

Decision 24-09-013 September 12, 2024

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Southern California Edison Company (U 338-E) for a Permit to Construct Electrical Facilities with Voltages Between 50kV and 200 kV: Cal City Substation 115 kV Upgrade Project.

Application 23-03-005

ORDER EXTENDING STATUTORY DEADLINE

Summary

This decision extends the statutory deadline for completion of Application 23-03-005 until September 14, 2025.

1. Background and Justification

Public Utilities (Pub. Util) Code Section 1701.5(a) provides that the Commission shall resolve the issues raised in the scoping memo of a ratesetting proceeding within 18 months of the date the proceeding is initiated, unless the Commission makes a written determination that the deadline cannot be met and issues an order extending that deadline. The current deadline for completion of Application (A.) 23-03-005 is September 14, 2024.

On March 14, 2023, Southern California Edison Company (SCE) filed an application for a Permit to Construct (PTC) authorizing SCE to construct the proposed project known as the Cal City Substation 115 kilovolt (kV) Upgrade Project (Proposed Project). The stated purpose of the Proposed Project is to

enable SCE to provide the necessary capacity to meet the electrical needs of the customers in the Electrical Needs Area (ENA). Additionally, the Proposed Project seeks to enable SCE to comply with applicable rules, guidelines, and regulations as they relate specifically to the sub-transmission and distribution systems that serve the ENA.

On April 19, 2023, the Public Advocates Office at the California Public Utilities Commission (Cal Advocates) submitted its protest to the SCE's Application. Among the reasons cited for the Cal Advocates protest were:

1. Pursuant to the California Environmental Quality Act (CEQA), the Project's benefits must outweigh the Project's significant and unavoidable impact(s) on the environment;
2. If a single customer is driving the need for the Project, then the Commission should consider whether the \$296 million cost of the Project should be borne by the customer causing SCE to incur the expense; and
3. The Commission must deny SCE's request for an ex parte decision as provided for in General Order (GO) 131-D, Section IX.B.6.¹

On May 1, 2023, SCE submitted its reply to the Cal Advocates protest.

The Commission's Energy Division is currently reviewing the Proposed Project and expects to prepare an environmental impact report (EIR) for the Proposed Project, in compliance with California Environmental Quality Act.² On November 30, 2023, scoping meetings were held to solicit agency and public

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.

² California Public Resources Code Sections 21000 et seq.

input on the scope of the EIR. The Scoping Report for the EIR (dated January 2024) has been released, describing the process of scoping, and summarizing comments received.³ The Commission's Energy Division requires at least a year to complete its preparations of the EIR, after which the Commission would be able to consider the EIR and other remaining formal proceeding issues.

The deadline established by Pub. Util. Code Section 1701.5 for resolution of this proceeding is currently September 14, 2024. An extension beyond the current September 14, 2024, deadline is necessary to afford the Commission adequate time to thoughtfully deliberate and issue its final decision. Consequently, the statutory deadline for this proceeding therefore should be extended until September 14, 2025.

2. Waiver of Comment Period

Under Rule 14.6(c)(4) of the Commission's Rules of Practice and Procedure, the Commission may waive the otherwise applicable 30-day period for public review and comment on a decision that extends the 18-month deadline set forth in Pub. Util. Code Section 1701.5. Under the circumstances of this proceeding, it is appropriate to waive the 30-day period for public review and comment.

3. Assignment of Proceeding

Karen Douglas is the assigned Commissioner and Jacob Rambo is the assigned Administrative Law Judge and the presiding officer in this proceeding.

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https://ia.cpuc.ca.gov/environment/info/esa/CalCity/pdf/CalCity_Scoping_Report_011624.pdf

Findings of Fact

1. The current statutory deadline for resolving A.23-03-005 is September 14, 2024.
2. A.23-03-005 cannot be completed by September 14, 2024.
3. An extension of the statutory deadline until September 14, 2025, is necessary to allow adequate time to complete this proceeding.

Conclusion of Law

1. Pursuant to the authority granted to the Commission under Pub. Util. Code Section 1701.5(a), the statutory deadline should be extended until September 14, 2025.

IT IS ORDERED that the statutory deadline for completion of this proceeding is extended until September 14, 2025.

This order is effective today.

Dated September 12, 2024, at Sacramento, California.

ALICE REYNOLDS
President
DARCIE L. HOUCK
JOHN REYNOLDS
KAREN DOUGLAS
Commissioners

Commissioner Matthew Baker recused himself from this agenda item and was not part of the quorum in its consideration.