

September 16, 2003

**Advice 2422-E
(Pacific Gas and Electric Company ID U39 E)**

Public Utilities Commission of the State of California

**Subject: Notice of Proposed Construction of Facilities Pursuant to
General Order 131-D, East Third Avenue Landfill Project,
located in the City of San Mateo**

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.¹

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

Proposed Project: In order to accommodate the City of San Mateo's East Third Avenue Landfill Project, located adjacent to the San Francisco Bay in the City of San Mateo, Pacific Gas and Electric Company must perform certain pier, beam and foundation work to reinforce five towers on the San Mateo - Bair 60 kilovolt (kV), Newark – San Mateo 230 kV, and Contra Costa – San Mateo 230 kV transmission lines in the City of San Mateo. A 16'6" cage extension must also be installed on one tower of the Contra Costa-San Mateo 230 kV Transmission Line along with anti-climbing guards and tower marking on fifteen towers. All tower work will be performed adjacent to J. Hart Clinton Drive at the site of the E. Third Street Landfill. Construction is scheduled to begin in October 2003, or as soon as possible thereafter and to be in service in January 2004 or as soon as construction is completed.

¹ 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, A and B. "No electric public utility shall begin construction in this state of any new electric generating plant having in aggregate a net capacity available at the busbar in excess of 50 megawatts (MW), or of the modification, alteration, or addition to an existing electric generating plant that results in a 50 MW or more net increase in the electric generating capacity available at the busbar of the existing plant, or of major electric transmission line facilities which are designed for immediate or eventual operation at 200 kV or more (except for the replacement of existing power line facilities or supporting structures with equivalent facilities or structures, the minor relocation of existing power line facilities, the conversion of existing overhead lines to underground, or the placing of new or additional conductors, insulators, or their accessories on or replacement of supporting structures already built) without this Commission's having first found that said facilities are necessary to promote the safety, health, comfort, and convenience of the public, and that they are required by the public convenience and necessity" and "the replacement of existing power line facilities or supporting structures with equivalent facilities or structure", "the placing of new or additional conductors, insulators, or their accessories on or replacement of supporting structures already built, "power line facilities or substation to be located in an existing franchise, road-widening setback easement, or utility easement; or in a utility corridor designated, precisely mapped and officially adopted pursuant to law be 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 to 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 **October 6, 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

Brian K. Cherry
Director, Regulatory Relations
Pacific Gas and Electric Company
P.O. Box 770000, Mail Code B10C
San Francisco, California 94177
Facsimile: (415) 973-7226
E-Mail: RxDd@pge.com

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 G.O. 131-D, Section III.B.2, exist.

Effective Date

The Company requests that this advice filing become effective on **October 26, 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/

Vice President -- Regulatory Relations

Attachments

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