

July 22, 2002

**Advice 2266-E  
(Pacific Gas and Electric Company ID U39 E)**

Public Utilities Commission of the State of California

**Subject: Submits Notice of Construction, Pursuant to General Order 131-D, for the Construction of the Los Esteros Critical Energy Center Temporary 115 Kilovolt Circuit Pole Line in the City of San Jose, County of Santa Clara**

Pacific Gas and Electric Company (the Company) hereby submits notice pursuant to CPUC General Order (G.O.) 131-D, Section XI, Subsection B.4 of the construction of facilities that are exempt from a Permit to Construct.<sup>1</sup>

**Purpose**

This advice letter provides a copy of the Notice of Proposed Construction (Attachment I) and the Notice Distribution List, which comply with the noticing requirements found in G.O. 131-D, Section XI, Subsection B.4.

**Background**

North San Jose Energy Center LLC has requested Pacific Gas and Electric Company to construct a temporary 115 kilovolt (kV) single circuit pole line to connect the Los Esteros Critical Energy Center to the Company's existing Trimble to Nortech 115 kV line located near the northeast corner of the intersection of Zanker Road and State Route 237. The route of the temporary line will cross property of the San Jose/Santa Clara Water Pollution Control Plant located in northern San Jose between Zanker Road and Coyote Creek and north of State Route 237.

The temporary line is scheduled to be constructed starting in early September 2002, and will be energized when the Los Esteros Critical Energy Center begins generating electricity. The temporary line will remain in service until a permanent

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<sup>1</sup> The Company reserves all legal rights to challenge the decisions or statutes under which it has been required to make this advice filing, and nothing in this advice filing constitutes a waiver of such rights. Also, the Company reserves any additional legal rights to challenge the requirement to make this advice filing by reason of its status as a debtor under Chapter 11 of the Bankruptcy Code, and nothing in this advice filing constitutes a waiver of such rights.

underground connection is completed between the Energy Center and the Company's Los Esteros Substation, which is currently under construction and located north of the Energy Center site.

This project qualifies as exempt from Permit to Construct filing requirements, pursuant to G.O. 131-D, Section III, Subsection B.1.f, which exempts, "power lines or substations 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."

Additionally, G.O. 131-D requires utilities to employ "no cost" and specified "low cost" measures to reduce public exposure to electric and magnetic fields (EMFs). The following measures are proposed for this project:

- Because the line will be operated for a temporary period of time, (less than three years), and there is no development on the San Jose/Santa Clara Water Pollution Control Plant property along the proposed route of the line, there are no "low cost" measures proposed for this project.

This filing will not increase any rate or charge, cause the withdrawal of service, or conflict with any other rate schedule or rule.

### **Protests**

Anyone wishing to protest this filing may do so by filing a protest with the CPUC and the Company by **August 12, 2002**, at the following address:

Director, Energy Division  
California Public Utilities Commission  
505 Van Ness Avenue, Fourth Floor  
San Francisco, California 94102  
Facsimile: (415) 703-2200

In addition, protests and all other correspondence regarding this advice letter should also be sent by letter and transmitted via facsimile to the attention of:

David T. Kraska  
Attorney, Law Department  
Pacific Gas and Electric Company  
P.O. Box 7442  
San Francisco, California 94120  
Facsimile: (415) 973-0516

Les Guliasi  
Director, Regulatory Relations  
Pacific Gas and Electric Company  
P.O. Box 770000, Mail Code B10C  
San Francisco, California 94177  
Facsimile: (415) 973-7226

Persons or groups may protest the proposed construction if they believe that the Company has incorrectly applied for an exemption or that the conditions identified in G.O. 131-D, Section III.B.2 exist.

**Effective Date**

The Company requests that this advice filing become effective on **August 31, 2002**, which is 40 days after the date of filing. (In accordance with G.O. 131-D, construction will not begin until 45 days after notice is first published.)

**Notice**

In accordance with G.O. 96-A, Section III, Paragraph G, the Company is electronically and postal mailing copies of this advice letter to the utilities and interested parties shown on the attached list, including the parties listed in G.O. 131-D, Section XI, Paragraphs B.1 and B.2. These parties are identified in the "Notice Distribution List" included in Attachment I. Address change requests should be directed to Rose Abao at (415) 973-2218. Advice letter filings can also be accessed electronically at:

[http://www.pge.com/customer\\_services/business/tariffs/](http://www.pge.com/customer_services/business/tariffs/)

Vice President -- Regulatory Relations

Attachments

cc: Parties Listed in G.O. 131-D, Paragraphs B.1 and B.2

bcc: Robert Bonderud  
David Kraska  
Jo Lynn Lambert  
Robert Masuoka  
Michael San Julian  
Patricia Sanchez  
Robert Stiving