

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

Tel. No. (415) 703-1691



September 29, 2004

Advice Letter 2543-E

Rose de la Torre
Pacific Gas & Electric
77 Beale Street, Room 1088
Mail Code B10C
San Francisco, CA 94105

Subject: Kings River conservation district-Malaga 115 kV power line, Fresno County

Dear Ms Smith:

Advice Letter 2543-E is effective September 21, 2004. A copy of the advice letter is returned herewith for your records.

Sincerely,

A handwritten signature in cursive script that reads "Paul Clanon".

Paul Clanon, Director
Energy Division



**Pacific Gas and
Electric Company**

Brian K. Cherry
Director
Regulatory Relations

77 Beale Street, Room 1087
San Francisco, CA 94105

Mailing Address
Mail Code B10C
P.O. Box 770000
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August 12, 2004

**Advice 2543-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 Kings River Conservation District-Malaga 115 Kilovolt (kV) Power Line in the County of Fresno

Pacific Gas and Electric 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.

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

Kings River Conservation District has requested Pacific Gas and Electric Company to interconnect their proposed 97 megawatt natural gas fired peaking power plant located in an industrial area south of the City of Fresno and near the Community of Malaga, in Fresno County. Pacific Gas and Electric Company will replace an existing 12kV power line on wood poles with a new 115kV power line on higher wood poles. The line begins at the proposed peaker plant near the intersection of Chestnut Avenue and North Avenue, and extends approximately one mile along North Avenue to the Company's Malaga Substation located near the intersection of Willow Avenue and North Avenue. Construction is tentatively scheduled to begin in November 2004, or as soon as possible thereafter, and be completed in March 2005, or as soon as possible thereafter.

This project qualifies as exempt from Permit to Construct filing requirements, pursuant to G.O. 131-D, Section III, Subsection B.1.(f), and (g), 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;" "power line facilities or substations 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."

The California Energy Commission adopted a Mitigated Negative Declaration for the Kings River Conservation District Peaking Power Plant Project, finding no significant unavoidable environmental impacts resulting from the Company's proposed facilities. (State Clearinghouse # 2004031053)

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:

- 21 of the 23 wood poles will be raised 10 feet in order to reduce public exposure to EMF at ground level.

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 **September 1, 2004**, 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 in Section III.B.2 of G.O. 131-D exist.

Effective Date

Pacific Gas and Electric Company requests that this advice filing become effective on **September 21, 2004**, 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, Pacific Gas and Electric 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 De La Torre at (415) 973-4716. Advice letter filings can also be accessed electronically at:

<http://www.pge.com/tariff>


Director - Regulatory Relations

Attachments

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

NOTICE OF PROPOSED CONSTRUCTION

PROJECT NAME: Kings River Conservation District-Malaga 115 Kilovolt (kV) Power Line

ADVICE LETTER NUMBER: 2543-E

Proposed Project: Kings River Conservation District has requested Pacific Gas and Electric Company to interconnect their proposed 97 megawatt natural gas fired peaking power plant located in an industrial area south of the City of Fresno and near the Community of Malaga, in Fresno County. Pacific Gas and Electric Company will replace an existing 12kV power line on wood poles with a new 115 kV power line on higher wood poles. The line begins at the proposed peaker plant near the intersection of Chestnut Avenue and North Avenue, and extends approximately one mile along North Avenue to the Company's Malaga Substation located near the intersection of Willow Avenue and North Avenue. Construction is tentatively scheduled to begin in November 2004, or as soon as possible thereafter, and be completed in March 2005, or as soon as possible thereafter.

Electric and Magnetic Fields (EMF): Pacific Gas and Electric Company will employ "no cost" and specified "low cost" measures to reduce public exposure to EMF in accordance with California Public Utilities Commission (CPUC) Decision 93-11-013 and Pacific Gas and Electric Company's "EMF Design Guidelines of New Electrical Facilities: Transmission, Substation, and Distribution." The following measure(s) is proposed for this project:

- 21 of the 23 wood poles will be raised 10 feet in order to reduce public exposure to EMF at ground level.

Exemption from CPUC Authority: CPUC General Order 131-D, Section III, B.1, exempts projects meeting specific conditions from the CPUC's requirement to file an application requesting authority to construct. Pacific Gas and Electric Company believes this project qualifies for the following exemption(s):

- (f) "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."
- (g) "power line facilities or substations 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."

The California Energy Commission adopted a Mitigated Negative Declaration for the Kings River Conservation District Peaking Power Plant Project, finding no significant unavoidable environmental impacts resulting from Pacific Gas and Electric Company's proposed facilities. (State Clearinghouse # 2004031053)

Public Review Process: Persons or groups may protest the proposed construction if they believe that Pacific Gas and Electric Company has incorrectly applied for an exemption or that the conditions set out in Section III.B.2 of General Order 131-D exist;

- a. There is reasonable possibility that the activity may have an impact on an environmental resource of hazardous or critical concern where designated, precisely mapped and officially adopted pursuant to law by federal, state, or local agencies; or
- b. The cumulative impact of successive projects of the same type in the same place, over time, is significant; or
- c. There is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

Protests should include the following:

1. Your name, mailing address and daytime telephone number.
2. Reference to the CPUC Advice Letter Number and Project Name.
3. A clear description of the reason for the protest.
4. Whether you believe that evidentiary hearings are necessary to resolve factual disputes.

Protests for this project must be filed by September 1, 2004, at the following address:

Director, Energy Division
California Public Utilities Commission
505 Van Ness Avenue, Fourth Floor
San Francisco, California 94102

With a copy mailed to:

David Kraska, Law Department
Pacific Gas and Electric Company
P.O. Box 7442
San Francisco, California 94120

Pacific Gas and Electric Company must respond within five business days of receipt and serve copies of its response on each protestant and the Energy Division. Within 30 days after Pacific Gas and Electric Company has submitted its response, the Executive Director of the CPUC will send you a copy of an Executive Resolution granting or denying the request and stating the reasons for the decision.

Assistance in Filing a Protest: For assistance in filing a protest, contact the CPUC Public Advisor in San Francisco at (415) 703-2074 or 1-866-849-8390 (toll-free) or TTY (415) 703.5258 or public.advisor@cpuc.ca.gov

Additional Project Information: To obtain further information on the proposed project, please call Pacific Gas and Electric Company's Project Information Line at (415) 973-5530.

Notice Distribution List

Kings River Conservation District-Malaga 115 Kilovolt (kV) Power Line

Advice 2543-E

Energy Commission

Mr. Bob Therleksen, Executive Director
California Energy Commission
1516 Ninth Street, Mail Stop 39
Sacramento, California 95814

Mr. Terry O'Brien, Deputy Director
California Energy Commission
1516 Ninth Street, Mail Stop 39
Sacramento, California 95814

County of Fresno

Richard Brogan, Director
County of Fresno
Department of Public Works and Planning
6th Floor, 2220 Tulare Street
Fresno, California 93721

Newspaper

The Fresno Bee

**PG&E Electric Advice Filing List
General Order 96-A, Section III(G)**

ABAG Power Pool
Aglet Consumer Alliance
Agnews Developmental Center
Ahmed, Ali
Alcantar & Elsesser
Anderson Donovan & Poole P.C.
Applied Power Technologies
APS Energy Services Co Inc
Arter & Hadden LLP
Avista Corp
Barkovich & Yap, Inc.
BART
Bartle Wells Associates
Blue Ridge Gas
Bohannon Development Co
BP Energy Company
Braun & Associates
C & H Sugar Co.
CA Bldg Industry Association
CA Cotton Ginners & Growers Assoc.
CA League of Food Processors
CA Water Service Group
California Energy Commission
California Farm Bureau Federation
California ISO
Calpine
Calpine Corp
Calpine Gilroy Cogen
Cambridge Energy Research Assoc
Cameron McKenna
Cardinal Cogen
Cellnet Data Systems
Childress, David A.
City of Glendale
City of Healdsburg
City of Palo Alto
City of Redding
CLECA Law Office
Constellation New Energy
CPUC
Creative Technology
Crossborder Inc
CSC Energy Services
Davis, Wright Tremaine LLP
Davis, Wright, Tremaine, LLP
Defense Fuel Support Center
Department of the Army
Department of Water & Power City
Dept of the Air Force
DGS Natural Gas Services
DMM Customer Services
Downey, Brand, Seymour & Rohwer
Duke Energy
Duke Energy North America

Duncan, Virgil E.
Dutcher, John
Dynegy Inc.
Ellison Schneider
Energy Law Group LLP
Energy Management Services, LLC
Enron Energy Services
Exeter Associates
Foster, Wheeler, Martinez
Franciscan Mobilehome
Future Resources Associates, Inc
GLJ Energy Publications
Goodin, MacBride, Squeri, Schlotz &
Grueneich Resource Advocates
Hanna & Morton
Heeg, Peggy A.
Hogan Manufacturing, Inc
House, Lon
Imperial Irrigation District
Integrated Utility Consulting Group
International Power Technology
J. R. Wood, Inc
JTM, Inc
Kaiser Cement Corp
Korea Elec Power Corp
Marcus, David
Masonite Corporation
Matthew V. Brady & Associates
Maynor, Donald H.
McKenzie & Assoc
McKenzie & Associates
Meek, Daniel W.
Mirant California, LLC
Modesto Irrigation Dist
Morrison & Foerster
Morse Richard Weisenmiller & Assoc.
New United Motor Mfg, Inc
Norris & Wong Associates
North Coast Solar Resources
Northern California Power Agency
PG&E National Energy Group
Pinnacle CNG Company
PPL EnergyPlus, LLC
Price, Roy
Product Development Dept
Provost Pritchard
R. M. Hairston & Company
R. W. Beck & Associates
Recon Research
Regional Cogeneration Service
RMC Lonestar
Sacramento Municipal Utility District
SCD Energy Solutions
Seattle City Light

Sempra
Sempra Energy
Sequoia Union HS Dist
SESCO
Sierra Pacific Power Company
Silicon Valley Power
Simpson Paper Company
Smurfit Stone Container Corp
Southern California Edison
SPURR
St. Paul Assoc
Stanford University
Sutherland, Asbill & Brennan
Tabors Caramanis & Associates
Tansev and Associates
Tecogen, Inc
TFS Energy
TJ Cross Engineers
Transwestern Pipeline Co
Turlock Irrigation District
United Cogen Inc.
URM Groups
Utility Cost Management LLC
Utility Resource Network
Wellhead Electric Company
Western Hub Properties, LLC
White & Case
WMA