and schedule of the proceeding.

On July 31, 2025, SCE filed and served an opening brief addressing the scoped issues and supplanting the record with respect to the issue of impacts on environmental and social justice communities. No reply briefs were filed.

2. Submission Date

This matter was submitted on July 31, 2025, upon SCE's filing its opening brief.

3. Issues Before the Commission

The issues to be determined in this proceeding are:

1. Is there any substantial evidence that, with the incorporation of mitigation measures identified in the Mitigation Monitoring, Reporting, and Compliance Program included in the Final MND and IS, the Proposed project will have a significant impact on the environment?;

⁸ PHC Transcript at 8 line 14-15.

2. Was the Final MND and IS completed in compliance with CEQA?;
3. Does the Final MND reflect the Commission's independent judgment and analysis?;
4. Is the Proposed Project, incorporating the mitigation measures identified in the Mitigation Monitoring, Reporting, and Compliance Program included in the Final Mitigated Negative Declaration and Initial Study, designed in compliance with the Commission's policies governing the mitigation of EMF effects using low-cost and no-cost measures?; and
5. Does the Proposed Project, incorporating the mitigation measures identified in the Mitigation Monitoring, Reporting, and Compliance Program included in the Final Mitigated Negative Declaration and Initial Study, have any impacts on environmental and social justice communities. If so, what are the impacts? And does the construction of the Proposed Project achieve any of the nine goals of the Commission's Environmental and Social Justice Action Plan?

4. Discussion

4.1. Compliance with CEQA

To issue a PTC pursuant to GO 131-E, the Commission must find that the Proposed Project complies with CEQA. In evaluating whether to approve a proposed project, CEQA requires the lead agency⁹ (the Commission in this case) to conduct a review to identify the potential environmental impacts of a proposed project and ways to avoid or reduce environmental damage.

The Commission has the authority to mitigate the potential environmental impacts of a proposed project through the approval of mitigation measures within the Commission's jurisdiction, unless the changes or alterations are infeasible for specific economic, legal, social, technical and other considerations.

⁹ The lead agency is the public agency which has the principal responsibility for carrying out or approving a project. The lead agency also must decide whether an EIR or Negative Declaration will be required for the project and prepare the appropriate environmental document. CEQA Guidelines (Cal. Code Regs. Tit. 14, Div. 6, Ch.3) § 15367.

The mitigation measures are intended to reduce the potential environmental impacts of the proposed project to less-than-significant levels.

4.1.1. There is No Substantial Evidence that the Proposed Project will have a Significant Impact on the Environment after the Incorporation of the Mitigation Measures Included in the Final Initial Study/Mitigated Negative Declaration

As part of its review under CEQA, the lead agency conducts an initial study to identify the environmental impacts of a proposed project and ways to avoid or reduce environmental damage. If the initial study shows that there is no substantial evidence that a proposed project will have a significant effect on the environment, or if the initial study identifies potentially significant impacts and a proposed project proponent makes or agrees to revisions to the project that will reduce all project-related environmental impacts to less-than-significant levels, then the lead agency must prepare a negative declaration or MND, subject to public notice and the opportunity for the public review and comment.¹⁰

CEQA requires that, prior to approving a proposed project, the lead agency consider the MND along with any comments received during the public review process, and that the lead agency adopt the MND only if it finds on the basis of the whole record that there is no substantial evidence that the project will have a significant effect on the environment and that the MND reflects the lead agency's independent judgment and analysis.¹¹ If the lead agency adopts an MND, CEQA requires that it also adopt a program for monitoring or reporting

¹⁰ CEQA Guidelines §§ 15070-15073.

¹¹ CEQA Guidelines § 15074(a)-(b).

on the changes or conditions required to mitigate or avoid significant environmental effects.¹²

Here, the Commission finds no substantial evidence that the Proposed Project will have a significant impact on the environment after the incorporation of the mitigation measures included in the Final IS/MND. Although the Draft IS/MND identified potentially significant impacts during and after construction of the Proposed Project,¹³ all of these impacts can be mitigated to a less-than-significant level by incorporation of minor revisions to the Proposed Project and feasible mitigation measures (MMs). No new significant environmental impact is identified in the Final IS/MND. A Mitigation Monitoring and Reporting Program (MMRP), included in Chapter 3 of the Final IS/MND has been prepared to provide a single comprehensive list of impacts, mitigation measures, Applicant Proposed Measures (APMs), monitoring and reporting requirements, and timing of implementation, ensuring proper implementation of these measures.

4.1.2. The Final IS/MND was Completed in Compliance with CEQA

The Commission must determine whether the Final IS/MND was completed in compliance with CEQA.

SCE asserts that the Final IS/MND was completed in compliance with CEQA. SCE notes that the Final IS/MND “provides details regarding the GKR Project; evaluates and describes the potential environmental impacts associated

¹² CEQA Guidelines § 15074(d).

¹³ The Draft IS/MND identified potentially significant impacts in the following areas: agriculture and forestry resources, biological resources, cultural resources, geology, soils, paleontological resources, hydrology and water quality, noise, recreation, transportation, and tribal resources.

with the Project's construction, operation, and maintenance; identifies impacts that could be significant; and presents mitigation measures that would avoid or minimize those impacts."¹⁴ SCE also describes the steps taken by the Commission to comply with CEQA's public review requirements.¹⁵ SCE states that "despite the minor revisions made as a result of public comments, the Final IS/MND does not identify any new significant environmental impacts. Further, project features, APMs, and MMs identified in the Final IS/MND as required as a condition of certification of approval of the Project would avoid or reduce all impacts to less-than-significant."¹⁶

The Commission finds that the Final IS/MND was completed in compliance with CEQA. The Commission's preparation of the Final IS/MND complies with the applicable CEQA requirements. Additionally, project features and mitigation measures identified in the Final IS/MND would avoid or reduce all of the impacts to a less-than-significant level.¹⁷

4.1.3. The Final IS/MND Reflects the Commission's Independent Judgment and Analysis

The Commission must determine whether the Final IS/MND reflects the Commission's independent judgment and analysis.

SCE describes the CEQA process and development of the Final IS/MND, including consideration of the public comments, and asserts that the IS/MND reflects the Commission's independent judgment and analysis.¹⁸

¹⁴ SCE Opening Brief at 9, citing Final IS/MND at 1-3.

¹⁵ SCE Opening Brief at 9, citing Final IS/MND at 2-3 to 2-72.

¹⁶ SCE Opening Brief at 9.

¹⁷ See Final IS/MND at 1-3.

¹⁸ SCE Opening Brief at 11.

The Commission finds that the proceeding record shows that Final IS/MND reflects the Commission's independent judgment and analysis. As noted by SCE, after the submission of SCE's PEA, the Commission, as the lead agency, performed its own independent analysis of the environmental impacts associated with the GKR Project as part of its Initial Study. The Final IS/MND provided a comprehensive review of the Proposed Project. The Commission considered public comments on the Draft IS/MND and made minor revisions or modifications to the language in the Final IS/MND to address these public comments.

4.2. EMF

The Commission must evaluate whether the Proposed Project was designed in compliance with the Commission's policies governing the mitigation of EMF effects using low-cost and no-cost measures. Section VII(B) of GO 131-E requires that applications for a PTC include a description of the measures taken or proposed by the utility to reduce the potential exposure to EMF generated by the proposed project.¹⁹ The Commission's EMF Design Guidelines for Electrical Facilities, dated July 21, 2006, provide a checklist for new substations in excess of 50 kV.

In accordance with Commission requirements, SCE provided a Field Management Plan (FMP) in its PTC Application, explaining how the Proposed Project design complies with the Commission's EMF policies by incorporating "low-cost" or "no-cost" field reduction measures.²⁰ SCE asserts that EMF associated with the Proposed Project can be addressed through "no-cost"

¹⁹ Final IS/MND at 2-42 to 2-43.

²⁰ A.22-02-014, at Appendix F. SCE was able to mitigate EMF associated with the GKR Project using no-cost measures, therefore no low-cost measures were included.

measures alone. The no-cost measures SCE proposes to implement to reduce EMF associated with the Proposed Project include:

- Configuring pole head in a vertical or delta of subtransmission lines for magnetic field reduction;
- Utilizing structure heights that meet or exceed SCE's EMF preferred design criteria; and
- Changing the phase arrangement as the circuit enters the substation thereby changing the final phasing to further reduce the magnetic field.²¹

The Commission finds that SCE has complied with the Commission's policies governing the mitigation of EMF effects. SCE's proposed no-cost measures for the project are consistent with Commission requirements. Therefore, the reduction measures included in the Magnetic Field Management Plan satisfies the Commission's requirements.

4.3. Impacts on Environmental and Social Justice Communities

The Commission also considers the Proposed Project's impacts on environmental and social justice communities, including the extent to which it furthers any of the nine goals of the Commission's Environmental and Social Justice (ESJ) Action Plan.

SCE asserts that the Proposed Project will not have an adverse impact on environmental and social justice communities and aligns with the Commission's environmental and social justice goals.²² SCE indicates that remediating clearance discrepancies will benefit all SCE customers, including those located in ESJ communities, because clearing discrepancies will allow SCE to continue to

²¹ A.22-02-014, Appendix F, Section 7 and 8; SCE Opening Brief at 12.

²² SCE Opening Brief at 13-18.

provide safe and reliable electric service. Because the area where the Proposed Project construction activities will occur is highly modified (i.e., along Interstate 5) and work will largely occur within existing utility rights-of-way where subtransmission infrastructure already exists, SCE states that “no adverse impacts to ESJ communities are expected to result from the construction of the GKR Project.”²³

SCE also asserts that the Proposed Project could have a positive impact on neighboring ESJ communities regarding safety. For example, SCE explains, a conductor that is out of compliance with GO 95 could come into physical contact with another object, such as the ground or adjacent circuits, and create a public safety and/or reliability event such as an electrical fault, electrocution, or fire. SCE asserts that the Proposed Project would remediate clearance discrepancies, thereby mitigating clearance infractions - addressing safety and reliability concerns that could impact local ESJ communities. SCE adds that ESJ communities may benefit from the short-term economic benefits of construction activities in their communities, increased resilience of the electric grid, as well as a potential reduction in the frequency of operation and maintenance activities.²⁴

Based on the record, the Commission finds that the Proposed Project is consistent with the goals of the Commission’s Environmental and Social Justice Action Plan. The Proposed Project would repair existing infrastructure to maintain system reliability, thereby enhancing climate resiliency, and reducing safety risks. The Proposed Project supports Goal 4 by enhancing climate resiliency and Goal 6 by ensuring safety.²⁵

²³ SCE Opening Brief at 16, referring to Final IS/MND, Appendix A, at 2.3 and 3.1.

²⁴ SCE Opening Brief at 16.

²⁵ Environmental and Social Justice Action Plan (April 2022) at 23-24.

5. Minor Project Refinements

The Commission's Energy Division may approve requests by SCE for minor project refinements that may be necessary due to the final engineering of the project, so long as such minor project refinements are located within the geographic boundary of the study area of the Final IS/MND and do not:

(1) result, without mitigation, in a new significant impact based on the criteria used in the Final IS/MND; (2) substantively conflict with any mitigation measure or applicable law or policy; or (3) trigger an additional discretionary permit requirement.

A minor project refinement should be strictly limited to a minor project change that will not trigger other discretionary permit requirements, that does not increase the severity of an impact or create a new impact, and that clearly and strictly complies with the intent of the mitigation measure. SCE shall seek any project changes that do not fit within these criteria by a petition to modify today's decision. A change to the approved that has the potential for creating significant environmental effects will be evaluated to determine whether supplemental CEQA review is required.

Any proposed deviation from the approved project and adopted APMs or mitigation measures, including correction of such deviation, shall be reported immediately to the Commission and the mitigation monitor assigned to the construction for their review and Commission approval.

6. Summary of Public Comment

Rule 1.18 allows any member of the public to submit written comment in any Commission proceeding using the "Public Comment" tab of the online Docket Card for that proceeding on the Commission's website. Rule 1.18(b) requires that relevant written comment submitted in a proceeding be

summarized in the final decision issued in that proceeding. There are no public comments on the Docket Card for this proceeding.

7. Procedural Matters

This decision affirms all rulings made by the Administrative Law Judge and assigned Commissioner in this proceeding. All motions not ruled on are deemed denied.

8. Comments on Proposed Decision

The proposed decision of ALJ Nilgun Atamturk in this matter was mailed to the parties in accordance with Section 311 of the Public Utilities Code and comments were allowed under Rule 14.3 of the Commission's Rules of Practice and Procedure. Comments were filed on _____, and reply comments were filed on _____ by _____.

9. Assignment of Proceeding

John Reynolds is the assigned Commissioner and Nilgun Atamturk and Zhen Zhang are the assigned ALJs in this proceeding.

Findings of Fact

1. All environmental impacts related to the Proposed Project are less than significant or reduced to less-than-significant levels with incorporation of feasible mitigation measures identified in the MMRCF.

2. With the implementation of the APMs and mitigation measures identified in the MMRCF of the Final IS/MND, the potentially significant impacts to aesthetics, agriculture, air quality, biological resources, cultural and tribal cultural resources, geology, soils, paleontology, greenhouse gas emissions, hazards and hazardous materials, hydrology, public services, transportation and traffic and utilities will be reduced to less than significant levels.

3. The Proposed Project is designed in compliance with the Commission's policies governing the mitigation of EMF effects.

4. The majority of the GKR Project is located within existing rights-of-way between Gorman Substation and the Kern River 1 Hydroelectric Substation and east to Banducci Substation.

5. No new subtransmission lines or substations would be constructed as part of the GKR Project.

6. The Proposed Project is consistent with the goals of the Commission's Environmental and Social Justice Action Plan.

7. Comments on the Final IS/MND were received during the public review period.

8. The Commission has reviewed and considered the information contained in the Final IS/MND.

9. The Final IS/MND complies with CEQA.

Conclusions of Law

1. SCE should be granted a permit to construct the Proposed Project in conformance with the mitigation measures and APM included in the MMRCP attached to this order.

2. With the implementation of the MMRCP, there is no substantial evidence that the Proposed Project will have a significant impact on the environment.

3. The Final IS/MND reflects the Commission's independent judgment and analysis.

4. The Commission's preparation of an MND was supported by substantial record evidence.

5. The Final IS/MND was completed in compliance with CEQA requirements.

6. The Commission should adopt the Final IS/MND in this decision.

7. This order should be effective immediately.

8. This proceeding should be closed.

O R D E R

IT IS ORDERED that:

1. Southern California Edison Company is granted a permit to construct the Transmission Line Rating Remediation Gorman-Kern River 66 kilovolt Project in conformance with the mitigation measures attached to this order.

2. The Final Initial Study/Mitigated Negative Declaration for the Proposed Project is adopted.

3. The mitigation measures and applicant proposed measures included as part of the Final Mitigated Negative Declaration and the Mitigation Monitoring, Reporting, and Compliance Plan attached to this order as Attachment A, are adopted.

4. Application 22-02-014 is closed.

This order is effective today.

Dated _____, 2025, at San Francisco, California

Attachment A:

Final Mitigated Negative Declaration and the Mitigation Monitoring, Reporting, and Compliance Plan