

## PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



February 3, 2014

Advice Letter 4295-E

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

**Subject: Notice of Construction, Pursuant to General Order 131-D, for the Construction of FRV Orion Project Interconnection Facilities (Kern County)**

Dear Mr. Cherry:

Randell Parker, on behalf of Kern County Advocates for Agriculture, filed a protest of Advice Letter (AL) 4295-E on October 23, 2013. Energy Division has reviewed the protest and determined that the protest is invalid as it failed to comply with the requirements set forth in General Rule 7.4.2 of General Order (GO) 96-B.<sup>1</sup>

For the proposed construction project described in AL 4295-E, PG&E cited the following GO 131-D Section III.B.1 exemption to the CPUC's Permit to Construct application requirements:

- (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.

Energy Division has reviewed AL 4295-E, as well as the Kern County FRV Orion Solar Project EIR, and determined that the project falls within and qualifies for this exemption. Additional exemptions cited by PG&E need not be reviewed. Furthermore, none of the GO 131-D Section III.B.2 exceptions to the exemptions apply for this project.

Advice Letter 4295-E is approved, effective February 3, 2014.

Sincerely,

A handwritten signature in blue ink, appearing to read "ER", is written over the word "Sincerely,".

Edward Randolph  
Director, Energy Division

Cc: Merideth Sterkel, CPUC Energy Division  
Mary Jo Borak, CPUC Energy Division  
Jason Coontz, CPUC Energy Division  
Polly Shaw, SunEdison, Inc.  
Randell Parker, Kern County Advocates for Agriculture

<sup>1</sup> Randell Parker also protested AL 4268-E, a Notice of Construction proposed to accommodate the interconnection of SunEdison's Adobe Solar Project. The interconnection work proposed in AL 4268-E was very similar to the interconnection work proposed in AL 4295-E and Mr. Parker used a parallel argument for both protests. His protest to AL 4268-E was thereafter dismissed as invalid in Resolution E-4619. That Resolution, though not expressly required pursuant to GO 96-B, was written and adopted by the Commission as a courtesy and for the edification of Mr. Parker. Similarly, a Resolution is not required in order to dispose of AL 4295-E.

October 7, 2013

**Advice 4295-E**  
(Pacific Gas and Electric Company ID U 39 E)

Public Utilities Commission of the State of California

**Subject: Submits Notice of Construction, Pursuant to General Order 131-D, the Construction of FRV Orion Project Interconnection Facilities (Kern County)**

**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**

In order to accommodate the interconnection of the proposed customer-owned FRV Orion Solar Project in Kern County, the developer has requested Pacific Gas and Electric Company (PG&E) to connect the existing Weedpatch-San Bernard 70 Kilovolt (kV) Power Line to the solar project's substation (larger project CEQA) located on the intersection of Herring Road and South Edison Road in Kern County. PG&E will replace two existing 68-foot-tall wood poles with three new tubular-steel poles within PG&E's existing power line easement (existing easement, intersetting additional structures). One additional tubular steel pole will be added to support a line between the existing line and the substation, and another pole will be shortened to accommodate the project. In order to meet California Public Utilities Commission (CPUC) General Order 95 minimum clearance requirements and current design standards, the four new poles will be approximately 60 to 80 feet tall to allow for existing distribution wires to be located on the same poles below the power line. Construction is scheduled to currently begin in January 2014, or as soon as project plans and approvals are in place, with completion in March 2014 or as soon as possible after construction begins.

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

- 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.

- 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 of EIR finds no significant unavoidable environmental impacts.

County of Kern adopted an Environmental Impact Report for the FRV Orion Solar Generation Facility, finding no significant unavoidable environmental impacts resulting from PG&E's proposed facilities (State Clearinghouse #2012031079 [Weblink: <http://pcd.kerndsa.com/planning/environmental-documents/286-frv-orion-solar-project>]).

### **Protests**

Anyone wishing to protest this filing may do so by letter sent via U.S. mail, by facsimile or electronically, any of which must be received no later than October 28, 2013, which is 21 days<sup>1</sup> after the date of this filing. Protests should be mailed to:

CPUC Energy Division  
ED Tariff Unit  
505 Van Ness Avenue, 4th Floor  
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

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<sup>1</sup> The 20-day protest period concludes on a weekend, therefore, PG&E is moving this date to the following business day.

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

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**

PG&E requests that this advice filing become effective on **November 6, 2013**, which is 30 calendar days after the date of filing. (In accordance with G.O. 131-D, construction will not begin until 45 days after notice if 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/>.



Vice President, 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: Igor Grinberg

Phone #: 415-973-8580

E-mail: ixg8@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) #: **4295-E**

Tier: N/A

Subject of AL: **Submits Notice of Construction, Pursuant to General Order 131-D, the Construction of FRV Orion Project Interconnection Facilities (Kern County)**

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: N/A

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

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: N/A

Resolution Required?  Yes  No

Requested effective date: **November 6, 2013**

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

Protests, dispositions, and all other correspondence regarding this AL are due no later than 21 days<sup>1</sup> after the date of this filing, unless otherwise authorized by the Commission, and shall be sent to:

Director, Energy Division  
California Public Utilities Commission  
505 Van Ness Avenue, Fourth Floor  
San Francisco, CA 94102  
E-mail: EDTariffUnit@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

<sup>1</sup> The 20-day protest period concludes on a weekend, therefore, PG&E is moving this date to the following business day.

## NOTICE OF PROPOSED CONSTRUCTION

**PROJECT NAME:** FRV Orion Solar Project Interconnection to the Weedpatch-San Bernard 70 kV Power Line (Kern County)

**ADVICE LETTER NUMBER:** 4295-E

**Proposed Project:** In order to accommodate the interconnection of the proposed customer-owned FRV Orion Solar Project in Kern County, the developer has requested PG&E to connect the existing Weedpatch-San Bernard 70 Kilovolt (kV) Power Line to the solar project's substation (larger project CEQA) located on the intersection of Herring Road and South Edison Road in Kern County. PG&E will replace two existing 68-foot-tall wood poles with three new tubular-steel poles within PG&E's existing power line easement (existing easement, intersetting additional structures). One additional tubular steel pole will be added to support a line between the existing line and the substation, and another pole will be shortened to accommodate the project. In order to meet California Public Utilities Commission (CPUC) General Order 95 minimum clearance requirements and current design standards, the four new poles will be approximately 60 to 80 feet tall to allow for existing distribution wires to be located on the same poles below the power line. Construction is scheduled to currently begin in January 2014, or as soon as project plans and approvals are in place, with completion in March 2014, or as soon as possible after construction begins.

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

- 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.
- 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 of EIR finds no significant unavoidable environmental impacts.

County of Kern adopted an Environmental Impact Report for the FRV Orion Solar Generation Facility, finding no significant unavoidable environmental impacts resulting from PG&E's proposed facilities (State Clearinghouse #2012031079 [Weblink: <http://pcd.kerndsa.com/planning/environmental-documents/286-frv-orion-solar-project>]).

**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 October 28, 2013 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](http://www.pge.com) at (415) 973-5530.

## **Notice Distribution List**

FRV Orion Solar Project Interconnection to the  
Weedpatch-San Bernard 70 kV Power Line, Kern County

### **Advice 4295-E**

#### **Energy Commission**

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

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

#### **California Department of Fish and Game**

Ms. Sarah Bahm  
Environmental Scientist  
CA Department of Fish and Game, Central Region  
1234 E. Shaw Avenue, Fresno, CA 93710

#### **County of Kern**

Ms. Lorelei H. Oviatt, Director  
2700 "M" Street, Suite 100  
Bakersfield, CA 93301

#### **Newspaper**

The Bakersfield Californian

**PG&E Gas and Electric  
Advice Filing List**

1st Light Energy	Douglass & Liddell	OnGrid Solar
AT&T	Downey & Brand	Pacific Gas and Electric Company
Alcantar & Kahl LLP	Ellison Schneider & Harris LLP	Praxair
Anderson & Poole	G. A. Krause & Assoc.	Regulatory & Cogeneration Service, Inc.
BART	GenOn Energy Inc.	SCD Energy Solutions
Barkovich & Yap, Inc.	GenOn Energy, Inc.	SCE
Bartle Wells Associates	Goodin, MacBride, Squeri, Schlotz & Ritchie	SDG&E and SoCalGas
Braun Blasing McLaughlin, P.C.	Green Power Institute	SPURR
CENERGY POWER	Hanna & Morton	San Francisco Public Utilities Commission
California Cotton Ginners & Growers Assn	In House Energy	Seattle City Light
California Energy Commission	International Power Technology	Sempra Utilities
California Public Utilities Commission	Intestate Gas Services, Inc.	SoCalGas
California State Association of Counties	Kelly Group	Southern California Edison Company
Calpine	Linde	Spark Energy
Casner, Steve	Los Angeles Dept of Water & Power	Sun Light & Power
Center for Biological Diversity	MAC Lighting Consulting	Sunshine Design
City of Palo Alto	MRW & Associates	Tecogen, Inc.
City of San Jose	Manatt Phelps Phillips	Tiger Natural Gas, Inc.
Clean Power	Marin Energy Authority	TransCanada
Coast Economic Consulting	McKenna Long & Aldridge LLP	Utility Cost Management
Commercial Energy	McKenzie & Associates	Utility Power Solutions
County of Tehama - Department of Public Works	Modesto Irrigation District	Utility Specialists
Crossborder Energy	Morgan Stanley	Verizon
Davis Wright Tremaine LLP	NLine Energy, Inc.	Water and Energy Consulting
Day Carter Murphy	NRG Solar	Wellhead Electric Company
Defense Energy Support Center	Nexant, Inc.	Western Manufactured Housing Communities Association (WMA)
Dept of General Services	North America Power Partners	
Division of Ratepayer Advocates	Occidental Energy Marketing, Inc.	