

**PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA
ENERGY DIVISION**

**Agenda ID 15379
RESOLUTION E-4813
December 15, 2016**

R E S O L U T I O N

Resolution E-4813. Southern California Edison Company (SCE)
Request to Transfer an Easement to the City of Lake Elsinore
pursuant to Advice Letter (AL) 3388-E-A.

PROPOSED OUTCOME:

- This Resolution approves Southern California Edison Company's AL 3388-E-A with an effective date of today. SCE proposes to transfer an easement to the City of Lake Elsinore (City) for street and public utility purposes.

SAFETY CONSIDERATIONS:

- Effective administration of SCE's fee property is part of the responsibility of SCE to meet their obligations under Public Utilities Code Section 451 to provide services that promote the safety, health, comfort, and convenience of their patrons, employees and the public.
- There are no specific safety concerns with this transaction. The granting of these easements is expected to improve public safety with regard to streets and public utilities in the City of Lake Elsinore.

ESTIMATED COST:

- A request for authority to transfer property pursuant to General Order (GO) 173 requires the filing of cost information. This transaction has an appraised value of \$4,544.00 for the easement to be granted by SCE.

By Advice Letter 3388-E-A, filed on September 20, 2016.

SUMMARY

This Resolution approves SCE's AL 3388-E-A, with an effective date of May 5, 2016. On September 20, 2016, SCE filed Supplemental Advice

Letter 3388-E-A correcting a transactional amount in previous 3388-E and requesting approval under GO 173 and Public Utilities Code Section 851 to transfer an easement to the City of Lake Elsinore (City) for street and utility purposes. Approval of the request is expected to improve public safety with regard to streets and utilities in the City of Lake Elsinore. SCE has reviewed the City's plans and has determined that the proposed facilities will not impede SCE's ability to access, maintain, repair, and replace its facilities within the easement area.

BACKGROUND

On April 5, 2016, SCE filed Advice Letter 3388-E requesting approval under GO 173 and Public Utilities Code Section 851 to transfer an easement to the City of Lake Elsinore (City) for street and utility purposes. Resolution E-4794 was prepared by the Energy Division approving AL 3388-E, and the Resolution was approved by the Commission on August 18, 2016.

Subsequent to that approval, SCE discovered that the incorrect value was submitted for the just compensation/fair market value in Advice Letter 3388-E. On September 20, 2016, SCE submitted a Supplemental Filing to Advice Letter 3388-E (Advice Letter 3388-E-A) correcting the fair market value to \$4,544.00, per General Rule 7.5.1 of General Order 96-B. The Energy Division agrees that this change does not constitute a substantive change to AL 3388-E and that Supplemental AL 3388-E-A does not change the substance of the original Advice Letter 3388-E.

The City of Lake Elsinore has identified a need for SCE to transfer an easement to the City for street and utility purposes – specifically, the widening of an existing public road and to support other public utilities. All of the proposed work will occur within the City of Lake Elsinore and the County of Riverside. This easement will allow the City to accommodate a proposed development of 468 single family homes on property owned by Spectrum Communities, LLC.

A Draft Mitigated Negative Declaration (DMND) was prepared by the City pursuant to the California Environmental Quality Act (CEQA). The DMND was submitted to the State Clearinghouse (SCH #2013091083) for distribution to state agencies and was available to agencies and the public for review and comment between September 26, 2013 and October 25, 2013. A revised Draft MND was issued for public comment between October 15, 2014 and November 13, 2014.

A Final Mitigated Negative Declaration (FMND) was prepared by the City that responded to all comments received on the Draft MND. The FMND included a Mitigation Monitoring and Reporting Program (MM&RP). Resolution No. 2015-033 adopting the FMND and MM&RP was prepared pursuant to CEQA and was approved by the City Council of the City of Lake Elsinore on July 14, 2015. A Notice of Determination was filed with the County of Riverside on July 15, 2015 (Document E-201500618).

NOTICE

Notice of AL 3388-E-A was made by publication in the Commission's Daily Calendar. SCE states that AL 3388-E-A was filed in accordance with the noticing requirements of General Order 173. In addition, SCE provided notice in accordance with General Order 96-B.

PROTESTS

There were no protests to SCE Advice Letter 3388-E-A.

DISCUSSION

The Commission has reviewed SCE AL 3388-E-A and the Notice of Determination prepared by the City (Document E-201500618), and has determined that the documents comply with the requirements of the California Environmental Quality Act. The Commission finds that SCE's AL 3388-E-A request for approval was made in accordance with the streamlined procedure adopted by the Commission in General Order 173 and Public Utilities Code Section 851. The Commission finds that the relief requested in AL 3388-E-A is not adverse to the public interest and should be granted.

COMMENTS

This is an uncontested matter in which the resolution grants the relief requested. Accordingly, pursuant to PU Code 311(g)(2), the otherwise applicable 30-day period for public review and comment is being waived.

FINDINGS

1. On April 5, 2016, SCE filed Advice Letter 3388-E to transfer an easement to the City of Lake Elsinore for street and utility purposes under General Order 173 and Public Utilities Code Section 851.
2. On August 18, 2016, the Commission approved Resolution E-4794 granting the request in AL 3388-E.
3. Subsequent to that approval, SCE determined that the value of the transaction as stated in AL 3388-E was inaccurate, and SCE filed Supplemental Advice Letter 3388-E-A on September 20, 2016, correcting the value of the transaction to \$4,544.00.
4. Supplemental Advice Letter 3388-E-A was filed pursuant to General Rule 7.5.1 of General Order 96-B.
5. The Energy Division agrees with SCE that Supplemental Advice Letter 3388-E-A does not constitute a substantive change, and the filing will not change the substance of the original Advice Letter 3388-E.
6. There are no specific safety concerns with this transaction.
7. This transaction has an appraised value of \$4,544.00.
8. The City of Lake Elsinore has identified a need for SCE to transfer an easement to the City to allow a developer to complete a project for 468 single family homes.
9. A Final Mitigated Negative Declaration was prepared by the City that responded to all comments received on the Draft MND. The FMND included a Mitigation Monitoring and Reporting Program (MM&RP).
10. Resolution No. 2015-033 adopting the FMND and the MM&RP was prepared pursuant to CEQA and was approved by the City Council of the City of Lake Elsinore on July 14, 2015.
11. A Notice of Determination (E-201500618) was filed with the County of Riverside on July 15, 2015.
12. The Commission has reviewed SCE AL 3388-E-A and the associated documentation filed with the AL including the Notice of Determination prepared by the City and has determined that the documents comply with the requirements of the California Environmental Quality Act.
13. Notice of AL 3388-E-A was made by publication in the Commission's Daily Calendar. A copy of the Advice Letter was mailed and distributed in

accordance with the noticing requirements of General Order 173 and General Order 96-B.

14. Advice Letter AL 3388-E-A was not protested.
15. SCE has requested an effective date of May 15, 2016.
16. The Commission finds that this is an uncontested matter in which the resolution grants the relief requested. Accordingly, pursuant to PU Code 311(g)(2), the otherwise applicable 30-day period for public review and comment is being waived.
17. SCE Advice Letter 3388-E-A complies with the streamlined procedures adopted by the Commission in General Order 173.
18. SCE states that it has reviewed the proposed street and utility facilities and has determined that they will not interfere with SCE's operations or SCE's ability to provide safe and reliable utility services to its customers.
19. Approval of this transaction will not impair SCE's provision of utility service, and it will provide benefits to the public by facilitating street and utility improvements.
20. The Commission finds that the relief requested in AL 3388-E-A is not adverse to the public interest and should be granted.

THEREFORE IT IS ORDERED THAT:

1. The request of Southern California Edison Company in AL 3388-E-A for approval to transfer an easement to the City of Lake Elsinore is approved.

This Resolution is effective May 15, 2016.

I certify that the foregoing resolution was duly introduced, passed and adopted at a conference of the Public Utilities Commission of the State of California held December 15, 2016; the following Commissioners voting favorably thereon:

TIMOTHY J. SULLIVAN
Executive Director