

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



February 12, 2009

**Advice Letter 3394-E**

Brian K. Cherry  
Vice President, Regulatory Relations  
Pacific Gas and Electric Company  
77 Beale Street, Mail Code B10C  
P.O. Box 770000  
San Francisco, CA 94177

**Subject: Submits Notice of Construction, Pursuant to General Order  
131-D, for the Relocation of Approximately 24 Existing Wood  
Power Poles of the Arco-Polonio Pass 70 kV Power Line, County  
of Kern**

Dear Mr. Cherry:

Advice Letter 3394-E is effective February 5, 2009.

Sincerely,

A handwritten signature in blue ink, appearing to read "Julie A. Fitch".

Julie A. Fitch, Director  
Energy Division



**Brian K. Cherry**  
Vice President  
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

January 6, 2009

**Advice 3394-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 Relocation of Approximately 24 Existing Wood Power Poles of the Arco-Polonio Pass 70 Kilovolt (kV) Power Line, County of Kern**

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.

**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**

Pacific Gas and Electric Company (PG&E) has been requested by the State of California, Department of Transportation (Caltrans) to relocate approximately 24 existing wood power poles of the Arco-Polonio Pass 70 kilovolt (kV) power line, in two different locations, and approximately 1 existing wood power pole of the Arco-Cholame 70kV power line to accommodate the Caltrans Highway (Hwy) 46 phase II project in Kern County. The first location consists of the relocation of approximately 6,900 feet of the Arco-Polonio Pass 70kV power line which starts where the power line crosses (from the southwesterly side to the northeasterly side of) Hwy 46 approximately 2,500 feet southeasterly from the county line and continues in a southeasterly direction for approximately 7,300 feet (in a new public utility easement) and ties back into the existing pole line. (The 7,300 feet of new pole line will be constructed within a 100-foot wide ConocoPhillips Temporary Construction Easement after ConocoPhillips has completed the relocation of its pipeline.) This will require the replacement of approximately 22 existing wood poles with approximately 25 new wood poles (little to no change in the height of poles) and the power line will move approximately 150 feet easterly

from its existing position. The second location consists of the replacement of 2 existing wood poles (in existing public utility easement) of the Arco-Polonio Pass 70kV power line with 2 new wood poles (approximately 60 feet tall and about 5 feet taller than the existing poles to maintain ground clearance) located approximately 2.3 miles southeasterly from the county line where the Arco-Polonio Pass 70kV power line extends easterly and crosses the new proposed Hwy 46 west-bound lane. The last location consists of the replacement of 1 existing wood pole (in existing public utility easement) of the Arco-Cholame 70kV power line with 2 new wood poles (approximately 60 feet tall and about 5 feet taller than the existing pole to maintain ground clearance), one on each side of the new highway and located approximately 100 feet southerly from the existing Arco-Polonio Pass 70kV power line. Work is scheduled to begin in May 2009, or as soon thereafter as possible, and will be completed by October 2009, or as soon thereafter as possible.

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.
- 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.

CALTRANS adopted a Mitigated Negative Declaration for the San Luis Obispo and Kern Counties State Route 46 4-Lane Widening Project, finding no significant unavoidable environmental impacts resulting from PG&E's proposed facilities. (CEQA Re-Validation approved 02/08/2008 for State Clearinghouse #2003041036).

- 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.

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 **January 26, 2009**, which is 20 days after the date of this filing. Protests should be mailed to the following address:

CPUC Energy Division  
Tariff Files, Room 4005  
DMS Branch  
505 Van Ness Avenue  
San Francisco, California 94102

Facsimile: (415) 703-2200  
E-Mail: [jjn@cpuc.ca.gov](mailto:jjn@cpuc.ca.gov) and [mas@cpuc.ca.gov](mailto:mas@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

Brian K. Cherry  
Vice President, 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](mailto: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.

**Effective Date**

The Company requests that this advice filing become effective on **February 5, 2009**, 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**

In accordance with G.O. 96-B, Section IV, 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. Address changes to the General Order 96-B service list should be directed to Rose de la Torre at (415) 973-4716. Send all electronic approvals to [PGETariffs@pge.com](mailto:PGETariffs@pge.com). Advice letter filings can also be accessed electronically at <http://www.pge.com/tariffs/>.

A handwritten signature in cursive script that reads "Brian Cherry / mt".

Vice President - Regulatory Relations

Attachments

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

# 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 M)**

Utility type:

ELC

GAS

PLC

HEAT

WATER

Contact Person: Linda Tom-Martinez

Phone #: (415) 973-4612

E-mail: lmt1@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) #: **3394-E**

Tier: **N/A**

Subject of AL: Relocation of Approximately 24 Existing Wood Power Poles of the Arco-Polonio 70kV Power Line (County of Kern)

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 #:

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<sup>1</sup>: \_\_\_\_\_

Is AL requesting confidential treatment? If so, what information is the utility seeking confidential treatment for:

Confidential information will be made available to those who have executed a nondisclosure agreement:  Yes  No

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: **February 5, 2009**

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<sup>1</sup>: 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:

**CPUC, Energy Division**

**Tariff Files, Room 4005**

**DMS Branch**

**505 Van Ness Ave.,**

**San Francisco, CA 94102**

**jnj@cpuc.ca.gov and mas@cpuc.ca.gov**

**Pacific Gas and Electric Company**

**Attn: Brian K. Cherry**

**Vice President, 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

**PROJECT NAME: Arco-Polonio Pass 70kV and Arco-Cholame 70kV Highway 46 Relocation – Kern County**

**ADVICE LETTER NUMBER: 3394-E**

**Proposed Project:** Pacific Gas and Electric Company (PG&E) has been requested by the State of California Department of Transportation (Caltrans) to relocate approximately 24 existing wood power poles of the Arco-Polonio Pass 70 kilovolt (70kV) power line, in two different locations, and approximately 1 existing wood power pole of the Arco-Cholame 70kV power line to accommodate the Caltrans Highway (Hwy) 46 phase II project in Kern County. The first location consists of the relocation of approximately 6,900 feet of the Arco-Polonio Pass 70kV power line which starts where the power line crosses (from the southwesterly side to the northeasterly side of) Hwy 46 approximately 2,500 feet southeasterly from the county line and continues in a southeasterly direction for approximately 7,300 feet (in a new public utility easement) and ties back into the existing pole line. (The 7,300 feet of new pole line will be constructed within a 100-foot wide ConocoPhillips Temporary Construction Easement after ConocoPhillips has completed the relocation of its pipeline.) This will require the replacement of approximately 22 existing wood poles with approximately 25 new wood poles (little to no change in the height of poles) and the power line will move approximately 150 feet easterly from its existing position. The second location consists of the replacement of 2 existing wood poles (in existing public utility easement) of the Arco-Polonio Pass 70kV power line with 2 new wood poles (approximately 60 feet tall and about 5 feet taller than the existing poles to maintain ground clearance) located approximately 2.3 miles southeasterly from the county line where the Arco-Polonio Pass 70kV power line extends easterly and crosses the new proposed Hwy 46 west-bound lane. The last location consists of the replacement of 1 existing wood pole (in existing public utility easement) of the Arco-Cholame 70kV power line with 2 new wood poles (approximately 60 feet tall and about 5 feet taller than the existing poles to maintain ground clearance), one on each side of the new highway and located approximately 100 feet southerly from the existing Arco-Polonio Pass 70kV power line. Work is scheduled to begin in May 2009, or as soon thereafter as possible, and will be completed by October 2009, or as soon thereafter as possible.

**Exemption from CPUC Permit Requirement:** 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 exemptions:

- b) The replacement of existing power line facilities or supporting structures with equivalent facilities or structures.
- 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.

Caltrans adopted a Mitigated Negative Declaration for the San Luis Obispo and Kern Counties State Route 46 4-Lane Widening Project, finding no significant unavoidable environmental impacts resulting from PG&E's proposed relocation of the approximately 26 wood poles of the Arco-Polonio Pass 70kV wood pole line and a wood pole in the Arco-Cholame 70kV wood pole line. (CEQA Re-Validation approved 02/08/2008 for State Clearinghouse #2003041036)

- 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.

**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 January 26, 2009, 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](mailto: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**

### **Arco-Polonio Pass 70kV and Arco-Cholame 70kV Highway 46 Relocation Kern County**

Advice 3394-E

#### **Energy Commission**

Ms. Melissa Jones, 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 Kern**

Planning Department  
Mr. Ted James, AICP, Director  
Public Services Building  
2700 "M" Street., Suite 100  
Bakersfield, CA 93301-2370

#### **Newspaper**

The Bakersfield Californian

**PG&E Gas and Electric  
Advice Filing List  
General Order 96-B, Section IV**

Aglet	Department of the Army	Northern California Power Association
Agnews Developmental Center	Dept of General Services	Occidental Energy Marketing, Inc.
Alcantar & Kahl	Division of Business Advisory Services	OnGrid Solar
Ancillary Services Coalition	Douglas & Liddell	PPL EnergyPlus, LLC
Anderson & Poole	Douglass & Liddell	Pinnacle CNG Company
Arizona Public Service Company	Downey & Brand	Praxair
BART	Duke Energy	R. W. Beck & Associates
BP Energy Company	Duncan, Virgil E.	RCS, Inc.
Barkovich & Yap, Inc.	Dutcher, John	RMC Lonestar
Bartle Wells Associates	Ellison Schneider & Harris LLP	Recon Research
Blue Ridge Gas	Energy Management Services, LLC	SCD Energy Solutions
Braun & Associates	FPL Energy Project Management, Inc.	SCE
C & H Sugar Co.	Foster Farms	SESCO
CA Bldg Industry Association	Foster, Wheeler, Martinez	SMUD
CAISO	Franciscan Mobilehome	SPURR
CLECA Law Office	G. A. Krause & Assoc.	Santa Fe Jets
CSC Energy Services	GLJ Publications	Seattle City Light
	Goodin, MacBride, Squeri, Schlotz & Ritchie	Sempra Utilities
California Cotton Ginners & Growers Assn	Green Power Institute	Sequoia Union HS Dist
California Energy Commission	Hanna & Morton	Sierra Pacific Power Company
California League of Food Processors	Heeg, Peggy A.	Silicon Valley Power
California Public Utilities Commission	Hitachi	Smurfit Stone Container Corp
Calpine	Hogan Manufacturing, Inc.	Southern California Edison Company
Cameron McKenna	Imperial Irrigation District	St. Paul Assoc.
Cardinal Cogen	Innercite	Sunshine Design
Casner, Steve	International Power Technology	Sutherland, Asbill & Brennan
Cerox	Intestate Gas Services, Inc.	TFS Energy
Chamberlain, Eric	J. R. Wood, Inc.	Tabors Caramanis & Associates
Chevron Company	JTM, Inc.	Tecogen, Inc.
Chris, King	Los Angeles Dept of Water & Power	Tiger Natural Gas, Inc.
City of Glendale	Luce, Forward, Hamilton & Scripps LLP	Tioga Energy
City of Palo Alto	MBMC, Inc.	TransCanada
City of San Jose	MRW & Associates	Turlock Irrigation District
Clean Energy Fuels	Manatt Phelps Phillips	U S Borax, Inc.
Coast Economic Consulting	Matthew V. Brady & Associates	United Cogen
Commerce Energy	McKenzie & Associates	Utility Cost Management
Commercial Energy	Meek, Daniel W.	Utility Resource Network
Constellation	Merced Irrigation District	Utility Specialists
Constellation New Energy	Mirant	Vandenberg Air Force
Consumer Federation of California	Modesto Irrigation District	Verizon
Crossborder Energy	Morgan Stanley	Wellhead Electric Company
Davis Wright Tremaine LLP	Morrison & Foerster	Western Manufactured Housing Communities Association (WMA)
		White & Case
Day Carter Murphy	New United Motor Mfg., Inc.	eMeter Corporation
Defense Energy Support Center	Norris & Wong Associates	
Department of Water Resources	North Coast SolarResources	