PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE SAN FRANCISCO, CA 94102-3298

August 18, 2015



Advice Letter 4648-E

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

Subject: Notice of Construction, pursuant to General Order (GO) 131-D, for the construction of the Panoche Valley Solar Interconnection and Switching Station Project in the Counties of San Benito and Fresno

Dear Ms. Allen,

Summary

Energy Division approves Advice Letter (AL) 4648-E, Pacific Gas & Electric Company's (PG&E's) request to construct the Panoche Valley Solar Interconnection and Switching Station (Panoche) Project pursuant to GO 131-D. The protest submitted by Audubon California, Defenders of Wildlife, Santa Clara Valley Audubon Society and the Sierra Club (collectively, Protestants) is denied for the reasons detailed below.

Background

GO 131-D governs the planning and construction of electric generation, transmission/ power/distribution line facilities and substations located in California.

AL 4648-E, filed by PG&E on June 12, 2015, requests to interconnect the proposed Panoche Valley Solar Project to the existing Moss Landing-Panoche #2 230 kilovolt (kV) and Coburn-Panoche 230 kV Transmission Lines. The solar developer is proposing to construct a new approximately 8-acre switching station and microwave tower in San Benito County and transfer ownership to PG&E. The switching station would be located adjacent to the proposed solar facility, which is located immediately west of the intersection of Little Panoche Road and Vasquez Creek Road, approximately 14.5 miles west of the intersection of Interstate 5 and West Panoche Road.

To interconnect the new switching station, PG&E will relocate and loop approximately 1,600 feet of the existing Moss Landing-Panoche #2 230 kV Transmission Line and 1,400 feet of the existing Coburn-Panoche 230 kV Transmission Line into and out of the switching station. PG&E will interset approximately four new tubular steel poles in the existing tower line alignment and install approximately four new tubular steel poles to the north of the existing tower line adjacent to the switching station. The new poles will be approximately 100 and 125 feet tall (approximately 10 feet taller than the existing towers) to meet GO 95 minimum ground-to-conductor clearance requirements. In addition, a new telecommunications optical ground wire (OPGW), supported by peak extensions, will be installed along the top of the existing Moss Landing –Panoche #2 230 kV Transmission Line between the new switching station and PG&E's Panoche Substation located approximately 17 miles east of Panoche

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Valley in Fresno County. Two towers will be raised by approximately 16-foot extensions to accommodate the OPGW. PG&E will also install a microwave communications system as a secondary communications system, locating equipment on existing microwave towers at Call Mountain and Panoche Mountain, and constructing a new approximately 100-foot-tall microwave tower at the existing Helm Substation.

GO 131-D, Section III.B.1 exempts projects that meet specific conditions from the requirements to file an application requesting a permit to construct. PG&E believes this project qualifies for the following exemptions:

III.A. "the minor relocation of existing power line facilities"

III.B.1.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 or Negative Declaration) finds no significant unavoidable environmental impacts caused by the proposed line or substation."

Notice

PG&E issued notice of AL 4648-E in compliance with GO 131-D, Sections XI.B and XI.C.

Protest

Protestants submitted a timely protest on July 2, 2015. PG&E replied on July 9, 2015. The protest claims that: 1) PG&E incorrectly applied for an exemption from the Commission's requirement to file an application requesting authority to construct because environmental review is not complete, and 2) conditions that would limit use of this exemption, as set out in GO 131-D Section III.B.2, exist. The protest requests an evidentiary hearing to resolve factual disputes.

Discussion

Consistent with Commission precedent, PG&E's proposal to relocate and loop approximately 1,600 feet of the existing Moss Landing-Panoche #2 230 kV Transmission Line and 1,400 feet of the existing Coburn-Panoche 230 kV Transmission Line into and out of the switching station is a minor relocation of existing power line facilities pursuant to GO 131-D Section III.A.

Additionally, San Benito County completed the environmental review of the Panoche Project on May 20, 2015 with the filing of the Notice of Determination certifying the Supplemental Environmental Impact Report (SEIR). The SEIR evaluated the construction activities requested by PG&E in AL 4648-E and found no significant unavoidable environmental impacts caused by those activities.

Protestants claim that since environmental review is still underway, the project does not qualify for an exemption. San Benito County has completed the environmental review. The fact that Protestants brought a legal challenge against San Benito County's decision does not prohibit PG&E from requesting an exemption to the permit to construct requirements of GO 131-D.

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Protestants claim that the conditions specified in GO 131-D Section III.B.2 exist, namely 1) there is a possibility that the project will have an impact on an environmental resource of hazardous or critical concern, 2) the cumulative impact of successive projects is significant, and 3) unusual circumstances are present that would create a significant effect. The SEIR certified by San Benito County concludes that none of these conditions exist. San Benito County concluded that the project in AL 4648-E would not cause a significant unavoidable impact in any resource area with the incorporation of avoidance and minimization measures. It would not present an unusual circumstance and it would not represent a considerable contribution to cumulative impacts. The SEIR considered the impacts of drought on biological and water resources in relation to the project in its conclusions.

CEQA Guidelines Section 15233 states, "if a lawsuit is filed challenging an EIR or Negative Declaration for noncompliance with CEQA, Responsible Agencies shall act as if the EIR or Negative Declaration complies with CEQA and continue to process the application for the project according to the time limits for Responsible Agency action contained in Government Code Section 65952." Even though the CPUC is not acting as a Responsible Agency in this instance, the proposition stands that a legal challenge to the SEIR does not support a presumption that the document fails to comply with CEQA. Thus, PG&E demonstrated that the project complies with GO 131-D Section III.A and the Protestants failed to demonstrate any of the conditions for a valid protest pursuant to GO 131-D Section III.B.2 exist. The Protestants' claims are denied for failure to state a valid protest.

Based on the information available in its review of AL 4648-E, Energy Division denies the protest and grants approval to PG&E to construct the proposed project pursuant to GO 96-B, Section 7.6.1, effective August 18, 2015. Protestants may request Commission review of this disposition pursuant to GO 96-B, Section 7.7.1.

Sincerely,

Edward Ramloph

Edward Randolph Director, Energy Division

cc: David T. Kraska, PG&E (dtk5@pge.com) Megan Lawson, PG&E (mehr@pge.com) Sarah K. Friedman, Sierra Club (sarah.friedman@sierraclub.org) Kim Delfino, Defenders of Wildlife (kdelfino@defenders.org) Shani Kleinhaus, Santa Clara Valley Audubon Society (shani@cvas.org) Garry George, Audubon California (ggeorge@audubon.org) Mary Jo Borak, CPUC Energy Division (maryjo.borak@cpuc.ca.gov) Molly Sterkel, CPUC Energy Division (molly.sterkel@cpuc.ca.gov) Jason Reiger, CPUC Legal (jason.reiger@cpuc.ca.gov) Jack Mulligan, CPUC Legal (jack.mulligan@cpuc.ca.gov) John Pimentel, Panoche Valley Solar (john@pv2energy.com)



Erik Jacobson 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

June 12, 2015

Advice 4648-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 Order131-D, for the Construction of Panoche Valley SolarInterconnection and Switching Station Project in the Countiesof San Benito and Fresno

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 or Certificate of Public Convenience and Necessity for major electric transmission facilities 200 kV and above.

<u>Purpose</u>

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

To interconnect the proposed Panoche Valley Solar Project to the existing Moss Landing-Panoche #2 230 Kilovolt (kV) and Coburn-Panoche 230 kV Transmission Lines, the solar developer is proposing to construct a new approximately 8-acre switching station and microwave tower in San Benito County (larger project CEQA) and transfer ownership to PG&E. The switching station would be located adjacent to the proposed solar facility, which is located immediately west of the intersection of Little Panoche Road and Vasquez Creek Road, approximately 14.5 miles west of the intersection of Interstate 5 and West Panoche Road. To interconnect the new switching station, PG&E will relocate and loop approximately 1,600 and 1,400 feet of the existing Moss Landing-Panoche #2 230 kV and Coburn-Panoche 230 kV Transmission Lines, respectively, into and out of the switching station (minor relocation). PG&E will interset approximately four new tubular steel poles in the existing tower line

alignment and install approximately four new tubular steel poles to the north of the existing tower line adjacent to the switching station. The new poles will be approximately 100 to 125 feet tall (approximately 10 feet taller than the existing towers) to meet California Public Utilities Commission (CPUC) General Order 95 minimum ground-to-conductor clearance requirements. In addition, a new telecommunications optical ground wire (OPGW), supported by peak extensions, will be installed along the top of the existing Moss Landing-Panoche #2 230 kV Transmission Line between the new switching station and PG&E's Panoche Substation located approximately 17 miles east of Panoche Valley in Fresno Two towers will be raised by approximately 16-foot extensions to County. accommodate the OPGW. PG&E will also install a microwave communications system as a secondary communications system, locating equipment on existing microwave towers at Call Mountain and Panoche Mountain, and constructing a new approximately 100-foot-tall microwave tower at the existing Helm Substation. Helicopters will be used to facilitate construction activities. Construction is tentatively scheduled to begin in August 2015 or as soon as project plans and approvals are in place. Construction is scheduled to be completed in April 2016, or as soon as possible after construction begins.

CPUC General Order 131-D, Section III, Subsection A and 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:

- III.A. "the minor relocation of existing power line facilities"
- III.B.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."

The County of San Benito certified an Environmental Impact Report for the Panoche Valley Solar Farm Project (November 11, 2010) and Supplemental (May 19, 2015), which found no significant unavoidable environmental impacts resulting from PG&E's proposed facilities. (State Clearinghouse #2010031008)

Protests

Anyone wishing to protest this filing may do so by filing a protest with the CPUC and the Company by July 2, 2015, 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

Erik Jacobson 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 4648-E.

Effective Date

The Company requests that this Tier 2 advice filing become effective on July 12, 2015, 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.)

<u>Notice</u>

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/

Erik Jacobson 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:			Contact Person: Kingsley Cheng			
⊠ ELC	□ GAS		Phone #: (415) 973-5265			
\Box PLC	□ HEAT	□ WATER	E-mail: <u>k2c0@pge.com and PGETariffs@pge.com</u>			
EXPLANATION OF UTILITY TYPE				(Date Filed/ Received Stamp by CPUC)		
ELC = Electric $GAS = Gas$				(Date Fried/ Received Stamp by Cl OC)		
			WATER = Water			
Advice Letter (AL) #: 4648-E Tier: 2 Subject of AL: Submits Notice of Construction, Pursuant to General Order 131-D, for the Construction of Panoche Valley Solar Interconnection and Switching Station Project in the Counties of San Benito and Fresno						
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 #: <u>N/A</u>						
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: <u>N/A</u>						
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: July 12, 2015				No. of tariff sheets: N/A		
Estimated system annual revenue effect (%): N/A						
Estimated system average rate effect (%): <u>N/A</u>						
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: <u>N/A</u>						
Service affected and changes proposed: <u>N/A</u>						
Pending advice letters that revise the same tariff sheets: <u>N/A</u>						
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:						
				c Gas and Electric Company		
Director, Energy Division				Erik Jacobson, Director, Regulatory Relations		
505 Van Ness Ave., 4 th Floor				ale Street, Mail Code B10C Box 770000		
San Francisco, CA 94102 E-mail: EDTariffUnit@cpuc.ca.gov			San F	San Francisco, CA 94177		
E-man: ED FarmUnit@cpuc.ca.gov			E-ma	E-mail: PGETariffs@pge.com		

NOTICE OF PROPOSED CONSTRUCTION

Para más detalles llame 1-800-660-6789

PROJECT NAME: Panoche Valley Solar Interconnection and Switching Station Project (San Benito and Fresno Counties, P. No. 08099) ADVICE LETTER NUMBER: 4648-E

Proposed Project: To interconnect the proposed Panoche Valley Solar Project to the existing Moss Landing-Panoche #2 230 Kilovolt (kV) and Coburn-Panoche 230 kV Transmission Lines, the solar developer is proposing to construct a new approximately 8-acre switching station and microwave tower in San Benito County (larger project CEQA) and transfer ownership to Pacific Gas and Electric Company (PG&E). The switching station would be located adjacent to the proposed solar facility, which is located immediately west of the intersection of Little Panoche Road and Vasquez Creek Road, approximately 14.5 miles west of the intersection of Interstate 5 and West Panoche Road. To interconnect the new switching station, PG&E will relocate and loop approximately 1,600 and 1,400 feet of the existing Moss Landing-Panoche #2 230 kV and Coburn-Panoche 230 kV Transmission Lines, respectively, into and out of the switching station (minor relocation). PG&E will interset approximately four new tubular steel poles in the existing tower line alignment and install approximately four new tubular steel poles to the north of the existing tower line adjacent to the switching station. The new poles will be approximately 100 to 125 feet tall (approximately 10 feet taller than the existing towers) to meet California Public Utilities Commission (CPUC) General Order 95 minimum ground-to-conductor clearance requirements. In addition, a new telecommunications optical ground wire (OPGW), supported by peak extensions, will be installed along the top of the existing Moss Landing-Panoche #2 230 kV Transmission Line between the new switching station and PG&E's Panoche Substation located approximately 17 miles east of Panoche Valley in Fresno County. Two towers will be raised by approximately 16-foot extensions to accommodate the OPGW. PG&E will also install a microwave communications system as a secondary communications system, locating equipment on existing microwave towers at Call Mountain and Panoche Mountain, and constructing a new approximately 100-foot-tall microwave tower at the existing Helm Substation. Helicopters will be used to facilitate construction activities. Construction is tentatively scheduled to begin in August 2015 or as soon as project plans and approvals are in place. Construction is scheduled to be completed in April 2016, or as soon as possible after construction begins.

Exemption from CPUC Permit Requirement: CPUC General Order 131-D, Section III.A (transmission line relocations) and III.B.1 (switching station) exempt 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 exemptions:

- III.A. "the minor relocation of existing power line facilities"
- III.B.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."

The County of San Benito certified an Environmental Impact Report for the Panoche Valley Solar Farm Project (November 11, 2010) and Supplemental (May 19, 2015), which found no significant unavoidable environmental impacts resulting from PG&E's proposed facilities. (State Clearinghouse #2010031008)

Additional Project Information: To obtain further information on the proposed project, please call PG&E's <u>Project</u> 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 July 2, 2015 at the following address:

Director, Energy Division	With a copy mailed to:
ED Tariff Unit	David Kraska, Law Department
California Public Utilities Commission	Pacific Gas and Electric Company
505 Van Ness Avenue, Fourth Floor	P.O. Box 7442
San Francisco, California 94102	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 4648-E.

Notice Distribution List

Panoche Valley Solar Interconnection and Switching Station Project (San Benito and Fresno Counties)

Advice 4648-E

Energy Commission

Mr. Robert Oglesby, Executive Director California Energy Commission 1516 Ninth Street, Mail Stop 39 Sacramento, California 95814 E-Mail: Rob.Oglesby@energy.ca.gov

Mr. Drew Bohan, Deputy Director California Energy Commission 1516 Ninth Street, Mail Stop 39 Sacramento, California 95814 E-Mail: Drew.Bohan@energy.ca.gov

California Department of Fish and Wildlife

Ms. Sarah Bahm California Department of Fish and Wildlife, Central Region 1234 E. Shaw Avenue Fresno, CA 93710 E-Mail: Sarah.Bahm@wildlife.ca.gov

County of San Benito

Byron Turner Planning and Building Inspection Services Planning and Land Use Division 2301 Technology Parkway Hollister, CA 95023 E-Mail: bturner@cosb.us

County of Fresno

Alan Weaver, Director Public Works and Planning 2220 Tulare Street, 6th Floor Fresno, CA 93721 E-Mail: aweaver@co.fresno.ca.us

Newspapers

The Fresno Bee

The Hollister Free Lance

PG&E Gas and Electric Advice Filing List

AT&T Albion Power Company Alcantar & Kahl LLP Anderson & Poole BART Barkovich & Yap, Inc. Bartle Wells Associates Braun Blaising McLaughlin, P.C.

CENERGY POWER CPUC California Cotton Ginners & Growers Assn California Energy Commission California Public Utilities Commission California State Association of Counties Calpine Casner, Steve Center for Biological Diversity City of Palo Alto

City of San Jose Clean Power Coast Economic Consulting Commercial Energy Cool Earth Solar, Inc. County of Tehama - Department of Public Works Crossborder Energy Davis Wright Tremaine LLP Day Carter Murphy Defense Energy Support Center

Dept of General Services

Division of Ratepayer Advocates Douglass & Liddell Downey & Brand Ellison Schneider & Harris LLP G. A. Krause & Assoc. GenOn Energy Inc. GenOn Energy, Inc. Goodin, MacBride, Squeri, Schlotz & Ritchie Green Power Institute Hanna & Morton In House Energy International Power Technology Intestate Gas Services, Inc. K&L Gates LLP Kelly Group Leviton Manufacturing Co., Inc. Linde Los Angeles County Integrated Waste Management Task Force Los Angeles Dept of Water & Power MRW & Associates Manatt Phelps Phillips Marin Energy Authority McKenna Long & Aldridge LLP McKenzie & Associates

Modesto Irrigation District Morgan Stanley NLine Energy, Inc. NRG Solar

Nexant, Inc.

Occidental Energy Marketing, Inc. Office of Ratepayer Advocates OnGrid Solar Pacific Gas and Electric Company Praxair Regulatory & Cogeneration Service, Inc. SCD Energy Solutions SCE

SDG&E and SoCalGas SPURR Seattle City Light Sempra Energy (Socal Gas) Sempra Utilities SoCalGas Southern California Edison Company Spark Energy Sun Light & Power Sunshine Design

Tecogen, Inc. Tiger Natural Gas, Inc. TransCanada Utility Cost Management Utility Power Solutions Utility Specialists

Verizon Water and Energy Consulting Wellhead Electric Company Western Manufactured Housing Communities Association (WMA) YEP Energy