

PUBLIC UTILITIES COMMISSION  
505 Van Ness Avenue  
San Francisco CA 94102-3298



**Pacific Gas & Electric Company**  
**ELC (Corp ID 39)**  
**Status of Advice Letter 5856E**  
**As of August 20, 2020**

Subject: California High-Speed Rail Authority Letter Agreement for Temporary Grace Period to Convey Replacement Land Rights

Division Assigned: Energy

Date Filed: 06-19-2020

Date to Calendar: 06-24-2020

Authorizing Documents: None

<b>Disposition:</b>	<b>Withdrawn</b>
<b>Effective Date:</b>	<b>None</b>

Resolution Required: Yes

Resolution Number: None

Commission Meeting Date: None

CPUC Contact Information:

[edtariffunit@cpuc.ca.gov](mailto:edtariffunit@cpuc.ca.gov)

AL Certificate Contact Information:

Kimberly Loo

415-973-4587

[PGETariffs@pge.com](mailto:PGETariffs@pge.com)

**PUBLIC UTILITIES COMMISSION**  
505 Van Ness Avenue  
San Francisco CA 94102-3298



To: Energy Company Filing Advice Letter

From: Energy Division PAL Coordinator

Subject: Your Advice Letter Filing

The Energy Division of the California Public Utilities Commission has processed your recent Advice Letter (AL) filing and is returning an AL status certificate for your records.

The AL status certificate indicates:

- Advice Letter Number
- Name of Filer
- CPUC Corporate ID number of Filer
- Subject of Filing
- Date Filed
- Disposition of Filing (Accepted, Rejected, Withdrawn, etc.)
- Effective Date of Filing
- Other Miscellaneous Information (e.g., Resolution, if applicable, etc.)

The Energy Division has made no changes to your copy of the Advice Letter Filing; please review your Advice Letter Filing with the information contained in the AL status certificate, and update your Advice Letter and tariff records accordingly.

All inquiries to the California Public Utilities Commission on the status of your Advice Letter Filing will be answered by Energy Division staff based on the information contained in the Energy Division's PAL database from which the AL status certificate is generated. If you have any questions on this matter please contact the:

Energy Division's Tariff Unit by e-mail to  
**[edtariffunit@cpuc.ca.gov](mailto:edtariffunit@cpuc.ca.gov)**

June 19, 2020

**Advice 5856-E**

(Pacific Gas and Electric Company ID U 39 E)

Public Utilities Commission of the State of California

**Subject: California High-Speed Rail Authority Letter Agreement for Temporary Grace Period to Convey Replacement Land Rights**

**Purpose**

Pacific Gas and Electric Company ("PG&E") requests approval of the attached letter agreement ("Letter Agreement") between PG&E and California High-Speed Rail Authority ("CHSRA") in connection to relocations under Agreements HSR 15-36, HSR 13-57 and HSR 14-32 (collectively "Utility Agreements")<sup>1</sup>. On May 5, 2020, the Letter Agreement was executed by both parties to recognize a temporary grace period for CHSRA to convey the replacement land rights to PG&E, which will accommodate CHSRA's construction schedule and allow certain relocation projects to proceed to construction.

**Background**

Under the Utility Agreements, the conveyance of replacement land rights is designated as a "hold point", a specific event that must occur prior to proceeding to other specified events.<sup>2</sup> This hold point requires that CHSRA submit documentation that memorializes the land rights have been conveyed to PG&E. The submission and approval of the land right documentation is to occur prior the project to Release to Construction. Under this Letter Agreement, CHSRA is allowed a temporary grace period of 180 days to provide the land rights documentation, measured from the date ownership of the facility is transferred to PG&E. Transfer of ownership of a relocated facility occurs when construction is completed and the facility is energized or pressurized. This Letter Agreement is for a term through November 1, 2020. At the expiration of the Letter

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<sup>1</sup> HSR 15-36 Amendment 2 executed on June 28, 2019 and HSR 13-57 Amendment 1 executed on July 30, 2019, both filed in Advice 4154-G/5651-E.

HSR 14-32 Amendment 1 executed on December 24, 2019 and filed in Advice 4215-G/5761-E

<sup>2</sup> See Section 3.8 of Exhibit A to the Utility Agreements.

Agreement, CHSRA is expected to be able to meet the timing requirements in the Utility Agreements. This Letter Agreement is intended to assist CHSRA so it can avoid delays to its construction schedule associated land acquisition transactions.

## **Discussion**

The purpose of the Letter Agreement is to recognize a temporary grace period for CHSRA to meet the “hold point” for Conveyance of Replacement Land Rights. This temporary grace period is limited in scope to distribution facility relocation projects. While the temporary grace period may apply to projects that involve replacement land rights that must be acquired from a Governmental Agency or Railroad, the Letter Agreement requires such Governmental Agency or Railroad replacement land rights be conveyed prior to Release for Construction.

Under the Letter Agreement, CHSRA agrees to provide PG&E with replacement land rights for certain specified projects identified in Appendix A on or before June 15, 2020. CHSRA has satisfied this condition, with the exception of 8 land transactions identified in the table below, primarily due to delays associated with the COVID-19 pandemic. CHSRA is continuing its efforts to secure such land rights, and PG&E recognizes these delays are beyond CHSRA’s reasonable control.

Conflict	Order (PM)	Location	Type	HST #	Comments
E1-095	31210465	Avenue 15	RR-BNSF-Esmt	MF-20-1033-001	Due to COVID-19 concerns, BNSF reduced staff which will impact review times for crossing applications.
E1-097	31160485	Raymond Road	RR-BNSF-Esmt	MF-20-0985-001	Due to COVID-19 concerns, BNSF reduced staff which will impact review times for crossing applications.
E1-100	74006541	Avenue 12	County Esmt	MF-20-9021-005	PG&E and Authority working with the County of Madera to reach resolution on the applicable land right conveyance.
E1-100	74006541	Avenue 12	County Esmt	MF-20-9021-006	PG&E and Authority working with the County of Madera to reach resolution on the applicable land right conveyance.
	31261318	South Ave (ED)	RR-BNSF-Esmt	FB-10-0322-5	Due to COVID-19 concerns, BNSF reduced staff which will impact review times for crossing applications.
	31304832	Douglas (ED)	AED	FB-16-0026-003	PG&E and Authority are assessing the location of the relocated facilities to confirm appropriate land right conveyance.
U1420, U1791, U1793, U1803	31246523, 31330172	Adams (GD)	RR-BNSF-Esmt	FB-10-0886-002	Due to COVID-19 concerns, BNSF reduced staff which will impact review times for crossing applications.
U1421, U1792	74006300	Adams Ave (GT)	RR-BNSF-Esmt	FB-10-0886-001	Due to COVID-19 concerns, BNSF reduced staff which will impact review times for crossing applications.

The Letter Agreement expires on November 1, 2020. Should CHSRA not meet its commitment to convey land rights within the 180-day temporary grace period, PG&E reserves its right under the Utility Agreements to suspend work until the land rights are conveyed.

**Safety**

The actual work performed under this agreement presents no specific safety risks to the public or employees. All designs and specifications produced will conform to all current and applicable Commission, industry and Company safety requirements.

**Protests**

**\*\*\*Due to the COVID-19 pandemic and the shelter at home orders, PG&E is currently unable to receive protests or comments to this advice letter via U.S. mail or fax. Please submit protests or comments to this advice letter to EDTariffUnit@cpuc.ca.gov and PGETariffs@pge.com\*\*\***

Anyone wishing to protest this filing may do so by letter sent via U.S. mail, facsimile, or E-mail, no later than July 9, 2020, which is 20 days after the date of this filing. Protests must be submitted to:

CPUC Energy Division  
ED Tariff Unit  
505 Van Ness Avenue, 4<sup>th</sup> 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 protest; supporting factual information or legal argument; name, telephone number, postal address, and (where appropriate) e-mail address of the protestant; and statement that the protest was sent to the utility no later than the day on which the protest was submitted to the reviewing Industry Division (General Order 96-B, Section 3.11).

**Effective Date**

PG&E requests that the Commission issue a Resolution approving this Tier 3 Advice Filing effective upon Commission approval.

**Notice**

In accordance with General Order 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. Address changes to the General Order 96-B service list should be directed to PG&E at email address PGETariffs@pge.com. For changes to any other service list, please contact the Commission's Process Office at (415) 703-2021 or at Process\_Office@cpuc.ca.gov. Send all electronic approvals to PGETariffs@pge.com. Advice letter filings can also be accessed electronically at: <http://www.pge.com/tariffs/>.

\_\_\_\_\_/S/

Erik Jacobson

Director, Regulatory Relations

**Attachments**

Attachment 1: Letter Agreement

cc: Joe Hedges, Chief Operating Officer, California High-Speed Rail Authority

Joe.Hedges@hsr.ca.gov

Kendall Bonebrake, Chief Counsel, California High Speed Rail Authority

Kendall.Bonebrake@hsr.ca.gov



# 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 U39E)

Utility type:

☒ ELC ☐ GAS ☐ WATER  
☐ PLC ☐ HEAT

Contact Person: Kimberly Loo

Phone #: (415)973-4587

E-mail: PGETariffs@pge.com

E-mail Disposition Notice to: KELM@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) #: 5856-E

Tier Designation: 3

Subject of AL: California High-Speed Rail Authority Letter Agreement for Temporary Grace Period to Convey Replacement Land Rights

Keywords (choose from CPUC listing): Agreements

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:

No. of tariff sheets: 0

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

<sup>1</sup>Discuss 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](mailto: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](mailto: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



**Attachment 1**  
**Letter Agreement**

May 5, 2020

California High-Speed Rail Authority  
770 L Street Suite 620  
Sacramento, CA 95814  
Attn: Joseph Hedges, Chief Operating Officer

Dear Joseph:

**Re: Letter Agreement for Temporary Grace Period to Convey Replacement Land Rights**

This letter agreement ("Letter Agreement"), when countersigned, will memorialize the mutual agreement between Pacific Gas and Electric Company and California High-Speed Rail Authority (CHSRA) for recognizing a temporary grace period for CHSRA to convey the replacement land rights for certain relocation projects in Construction Package (CP) CP1, CP2/3 and CP4.

CHSRA has requested that PG&E allow certain relocation projects to be released to construction to accommodate CHSRA's construction schedule.

PG&E believes the process that was developed by the Technical Working Group is working well and the parties have been able to successfully partner to fine tune the process over the past couple of months. In the spirit of collaboration, PG&E is willing to recognize a temporary grace period for CHSRA to meet the "hold point" for Conveyance of Replacement Land Rights set forth in the Utility Agreements for CP1, CP2/3 and CP4, as amended, which requires CHSRA submit such documentation prior to Release to Construction (collectively "Utility Agreements"). This temporary grace period is limited in scope to the following projects and subject to the following conditions:

1. This Letter Agreement does not apply to all relocation projects within CP1, CP2/3 and CP4. The Letter Agreement is limited to projects within CP1, CP2/3 and CP4. CHSRA's project selection will be based on the following criteria:
  - The projects shall be limited to distribution facility relocation projects.
  - The replacement land rights will be clearly identified on the construction drawing.
  - The projects selected may involve replacement land rights that must be acquired from a Governmental Agency or Railroad; however, such Governmental Agency or Railroad replacement land rights must be conveyed prior to Release for Construction.
2. The grace period authorized herein will extend the timeframe pursuant to which CHSRA must submit replacement land rights to PG&E. Pursuant to this Letter Agreement, CHSRA will have 180 days after transfer of ownership of any Facility to provide PG&E with all replacement land rights associated with such Facility. Until CHSRA provides PG&E with all replacement land rights associated with a particular Facility, CHSRA shall hold Owner harmless for any and all claims that relate to or arise from the Owner's operation of the corresponding Facility without ownership of the replacement land rights. In the event CHSRA does not provide the replacement land rights within such 180-day period, PG&E reserves its right to stop Work under Section 3.8 of the Utility Agreement related to other Facilities within the CP until the outstanding replacement land rights have been submitted.
3. CHSRA agrees to provide PG&E the replacement land rights set forth in Appendix A to this letter agreement on or before June 15, 2020.
4. This Letter Agreement is for a limited term, and will expire on November 1, 2020. The grace periods for specific relocation projects authorized herein will be recognized, but at the expiration

of this term we will require compliance with the hold point for conveyance of land rights as set forth in the Utility Agreements.

5. Except as set forth in this Letter Agreement, all of the terms and conditions of the Utility Agreements for CP1, CP2/3 and CP4 remain in full force and effect. If this Letter Agreement is acceptable to CHSRA, please acknowledge its approval by countersigning in the space provided below. We will construe this Letter Agreement as being executed upon our receipt of either an original, pdf, or facsimile copy executed by CHSRA.

By: \_\_\_\_\_

E-SIGNED by Andrew K. Williams  
on 2020-05-06 03:17:34 GMT

Name: Andrew K. Williams  
Title: Vice President, Shared Services

Acknowledged and Agreed:  
CALIFORNIA HIGH-SPEED RAIL AUTHORITY

By: \_\_\_\_\_

E-SIGNED by Joseph Hedges  
on 2020-05-06 00:24:03 GMT

Name: Joseph Hedges  
Title: Chief Operating Officer

Date: May 06, 2020

# APPENDIX A

CP	LOB	HSR Conflict #	PG&E PM #	Location	Construction Complete
CP1	ED	E1-70	31197181	Cedar Ave S of N Ave	7/15/2016
CP1	ED	E1-1A, 3, 214, 218	31203943	Tuolumne Road	3/25/2017
CP1	ED	E1-069	31200561	North Ave	7/8/2016
CP1	ED	E1-88, E1-89	31160288	Hwy 145 Madera	12/17/2015
CP1	ED	E1-95	31210465	Avenue 15 and Santa Fe Dr	3/27/2018
CP1	ED	E1-170, 171	31204095	Golden State Blvd, N/of Herndon Ave	11/30/2017
CP1	ED	E1-122	31198487	Ave12	6/15/2017
CP1	ED	E1-155	31203940	G St, South of Divisadero	12/2/2017
CP1	ED	E1-236	31264174	Ave 12 & BNSF, Madera	8/15/2017
CP1	ED	E1-68	31200560	Hardy Ave	7/10/2016
CP1	ED	E1-97	31160485	Raymond Rd	1/22/2016
CP1	ED	E1-72	31200562	Muscat Ave	7/20/2016
CP1	ED	E1-92	31291711	Avenue 10	12/4/2017
CP1	ED	E1-711a	31364901	Road 27, Phase 1	2/8/2018
CP1	GD	G1-031, 093	31202655	H St & Fresno St	3/31/2017
CP1	GD	G1-039T, 089T	31200800	G St, Fresno to Tulare	1/31/2017
CP1	GD	G1-090	31205259	Hardy Ave & Cedar Ave	4/24/2017
CP1	GD	G1-22, 32, 33	31306038	Olive Ave	10/25/2018
CP1	ET	ET1-006	74006542	Church Ave	12/7/2017
CP1	ET	ET1-005	74006541	Ave 12	11/17/2017
CP1	ED	E1-19	31424160	California & G Street Anchor	7/23/2019
CP1	GD	G1-031-B	31203971	H St. & Fresno St	8/22/2019
CP1	GD	G1-36	31316346	Belmont	7/9/2019
CP2-3	ED		31305919	Ave 88 (phase 1)	9/24/2019
CP2-3	ED		31361592	South of Kent	9/27/2019
CP2-3	ED		31273941	9th Ave.	8/9/2019
CP2-3	ED		31261318	South Ave.	8/3/2019
CP2-3	ED		31271152	Peach Ave.	8/14/2019
CP2-3	ED		31277955	Excelsior	9/30/2019
CP2-3	ED		31304832	Douglas	9/19/2019
CP2-3	ED		31241455	Adams and Maple	8/12/2019
CP2-3	ED		31273944	Elder	10/7/2019
CP2-3	ED		31277956	Iona	10/3/2019
CP2-3	ED	U1212	31273942	Cairo Ave.	8/17/2019
CP2-3	ET	U2010	74010110	Flint Shoofly	11/15/2019
CP2-3	ET	U2010	74010111	Fargo Shoofly	11/15/2019
CP2-3	ET	U2010, U2098	74010115	Idaho Shoofly	11/15/2019
CP2-3	ET	U2010, U2511, U2512	74009520	Jackson (East West)	12/20/2019
CP2-3	GD	U1420, 1791, 1793, 1803	31246523, 31330172	Jackson (East West)	12/5/2019
CP2-3	GT	U1421, 1792	74006300	Adams Ave Grade Separation	12/5/2019
CP4	ED	11/11/1932	31282923	Graces Highway	7/24/2019
CP4	ED	12013-12014	31282874	Pond Road	7/15/2019

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

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