

January 24, 2003

**Advice 2340-E  
(Pacific Gas and Electric Company ID U39 E)**

Public Utilities Commission of the State of California

**Subject: Evergreen–Los Gatos 60 Kilovolt Power Line Reconstruction Project**

Pacific Gas and Electric Company (the Company) hereby submits notice pursuant to 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.

**Background**

At the request of KB Home Builders, Pacific Gas and Electric Company is replacing 3 existing poles with 3 taller poles to achieve required vertical clearance above a proposed residential street. The 3 poles are located in the new Tuscany Hills Development in the southern San Jose area near Highway 87 and Hillsdale Avenue. All work will take place within the existing pole line right-of-way. Construction is scheduled to begin in March of 2003, or as soon as possible thereafter, and to be completed in April 2003, or as soon as possible thereafter.

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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.

This project qualifies as exempt from Permit to Construct filing requirements, pursuant to G.O. 131-D, Section III, Subsections B.1. (b) and (g), which exempts "the replacement of existing power line facilities or supporting structures with equivalent facilities or structures" and "power line facilities or substation to be located in an existing franchise, road-widening setback easement, or public utility easement; or in a utility corridor designated, precisely mapped and officially adopted pursuant to law by federal, state, or local agencies for which a final Negative Declaration or EIR finds no significant unavoidable environmental impacts."

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).

- Because there are no EMF mitigation measures available on this project that would meet the CPUC's benchmark of 4% or less of the total project cost, no "no cost" or "low cost" measures will be employed.

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 **February 13, 2003**, 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 set out in G.O. 131-D, Section III, B.2, exist.

### **Effective Date**

The Company requests that this advice filing become effective on **March 5, 2003**, 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 Sandra Ciach at (415) 973-7572. 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