



**PAINTING OF PG&E ELECTRIC DISTRIBUTION PAD-MOUNTED AND SUBSURFACE EQUIPMENT**

**076268**

**Asset Type:** Electric Distribution **Function:** Design and Construction

**Issued by:** M.L. Thibault (MLTC) *[Signature]* **Date:** 08-15-17

**Rev. #00:** This is a new document.

**Purpose and Scope**

This document specifies the requirements necessary and background information available for supporting denial of requests from those other than PG&E concerning modification of exterior coatings for Distribution Pad-Mounted Equipment.

**General Information**

**This document is also included in the following manuals:**

- *Electric and Gas Service Requirements Manual* ([“Greenbook”](#))

References	Location	Document
<a href="#">General Order (G.O.) 128</a>	TIL	<a href="#">G.O. 128</a>
<a href="#">Marking, Numbering, and Identification of Line Structures</a>	OH: Marking	<a href="#">022168</a>
<a href="#">Pad-Mounted, Load-Break Switches and Fuses</a>	UG-1: Switches	<a href="#">053318</a>
<a href="#">Installation of Three-Phase, Pad-Mounted Transformer, Ground Level or Dry Vaults</a>	UG-1: Transformers/Greenbook	<a href="#">057521</a>
<a href="#">Landscape Screen for Pad-Mounted Transformers</a>	Greenbook	<a href="#">063422</a>
<a href="#">Box-Pad for Pad-Mounted Transformers</a>	UG-1: Transformers/Greenbook	<a href="#">064309</a>
<a href="#">Pad-Mount Capacitor</a>	UG-1: General	<a href="#">066197</a>
<a href="#">Installation of Pad-Mounted, Load-Break Junction</a>	UG-1: Switches	<a href="#">066212</a>
<a href="#">Engineering Material Specification 86, “Single-Phase, and Three-Phase Pad-Mounted Distribution Transformers”</a>	TIL	<a href="#">EMS 86</a>
<a href="#">Engineering Material Specification 91, “Single-Phase and Three-Phase Subsurface Distribution Transformers”</a>	TIL	<a href="#">EMS91</a>

**Background**

1. Pacific Gas and Electric Utility (PG&E) receives requests from many Groups such as Service Organizations, Cities, and Counties requesting approvals for painting or placing murals on PG&E distribution line assets (Pad-mount Transformer, Switches, Capacitors, etc.) for many well-meaning reasons and causes. PG&E distribution assets are prohibited from being painted by any other than those in the employ or contracted by PG&E.
2. Existing Assets which may have previously been painted by those other than PG&E prior to the issuance of this document will not be allowed to “freshen up” or repaint existing assets post issuance of this document.
3. California Public Utilities Commission (CPUC) [General Order \(G.O.\) 128](#), Rule 17.8 requires that subsurface and pad-mounted equipment be clearly marked as to ownership. To comply with this rule, PG&E requires standardized signage on these devices which identifies them as PG&E utility assets. these requirements are contained within the corresponding Engineering Material Specifications (EMS).



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- A Signage identifies these devices by their operating number making it quick and easy for PG&E Employees to locate and identify these devices in the event of emergencies or for the purposes of required maintenance and inspection.
  - B Uniformity and consistency of the exterior color and pattern assist in locating and identifying these devices. Non-Uniformity of color as well covering of signage on these devices could prolong restoration efforts and desensitize the general public from the dangers of tampering and/or not maintaining clearances from these Assets.
4. California and Federal Law have cases which guide how PG&E would have to perform were this altering of Assets allowed. Current procedures and processes disallow PG&E from implementing these requirements when overlaid on Operational Procedures.
5. Allowing cities and their citizens to paint on public utility assets creates two possibly significant legal issues concerning ownership of the painting and a third party's right to express their views on our equipment.
- A California law protects "fine art" including murals painted on someone else's (i.e., Utility's) property. (Cal. Civ. Code § 987(a).) The code provides that once a mural is painted on the surface (transformer housing, for example), only the artist or his or her heirs (until 50 years after the artist's death), may authorize "any physical defacement, mutilation, alteration, or destruction of a work of fine art." (Cal. Civ. Code § 987(c)(1).)
  - B In *Pacific Gas and Electric Co. v. Public Util. Comm.* (1985) 475 U.S. 1 the United States Supreme Court ruled that PG&E had a right to control access to its property for expressive purposes so long as we did not open that property as a forum for public expression. The court contrasted PG&E's right with other property owners who had allowed their private property to be used for some types of public expression; the court held that that property had become a public forum and the owners could not thereafter exclude other speakers and other messages from their property.

### Examples of Painted Assets



**Figure 1**  
**Examples of Enclosures in Violation of Note 2 (above)**

### Revision Notes

Revision 00 has the following changes:

1. This is a new document.

