

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



April 9, 2015

Advice Letter 4533-E

Meredith Allen
Senior Director, Regulatory Relations
Pacific Gas and Electric Company
P.O. Box 770000, Mail Code B10C
San Francisco, CA 94177

Subject: Notice of Construction Filed 11/12/2014 Pursuant to General Order 131-D for the Salinas–Firestone No. 1 60-kV Power Line Project in the City of Salinas (the Project), Suspended for 120 Days through 4/10/2015

Dear Ms. Allen,

Summary: Energy Division rejects PG&E's request to construct facilities pursuant to General Order (GO) 131-D Permit to Construct (PTC) Exemptions "b" and "c" along the Salinas–Firestone No. 1 60-kV Power Line because of GO 131-D Section III.B.2.a (exception "a"). Consultation with the California Department of Fish and Wildlife (CDFW) is required to determine whether impacts to the bank of Alisal Creek would be substantial as specified in California Fish and Game Code Section 1602. Upon receipt of written notification and applicable fee, CDFW would determine whether the Project activities would result in a substantial adverse effect on fish or wildlife resources. Consultation with the United States Army Corps of Engineers (USACE) also appears to be required because Alisal Creek is a potentially jurisdictional waterway. A desktop review shows that it may flow into catchments that connect to Salinas River. USACE must verify PG&E's preliminary delineation and review the proposed work areas.

Background: The California Public Utilities Commission's General Order (GO) 131-D governs the planning and construction of electric generation, transmission/power/distribution line facilities and substations. PG&E filed a Tier "N/A" Advice Letter¹ for the Project on November 12, 2014 that was suspended for 120 days (through April 10, 2015) by Commission staff for further review. The last data responses were received on March 23, 2015 and April 2, 2015.

The City of Salinas requested that PG&E relocate a single wood pole along Alisal Creek. It would be replaced with two permanent poles. Temporary poles would be installed during construction. The existing pole is located within the bank of the creek as shown in PG&E's Biological Resources Evaluation Summary report provided to the Commission by email on March 23, 2015. Aerial imagery and photos in PG&E's biological report indicate that room to maneuver around this area of the creek is greatly limited due to the topography, vegetation, and buildings. PG&E's report also states that this section of the creek is subject to California Fish and Game Code Section 1602. Although PG&E feels that the removal of a wooden utility pole from the creek's bank and installation of two new poles in the creek's upper bank would not cause a substantial alteration of bed, channel, or bank, this determination must be made by CDFW.

¹ Tier "N/A" does not exist as a tier for Advice Letter filing pursuant to CPUC GO 96-B, and Advice Letters filed pursuant to GO 131-D must be filed pursuant to GO 96-B. GO 96-B supersedes GO 96-A in its entirety (CPUC Decision 07-01-024, 2007). As stated in GO 96-B, matters appropriate to Tier 2 are: "(4) A request relating to a substation or power line under Section III.B.1 of General Order 131."

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PG&E believes this project qualifies for the following two GO 131-D PTC application exemptions:

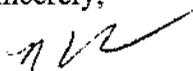
- b. the replacement of existing power line facilities or supporting structures with equivalent facilities or structures; and
- c. the minor relocation of existing power line facilities up to 2,000 feet in length, or the intersetting of additional support structures between existing support structures.

Findings: Commission staff find that, pursuant to General Order 131-D, the foregoing exemptions do not apply because of the following exception to the exemptions: "a. there is reasonable possibility that the activity may 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." PG&E stated that consultation with CDFW and USACE are not required but Commission staff disagrees. The Alisal Creek waterway is at least State jurisdictional (as verified by PG&E's biological report), work would occur within the creek's bank, and the creek is connected via catchments to Salinas River, and as such, consultation with both CDFW and USACE are required. A formal PTC application requiring review pursuant to the California Environmental Quality Act and possibly the National Environmental Policy Act may be required depending on consultation results.

In addition, PG&E's initial Advice Letter filing identified Alisal Creek as a "reclamation ditch" rather than a State-jurisdictional waterway, which is misleading. Monterey County Water Resources Agency may classify it as such, but it is also classified as Alisal Creek. As stated by PG&E's biological report, it is a State-jurisdictional waterway. It potentially falls under federal jurisdiction as well. Later, an e-mail from PG&E outside legal counsel, Jo Lynn Lambert, on April 2, 2015 stated that work would not occur within the waterway's bank, which is inaccurate. Although these statements are not the reason for the rejection of this Advice Letter, they are misleading and do not facilitate timely Advice Letter processing.

Therefore, PG&E's request to construct facilities pursuant to a GO 131-D PTC application exemption is rejected.

Sincerely,



Edward Randolph
Director, Energy Division

cc (by e-mail): Kingsley Cheng (PG&E)
Molly Sterkel (CPUC Program Manager, Infrastructure Planning and Permitting)
Mary Jo Borak (CPUC Supervisor, Infrastructure Permitting and CEQA)
Nicholas Sher (CPUC legal counsel)



Meredith Allen
Senior Director
Regulatory Relations

Pacific Gas and Electric Company
77 Beale St., Mail Code B10C
P.O. Box 770000
San Francisco, CA 94177

Fax: 415-973-7226

November 12, 2014

Advice 4533-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 Salinas-Firestone No. 1 60 kV Power Line Project in the City of Salinas

Pacific Gas and Electric Company ("PG&E" or "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.

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

The City of Salinas (City) has requested PG&E to relocate one wood pole on the existing Salinas-Firestone No. 1 60 Kilovolt (kV) Power Line to accommodate the southerly extension of Elvee Drive across the Monterey County Water Resources Agency Reclamation Ditch. PG&E will relocate one existing wood pole within the existing power line easement approximately 70 feet northwest, and will interset an additional wood pole approximately 125 feet southeast of the existing pole (replacement of existing facilities; intersetting structures). To keep the power line in service during construction, PG&E will temporarily relocate approximately 1,060 feet of the existing power line by installing two temporary wood poles on the vacant parcel to the south of the canal (minor relocation). PG&E will remove the temporary poles once construction is complete. The temporary and permanent wood poles will be approximately the same height as the existing wood poles. Construction is tentatively scheduled to begin in February 2015, or as soon as project plans and approvals are in place, with completion in May 2015, or as soon as possible after the roadway construction project is complete.

CPUC General Order 131-D, Section III, Subsection B.1, exempts projects meeting specific conditions from the CPUC's requirement to file an application requesting authority to construct. The Company believes this project qualifies for the following exemptions,

- b. "the replacement of existing power line facilities or supporting structures with equivalent facilities or structures."
- c. "the minor relocation of existing power line facilities up to 2,000 feet in length, or the intersetting of additional support structures between existing support structures."

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 December 2, 2014, which is 20 days after the date of this filing. Protests should be mailed to the following address:

CPUC Energy Division
ED Tariff Unit
505 Van Ness Avenue
San Francisco, California 94102

Facsimile: (415) 703-2200
E-Mail: EDTariffUnit@cpuc.ca.gov

Copies of protests also should be mailed to the attention of the Director, Energy Division, Room 4004, at the address show above.

The protest also should be sent via U.S. mail (and by facsimile and electronically, if possible) to PG&E at the address shown below on the same date it is mailed or delivered to the Commission:

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

Facsimile: (415) 973-0516

Meredith Allen
Senior 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: PGETariffs@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.

Public Comment

Individuals or groups who do not file an official protest may still submit a comment on the request to the Energy Division at the address noted above, referencing Advice Letter 4533-E.

Effective Date

The Company requests that this advice filing become effective on December 12, 2014, which is 30 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

A copy of this advice letter is being sent electronically and via U.S. Mail to 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. All electronic approvals should be sent to e-mail PGETariffs@pge.com. Advice letter filings can also be accessed electronically at <http://www.pge.com/tariffs/>.

_____/S/
Meredith Allen
Senior Director – Regulatory Relations

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

Attachments

CALIFORNIA PUBLIC UTILITIES COMMISSION

ADVICE LETTER FILING SUMMARY ENERGY UTILITY

MUST BE COMPLETED BY UTILITY (Attach additional pages as needed)

Company name/CPUC Utility No. **Pacific Gas and Electric Company (ID U39 E)**

Utility type:

ELC GAS
 PLC HEAT WATER

Contact Person: Kingsley Cheng

Phone #: (415) 973-5265

E-mail: k2c0@pge.com and PGETariffs@pge.com

EXPLANATION OF UTILITY TYPE

ELC = Electric GAS = Gas
PLC = Pipeline HEAT = Heat WATER = Water

(Date Filed/ Received Stamp by CPUC)

Advice Letter (AL) #: **4533-E**

Tier: N/A

Subject of AL: **Submits Notice of Construction, Pursuant to General Order 131-D, for the Construction of the Salinas-Firestone No. 1 60 kV Power Line Project in the City of Salinas**

Keywords (choose from CPUC listing): Power Lines

AL filing type: Monthly Quarterly Annual One-Time Other _____

If AL filed in compliance with a Commission order, indicate relevant Decision/Resolution #: N/A

Does AL replace a withdrawn or rejected AL? If so, identify the prior AL: No

Summarize differences between the AL and the prior withdrawn or rejected AL: _____

Is AL requesting confidential treatment? If so, what information is the utility seeking confidential treatment for: No

Confidential information will be made available to those who have executed a nondisclosure agreement: N/A

Name(s) and contact information of the person(s) who will provide the nondisclosure agreement and access to the confidential information: _____

Resolution Required? Yes No

Requested effective date: **December 12, 2014**

No. of tariff sheets: N/A

Estimated system annual revenue effect (%): N/A

Estimated system average rate effect (%): N/A

When rates are affected by AL, include attachment in AL showing average rate effects on customer classes (residential, small commercial, large C/I, agricultural, lighting).

Tariff schedules affected: N/A

Service affected and changes proposed: N/A

Pending advice letters that revise the same tariff sheets: N/A

Protests, dispositions, and all other correspondence regarding this AL are due no later than 20 days after the date of this filing, unless otherwise authorized by the Commission, and shall be sent to:

California Public Utilities Commission

Director, Energy Division

505 Van Ness Ave., 4th Floor

San Francisco, CA 94102

E-mail: EDTariffUnit@cpuc.ca.gov

Pacific Gas and Electric Company

Attn: Meredith Allen, Senior Director, Regulatory Relations

77 Beale Street, Mail Code B10C

P.O. Box 770000

San Francisco, CA 94177

E-mail: PGETariffs@pge.com

NOTICE OF PROPOSED CONSTRUCTION

Para más detalles llame 1-800-660-6789

PROJECT NAME: Salinas-Firestone No. 1 60 kV Power Line Project – (PM 31068146 City of Salinas)
ADVICE LETTER NUMBER: 4533-E

Proposed Project: The City of Salinas (City) has requested Pacific Gas and Electric Company (PG&E) to relocate one wood pole on the existing Salinas-Firestone No. 1 60 Kilovolt (kV) Power Line to accommodate the southerly extension of Elvee Drive across the Monterey County Water Resources Agency Reclamation Ditch. PG&E will relocate one existing wood pole within the existing power line easement approximately 70 feet northwest, and will interset an additional wood pole approximately 125 feet southeast of the existing pole (replacement of existing facilities; intersetting structures). To keep the power line in service during construction, PG&E will temporarily relocate approximately 1,060 feet of the existing power line by installing two temporary wood poles on the vacant parcel to the south of the canal (minor relocation). PG&E will remove the temporary poles once construction is complete. The temporary and permanent wood poles will be approximately the same height as the existing wood poles. Construction is tentatively scheduled to begin in February 2015, or as soon as project plans and approvals are in place, with completion in May 2015, or as soon as possible after the roadway construction project is complete.

Exemption from CPUC Permit Requirement: CPUC General Order 131-D, Section III, B.1, exempts a utility from the CPUC's requirement to file an application requesting authority to construct if a project meets specific conditions. This project qualifies for the following exemption:

- b. "the replacement of existing power line facilities or supporting structures with equivalent facilities or structures."
- c. "the minor relocation of existing power line facilities up to 2,000 feet in length, or the intersetting of additional support structures between existing support structures."

Additional Project Information: To obtain further information on the proposed project, please call PG&E's Project Information Line at (415) 973-5530.

Public Review Process: Individuals or groups may protest the proposed construction if they believe that PG&E 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 December 2, 2014 at the following address:

Director, Energy Division
 ED Tariff Unit
 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

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

Assistance in Filing a Protest: If you need assistance in filing a protest, contact the CPUC Public Advisor: email: public.advisor@cpuc.ca.gov or call: 1-866-849-8390 (toll-free), or (415) 703-2074, or TTY (415) 703-5258.

Public Comment: Even if you do not want to file an official protest, you may still comment on the request. To do so, send your comments to the Energy Division at the address noted above. Please reference Advice Letter 4533-E.

Notice Distribution List

Salinas-Firestone No. 1 60 kV Power Line Project – (City of Salinas)

Advice 4533-E

Energy Commission

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

Mr. Drew Bohan, Deputy Director
California Energy Commission
1516 Ninth Street, Mail Stop 39
Sacramento, California 95814

California Department of Fish and Wildlife

Ms. Sarah Bahm
California Department of Fish and Wildlife, Central Region
1234 E. Shaw Avenue
Fresno, CA 93710

City of Salinas

Mr. Jeffrey Weir, Director
City of Salinas Community and Economic Development Department
65 West Alisal Street
Salinas, CA 93901

Newspaper

The Salinas Californian

PG&E Gas and Electric Advice Filing List

AT&T	Division of Ratepayer Advocates	North America Power Partners
Albion Power Company	Douglass & Liddell	Occidental Energy Marketing, Inc.
Alcantar & Kahl LLP	Downey & Brand	OnGrid Solar
Anderson & Poole	Ellison Schneider & Harris LLP	Pacific Gas and Electric Company
BART	G. A. Krause & Assoc.	Praxair
Barkovich & Yap, Inc.	GenOn Energy Inc.	Regulatory & Cogeneration Service, Inc.
Bartle Wells Associates	GenOn Energy, Inc.	SCD Energy Solutions
Braun Blaising McLaughlin, P.C.	Goodin, MacBride, Squeri, Schlotz & Ritchie	SCE
CENERGY POWER	Green Power Institute	SDG&E and SoCalGas
California Cotton Ginners & Growers Assn	Hanna & Morton	SPURR
California Energy Commission	In House Energy	San Francisco Public Utilities Commission
California Public Utilities Commission	International Power Technology	Seattle City Light
California State Association of Counties	Intestate Gas Services, Inc.	Sempra Utilities
Calpine	K&L Gates LLP	SoCalGas
Casner, Steve	Kelly Group	Southern California Edison Company
Center for Biological Diversity	Linde	Spark Energy
City of Palo Alto	Los Angeles County Integrated Waste Management Task Force	Sun Light & Power
City of San Jose	Los Angeles Dept of Water & Power	Sunshine Design
Clean Power	MRW & Associates	Tecogen, Inc.
Coast Economic Consulting	Manatt Phelps Phillips	Tiger Natural Gas, Inc.
Commercial Energy	Marin Energy Authority	TransCanada
Cool Earth Solar, Inc.	McKenna Long & Aldridge LLP	Utility Cost Management
County of Tehama - Department of Public Works	McKenzie & Associates	Utility Power Solutions
Crossborder Energy	Modesto Irrigation District	Utility Specialists
Davis Wright Tremaine LLP	Morgan Stanley	Verizon
Day Carter Murphy	NLine Energy, Inc.	Water and Energy Consulting
Defense Energy Support Center	NRG Solar	Wellhead Electric Company
Dept of General Services	Nexant, Inc.	Western Manufactured Housing Communities Association (WMA)