

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ENERGY DIVISION

Agenda ID: 20426
RESOLUTION E-5201
April 7, 2022

R E S O L U T I O N

Resolution E-5201. Southern California Edison Company (SCE) Request for Approval to Grant Utility Easements to Baldy Mesa Solar, LLC and Silver Peak Energy, LLC in the City of Adelanto pursuant to Advice Letter (AL) 4699-E.

PROPOSED OUTCOME:

- This Resolution approves Southern California Edison Company's AL 4699-E with an effective date of today. SCE proposes to grant an overhead easement to Baldy Mesa Solar, LLC and an underground easement to Silver Peak Energy, LLC to support the Baldy Mesa Solar Photovoltaic and Battery Storage Generation Facility (Baldy Mesa Project) in the City of Adelanto, County of San Bernardino, California.

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. SCE's operations at the Property are compatible with the construction and use of the improvements permitted by the easements.

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 fair market value of \$500.00 for the easement to be granted by SCE.

By Advice Letter 4699-E, filed on January 25, 2022.

SUMMARY

This Resolution approves SCE's AL 4699-E, with an effective date of today. On January 25, 2022, SCE filed Advice Letter 4699-E requesting approval pursuant to GO 173 and Public Utilities Code Section 851 to transfer of easements to Baldy Mesa Solar, LLC and Silver Peak Energy, LLC for the purpose of supporting the Baldy Mesa Project in the City of Adelanto. Approval of the request is expected to provide a public benefit that is not adverse to the public interest because the proposed transaction will support the delivery of renewable power to the SCE grid and will have no effect on SCE's ability to provide safe and reliable service to its customers. SCE has determined that granting of the easements and the construction of the proposed facilities will not impede SCE's ability to access, maintain, repair, and replace its facilities within the easement area.

BACKGROUND

Baldy Mesa Solar, LLC (Baldy Mesa) and Silver Peak Energy, LLC (Silver Peak) are seeking easements from SCE to support the Baldy Mesa Project. Baldy Mesa and Silver Peak are both affiliates of sPower, LLC, an affiliate of AES Corporation. The Baldy Mesa facility will supply up to 200 megawatts of renewable power to the SCE grid and the Project's battery storage component will facilitate storing the renewable power for use during peak demand periods or abnormal conditions on the grid. The SCE property where Baldy Mesa and Silver Peak seek easements (Easements) is a desert parcel used as a utility right-of-way. It is currently improved with SCE's Kramer-Victor #1 and #2 220kV transmission lines and a dirt SCE access road. It is approximately 7.66 acres.

Both easements occupy the same 30-foot wide, 250-foot length strip on the Property, with one overhead and one underground. The Baldy Mesa's Facility's overhead 115kV transmission line will be sited on the Overhead Easement. The Projects underground 34.5kV medium voltage feeder circuits in support of the redundant communication requirements will be located in the Underground Easement area.

A review of the fair market value of the Easements was completed on February 22, 2020, by Valbridge Property Advisors. The review utilized the sales comparison methodology to determine the value of the easements to be \$385, which the parties agreed to round to \$500.

A Draft Mitigated Negative Declaration (DMND) was prepared by the City of Adelanto pursuant to the California Environmental Quality Act (CEQA). The DMND was submitted to the State Clearinghouse (SCH #202009176) for distribution to state agencies and was available to agencies and the public for review and comment between September 8, 2020, and October 8, 2020.

A Final Mitigated Negative Declaration (FMND) was certified by the City of Adelanto on November 10, 2020. The FMND included a Mitigation Monitoring and Reporting Program (MM&RP). A Notice of Determination was filed with the Office of Planning and Research on November 17, 2020.

NOTICE

Notice of AL 4699-E was made by publication in the Commission's Daily Calendar. SCE states that AL 4699-E was filed in accordance with the noticing requirements of GO 173. In addition, SCE provided notice in accordance with GO 96-B.

PROTESTS

There were no protests to SCE AL 4699-E.

DISCUSSION

The Commission has reviewed SCE AL 4699-E and the attached materials relating to the CEQA document prepared by the City of Adelanto and has determined that the documents comply with the requirements of the California Environmental Quality Act. The Commission finds that SCE's AL 4699-E request for approval was made in accordance with the streamlined procedure adopted by the Commission in GO 173 and Public Utilities Code Section 851. SCE has provided all necessary information required under Rules 3 and 4 of GO 173. The

Commission finds that approval for the grant of easement requested in AL 4699-E 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 January 25, 2022, SCE filed AL 4699-E to grant an easement to Baldy Mesa Solar, LLC and Silver Peak Energy, LLC to facilitate interconnection of renewable energy resources to the SCE grid pursuant to GO 173 and Public Utilities Code Section 851.
2. There are no specific safety concerns with this transaction.
3. This transaction has an appraised value of \$500.00.
4. A FMND was prepared by the City of Adelanto (SCH#2020090176) that complied with CEQA. The FMND included a Mitigation Monitoring and Reporting Program (MM&RP).
5. The FMND and the MM&RP was prepared pursuant to CEQA and was approved by the City Council of the City of Adelanto on November 10, 2020.
6. A Notice of Determination was filed with the Office of Planning and Research on November 17, 2020.
7. The Commission has reviewed SCE AL 4699-E and the associated documentation filed with the AL including the Notice of Determination prepared by the City of Adelanto and has determined that the documents comply with the requirements of CEQA.
8. Notice of AL 4699-E 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 GO 173 and General Order 96-B.
9. SCE AL 4699-E was not protested.

10. SCE AL 4699-E complies with the streamlined procedures adopted by the Commission in GO 173, including all information required under Rules 3 and 4 of GO 173.
11. SCE states that it has reviewed the proposed grant of easement 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.
12. Approval of this transaction will not impair SCE's provision of utility service, and it will provide benefits to the public by facilitating the delivery of renewable energy to the SCE grid.
13. 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.
14. The Commission finds that the relief requested in AL 4699-E 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 4699-E for approval to transfer an easement to Baldy Mesa Solar, LLC and Silver Peak Energy, LLC is approved.

This Resolution is effective today.

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 April 7, 2022; the following Commissioners voting favorably thereon:

Rachel Peterson
Executive Director