

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



August 1, 2019

Advice Letter: 5548-E

Pacific Gas and Electric Company
Attn: Erik Jacobson Director, Regulatory Relations
77 Beale Street, Mail Code B10C
P.O. Box 770000
San Francisco, CA 94177
E-mail: PGETariffs@pge.com

SUBJECT: Relocation of Distribution Facilities From A Private Easement To A Franchise Right-Of-Way — Request for Approval under Public Utilities Code Section 851, Pursuant to General Order (GO) 173

Dear Mr. Jacobson:

Advice Letter (AL) 5548-E is approved, effective August 1, 2019. AL 5548-E was filed on May 24, 2019, and was not protested. AL 5548-E seeks to relocate existing PG&E distribution facilities from an easement on private property to a franchise right-of-way in order to allow the property owner to proceed with a permitted development project.

PG&E completed the relocation of a portion of the referenced electric distribution facilities on April 26, 2019. Public Utilities Code Section 851 and General Order 173 require that a regulated utility seek prior approval for these types of transactions. PG&E did not seek prior approval for the relocation of the electric facilities that are the subject of AL 5548-E; and PG&E acknowledged that fact in the AL and apologized to the Commission for its failure to seek approval in advance of the relocation.

PG&E explained by letter on May 24, 2019, the circumstances leading to the relocation of the distribution facilities without prior Commission approval. The facts on the ground show that the PG&E Service Planning Department crew encountered a highly changed landscape when they arrived to complete a relocation that originally would not have required CPUC approval.

Instead, the PG&E crew found that the easement location to which the facilities were to be moved had been previously occupied by another utility's equipment, forcing the crew to relocate the PG&E distribution facilities to a franchise right-of-way position – a

change that did require Commission approval, but that the Service Planning Department was unaware of. Hence, the relocation of the facilities without prior approval.

The Energy Division notes that the relocation did not have any safety or reliability implications and was done at the request of a customer and landowner. Furthermore, it appears highly likely that the PG&E crew was indeed unaware of the notification requirement triggered by the change in the facilities relocation.

Although this particular transaction is approved, the Energy Division will continue to work with PG&E to ensure that proper approval and notification are sought in subsequent transactions.

Sincerely,



FoR

Edward Randolph
Deputy Executive Director for Energy and Climate Policy/
Director, Energy Division

cc

Meredith Allen, Senior Director, PG&E Regulatory Relations
Arocles Aguilar, General Counsel, CPUC
ED Tariff Unit



May 24, 2019

Advice 5548-E

(Pacific Gas and Electric Company ID U 39 E)

Public Utilities Commission of the State of California

Subject: PG&E's Relocation Of Distribution Facilities From A Private Easement To A Franchise Right-Of-Way – Request for Approval Under Public Utilities Code (PUC) Section 851, pursuant to General Order (GO) 173

Purpose

Pacific Gas and Electric Company (PG&E or the Company) requests California Public Utilities Commission (CPUC or Commission) approval under PUC Section 851 (Section 851) and General Order 173 for the relocation of distribution facilities from an easement on private property to a franchise right-of-way.

PG&E completed the relocation of a portion of its electric distribution facilities on April 26, 2019, pursuant to a request by a PG&E customer to facilitate a commercial development project. Both franchise areas and rights-of-way on private property are deemed adequate land rights for distribution line extensions under PG&E's Electric Rule No. 15.¹ The relocation does not interfere with PG&E's operations or PG&E's ability to provide safe and reliable utility service to its customers. This relocation will not be adverse to the public interest.

PG&E apologizes for its failure to seek Commission approval in advance of the relocation. In this instance, the relocation did not have any safety or reliability implications. Nonetheless, PG&E recognizes the importance of compliance with the Commission's requirements.

Background

PG&E's Service Planning Department received a request from Charanjit Ghai to relocate PG&E's overhead electric distribution line (Facilities) on his privately-owned property located in Dunnigan, California, at the northwesterly corner of County Roads 8 and 99W (Property). Mr. Ghai requested the relocation to accommodate his commercial development project (the Grant Park Development) on the Property. At the time of Mr.

¹ PG&E Electric Rule No. 15, Section A.2.a.

Ghai's request, the Property was vacant, and the Facilities ran north to south across the center of Mr. Ghai's parcel. The approximate original location of the Facilities is shown in a red solid line on Attachment 1, the Facilities Map. PG&E installed and maintained its Facilities under an approximately 480-foot easement (Easement) held by PG&E that crossed the center of Property. The Easement document is included as Attachment 2.

As part of the relocation request, PG&E required that the customer provide adequate and equivalent land rights in a new location for the facilities that would allow PG&E to continue to serve its customers with the Facilities and not interfere with Mr. Ghai's Project. Initially, the customer granted a public utility easement on his property in the new location. Relocating PG&E's lines to this other easement would not have required Section 851 approval. Shortly prior to construction, PG&E's Service Planning department discovered that other utilities had already been installed in the designated area, preventing PG&E from installing its facilities. PG&E then determined that the only remaining location for the facilities was in the public right-of-way under its franchise agreement with Yolo County. The approximate location of the relocated facilities is shown in the dashed green line on Attachment 1. Both franchise areas and rights-of-way on private property are deemed adequate land rights for distribution line extensions under PG&E's Electric Rule No. 15.² PG&E completed the relocation work on April 26, 2019.

PG&E requests approval for the effective disposal of the Easement that occurred as a result of this relocation.

PG&E Requests Approval Under Section 851, Pursuant to GO 173

In accordance with General Order 173, Rule 4, PG&E provides the following information related to the proposed transaction:

(a) Identity and Addresses of All Parties to the Proposed Transaction:

Pacific Gas and Electric Company	Dunnigan CoBrands
Molly ZimneyLaw Department	Attn: Charanjit Ghai
P.O. Box 7442	1904 Via Di Salerno
San Francisco, CA 94120	Pleasanton, CA 94566
Telephone: (415) 973-6840	(510) 333-7802
Facsimile: (415) 973-5520	Sunny@Ghaimanagement.com
Email: MEZ3@pge.com	

(b) Complete Description of the Property Including Present Location, Condition and Use:

² PG&E Electric Rule No. 15, Section A.2.a.

The Property is located in Dunnigan, California, at the northwesterly corner of County Roads 8 and 99W, Assessor's Parcel Numbers 052-050-091 and -092. The Property is a vacant parcel currently being developed for commercial use.

(c) Intended Use of the Property:

Mr. Ghai has informed PG&E that he is constructing three fast food restaurants on the Property.

(d) Complete Description of Financial Terms of the Proposed Transaction:

Not applicable. PG&E effectively disposed of the Easement in the relocation of the facilities.

(e) Description of How Financial Proceeds of the Transaction Will Be Distributed:

Not Applicable.

(f) Statement on the Impact of the Transaction on Ratebase and Any Effect on the Ability of the Utility to Serve Customers and the Public:

There is no impact to PG&E's rate base as Net Book Value is \$0. PG&E's relocation of the Facilities will not affect PG&E's ability to provide reliable service to its customers and the public at large.

(g) The Original Cost, Present Book Value, and Present Fair Market Value for Sales of Real Property and Depreciable Assets, and a Detailed Description of How the Fair Market Value Was Determined (e.g., Appraisal):

PG&E paid \$1 for the Easement in 1929. PG&E's records show that Easement has been fully depreciated.

(h) The Fair Market Rental Value for Leases of Real Property, and a Detailed Description of How the Fair Market Rental Value Was Determined:

Not Applicable.

(i) The Fair Market Value of the Easement or Right-of-Way, and a Detailed Description of How the Fair Market Value Was Determined:

Not applicable.

(j) A Complete Description of any Recent Past (Within the Prior Two Years) or Anticipated Future Transactions that May Appear to Be Related to the Present Transaction:

There are no recent past or anticipated future transactions anticipated by PG&E that are related to the present transactions.

(k) Sufficient Information and Documentation (Including Environmental Information) to Show that All of Eligibility Criteria Set Forth in Rule 3 of General Order 173 are Satisfied:

PG&E has provided information in this Advice Letter to satisfy the eligibility criteria under General Order 173 in that:

- The activity proposed in the transaction will not require environmental review by the CPUC as a Lead Agency;
- The transaction will not have an adverse effect on the public interest or on the ability of PG&E to provide safe and reliable service to its customers at reasonable rates;
- The transaction will not materially impact the rate base of PG&E; and
- The transaction does not warrant a more comprehensive review that would be provided through a formal Section 851 application.

(l) Additional Information to Assist in the Review of the Advice Letter:

No information is readily available other than what has already been included within this advice letter submittal.

(m) Environmental Information

Pursuant to General Order 173, the Advice Letter program applies to proposed transactions that will not require environmental review by the CPUC as a lead agency under the California Environmental Quality Act ("CEQA") either because: (a) a statutory or categorical exemption applies (the applicant must provide a Notice of Exemption from the Lead Agency or explain why an exemption applies), or (b) because the transaction is not a project under CEQA (the applicant must explain the reasons why it believes that the transaction is not a project), or (c) because another public agency, acting as the Lead Agency under CEQA, has completed environmental review of the project, and the Commission is required to perform environmental review of the project only as a Responsible Agency under CEQA.

The proposed relocation of the Facilities from the Easement to the franchise area along County Roads 99W and 8 is exempt under Class 1 of Section 15301 of the CEQA Guidelines, which applies to the minor alteration of existing facilities "involving negligible or no expansion of existing . . . use" and, in particular, to

subsection (b), which applies to “existing facilities of both investor and publicly owned utilities used to provide electric power” The Facilities are simply being relocated to accommodate development of the Property and will not change the existing use of the Facilities. In addition, none of the exceptions listed in CEQA Guidelines Section 15300.2 would apply to the relocation of the Facilities. In particular, there are no unusual circumstances that would trigger a significant environmental impact; no scenic highways have been identified in the area and the relocation will not damage scenic resources; the site is not a Cortese list site; and there are no standing structures on the site that could be considered historic resources.

Protests

Anyone wishing to protest this submittal may do so by letter sent via U.S. mail, facsimile or E-mail, no later than June 13, 2019, which is 20 days after the date of this submittal. Protests must be submitted 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 shown above.

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

Erik Jacobson
Director, Regulatory Relations
c/o Megan Lawson
Pacific Gas and Electric Company
77 Beale Street, Mail Code B13U
P.O. Box 770000
San Francisco, California 94177

Facsimile: (415) 973-3582
E-mail: PGETariffs@pge.com

Any person (including individuals, groups, or organizations) may protest or respond to an advice letter (General Order 96-B, Section 7.4). The protest shall contain the following information: specification of the advice letter protested; grounds for the

***** SERVICE LIST for Advice 5548-E *****
APPENDIX A

Jonathan Reiger
Legal Division
505 Van Ness Avenue
San Francisco, CA 94102
(415) 355-5596
jzr@cpuc.ca.gov

Mary Jo Borak
Energy Division
505 Van Ness Avenue
San Francisco, CA 94102
(415) 703-1333
bor@cpuc.ca.gov

Robert (Mark) Pocta
Division of Ratepayer Advocates
505 Van Ness Avenue
San Francisco, CA 94102
(415) 703- 2871
robert.pocta@cpuc.ca.gov

Andrew Barnsdale
Energy Division
505 Van Ness Avenue
San Francisco, CA 94102
(415) 703-3221
bca@cpuc.ca.gov

*****AGENCIES*****

Yolo County Clerk Recorder
625 Court St # B01,
Woodland, CA 95695

*****3rd Parties*****

Dunnigan CoBrands
Attn: Charanjit Ghai
1904 Via Di Salerno
Pleasanton, CA 94566
(510) 333-7802
Sunny@Ghaimanagement.com



ADVICE LETTER 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 WATER
 PLC HEAT

Contact Person: Annie Ho

Phone #: (415) 973-8794

E-mail: PGETariffs@pge.com

E-mail Disposition Notice to: AMHP@pge.com

EXPLANATION OF UTILITY TYPE

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

(Date Submitted / Received Stamp by CPUC)

Advice Letter (AL) #: 5548-E

Tier Designation: 2

Subject of AL: PG&E's Relocation Of Distribution Facilities From A Private Easement To A Franchise Right-Of-Way – Request for Approval Under Public Utilities Code (PUC) Section 851, pursuant to General Order (GO) 173

Keywords (choose from CPUC listing): Agreements, Section 851

AL Type: Monthly Quarterly Annual One-Time Other:

If AL submitted 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:

Confidential treatment requested? Yes No

If yes, specification of confidential information:

Confidential information will be made available to appropriate parties who execute a nondisclosure agreement. Name and contact information to request nondisclosure agreement/ access to confidential information:

Resolution required? Yes No

Requested effective date: 6/23/19

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:

Service affected and changes proposed¹: N/A

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

¹Discuss in AL if more space is needed.

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

CPUC, Energy Division
Attention: Tariff Unit
505 Van Ness Avenue
San Francisco, CA 94102
Email: EDTariffUnit@cpuc.ca.gov

Name: Erik Jacobson, c/o Megan Lawson
Title: Director, Regulatory Relations
Utility Name: Pacific Gas and Electric Company
Address: 77 Beale Street, Mail Code B13U
City: San Francisco, CA 94177
State: California Zip: 94177
Telephone (xxx) xxx-xxxx: (415)973-2093
Facsimile (xxx) xxx-xxxx: (415)973-3582
Email: PGETariffs@pge.com

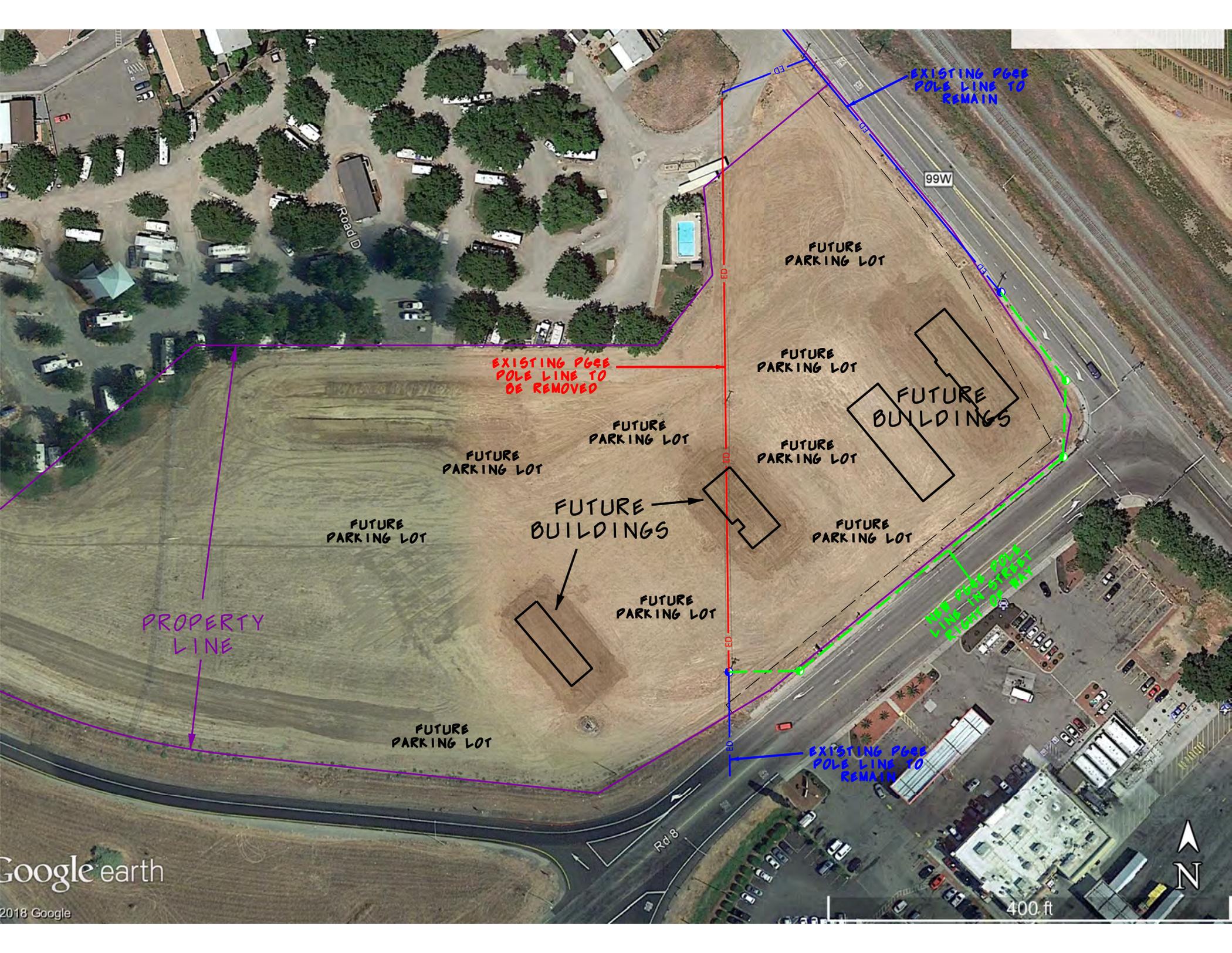
Name:
Title:
Utility Name:
Address:
City:
State: District of Columbia Zip:
Telephone (xxx) xxx-xxxx:
Facsimile (xxx) xxx-xxxx:
Email:

Clear Form

Advice 5548-E
May 24, 2019

Attachment 1

Facilities Map



EXISTING PG&E
POLE LINE TO
REMAIN

99W

FUTURE
PARKING LOT

FUTURE
PARKING LOT

FUTURE
BUILDINGS

FUTURE
PARKING LOT

FUTURE
PARKING LOT

FUTURE
PARKING LOT

FUTURE
BUILDINGS

FUTURE
PARKING LOT

FUTURE
PARKING LOT

FUTURE
PARKING LOT

PROPERTY
LINE

NEW PG&E
POLE LINE
LAYOUT

FUTURE
PARKING LOT

EXISTING PG&E
POLE LINE TO
REMAIN

Rd 8

Google earth

© 2018 Google

400 ft



Advice 5548-E
May 24, 2019

Attachment 2

Easement

Allegate 1/11/29

GMO 35364
No consideration

477-5

2343C 2R-4-28-3M

Record in Woodland
**GRANT OF RIGHT OF WAY
FOR ELECTRIC TRANSMISSION LINE**

2412-01-0024

J. E. SMITH and MATTIE WALLACE SMITH

....., hereinafter called the "Grantor," for and in consideration of the sum of one dollar (\$1.00) in lawful money of the United States of America paid by the PACIFIC GAS AND ELECTRIC COMPANY, a corporation duly organized and existing under and by virtue of the laws of the State of California, hereinafter called the "Grantee," the receipt whereof is acknowledged, do hereby grant unto the said Grantee, its successors, or assigns, the right and privilege of erecting, maintaining and using, for the transmission and distribution of electricity and for all purposes connected therewith, a single line of poles and wires suspended thereon and all necessary and proper guys, cross-arms and braces and other fixtures for use in connection therewith, and also a right of way along said line of poles, together with the right of ingress thereto and egress therefrom along said line, over and across the Grantor's land situate in the County of Yolo State of California, and more particularly described as follows:

The northwest quarter of the northwest quarter of Section 26 and the east half of the northeast quarter of Section 27, Township 12 North, Range 1 West, M. D. B. & M., save and excepting the rights of way of the Southern Pacific Company and the California State Highway.

The route of said line of poles and wires across said land shall be as follows:

Part 1. Beginning at a point in the southerly boundary line of the northeast quarter of said Section 27 (marked by a fence now upon the ground), from which the east quarter corner of said Section 27 (marked by an intersection of fences now upon the ground) bears east 22.3 feet distant, and running thence north 3° 45' east 172.5 feet; thence north 0° 06' west 1315.5 feet; thence north 49° 08' east 110.0 feet, more or less, to a point in the southwesterly boundary line of said State Highway (marked by a fence now upon the ground).

Part 2. Beginning at a point in the southerly boundary line of the county road extending along the northerly boundary line of said premises (marked by a fence now upon the ground), from which the northeast corner of said premises (marked by the intersection of fences now upon the ground) bears south 89° 49' east 26.6 feet distant, and running thence south 49° 08' west 1373.0 feet, more or less, to a point in the northeasterly boundary line of the right of way of said Southern Pacific Company.

The Grantee is also hereby granted the right to trim any trees along said line of poles and wires whenever considered by it necessary for the complete enjoyment of the rights hereby granted.

In Witness Whereof, the Grantor has executed these presents this 12th day of February, 1929.

Executed in the Presence of
Carl L. Watson
Witness.

J. E. Smith
Mattie Wallace Smith

REC'D BY
16520078
ECC
2-8-29

GRANT OF RIGHT OF WAY
FOR
ELECTRIC TRANSMISSION LINE

J. E. SMITH ET AL

TO
PACIFIC GAS AND ELECTRIC COMPANY

Dated.....19

0880

RECORDED AT REQUEST OF

American Railway Exp.

Feb 23 A. D. 1929.

AT 55 MIN. PAST 11 O'CLOCK A.M.

AND RECORDED IN VOL. 5 OF

OFFICIAL RECORDS Page 240

YOLO COUNTY RECORDS.

Le R. Pierce

RECORDER

Alma L. Foster

DEP. RECORDER

FEE \$ 1.40

County of Colusa

On this 13 day of Feb. 1929, before me, E. C. Barrell, a Notary Public in and for said County, residing therein, duly commissioned and sworn, personally appeared Earle L. Watson known to me to be the same person whose name is subscribed to the within instrument, as a witness thereto, who, being by me duly sworn, deposed and said, that he resides in Colusa, California, that he was present and saw J. E. Smith and Mattie Wallace Smith, his wife, (personally known to him to be the person S described in and who executed the said instrument, as set out in thereto) sign and execute the same, and that the said J. E. Smith and Mattie Wallace Smith, his wife, acknowledged in the presence of said affiant, that they executed the same, and that the said affiant, thereupon and at their request, subscribed his name as a witness in and to the said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal, at my office, in the County of Colusa, California, this 13th day and year in this certificate first above written.

E. C. Barrell

Colusa.

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

AT&T	Downey & Brand	Pioneer Community Energy
Albion Power Company	East Bay Community Energy	Praxair
Alcantar & Kahl LLP	Ellison Schneider & Harris LLP	Regulatory & Cogeneration Service, Inc.
	Energy Management Service	SCD Energy Solutions
Alta Power Group, LLC	Evaluation + Strategy for Social	
Anderson & Poole	Innovation	SCE
	GenOn Energy, Inc.	SDG&E and SoCalGas
Atlas ReFuel	Goodin, MacBride, Squeri, Schlotz &	
BART	Ritchie	SPURR
	Green Charge Networks	San Francisco Water Power and Sewer
Barkovich & Yap, Inc.	Green Power Institute	Seattle City Light
P.C. CalCom Solar	Hanna & Morton	Sempra Utilities
California Cotton Ginners & Growers Assn	ICF	Southern California Edison Company
California Energy Commission	International Power Technology	Southern California Gas Company
California Public Utilities Commission	Intestate Gas Services, Inc.	Spark Energy
California State Association of Counties	Kelly Group	Sun Light & Power
Calpine	Ken Bohn Consulting	Sunshine Design
	Keyes & Fox LLP	Tecogen, Inc.
Cameron-Daniel, P.C.	Leviton Manufacturing Co., Inc.	TerraVerde Renewable Partners
Casner, Steve	Linde	Tiger Natural Gas, Inc.
Cenergy Power	Los Angeles County Integrated Waste	
Center for Biological Diversity	Management Task Force	TransCanada
City of Palo Alto	Los Angeles Dept of Water & Power	Troutman Sanders LLP
	MRW & Associates	Utility Cost Management
City of San Jose	Manatt Phelps Phillips	Utility Power Solutions
Clean Power Research	Marin Energy Authority	Utility Specialists
Coast Economic Consulting	McKenzie & Associates	
Commercial Energy	Modesto Irrigation District	Verizon
County of Tehama - Department of Public	Morgan Stanley	Water and Energy Consulting
Works	NLine Energy, Inc.	Wellhead Electric Company
Crossborder Energy	NRG Solar	Western Manufactured Housing
Crown Road Energy, LLC		Communities Association (WMA)
Davis Wright Tremaine LLP		Yep Energy
Day Carter Murphy	Office of Ratepayer Advocates	
	OnGrid Solar	
Dept of General Services	Pacific Gas and Electric Company	
Don Pickett & Associates, Inc.		
Douglass & Liddell		