

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



Pacific Gas & Electric Company
ELC (Corp ID 39)
Status of Advice Letter 6756E
As of August 14, 2023

Subject: Submits Notice of Construction, Pursuant to General Order 131-D, for the Construction of VASCO-HERDLYN 60 KV POWER LINE POLE REPLACEMENT PROJECT, Alameda and Contra Costa counties and City of Livermore

Division Assigned: Energy

Date Filed: 11-09-2022

Date to Calendar: 11-11-2022

Authorizing Documents: None

Disposition:	Signed
Effective Date:	07-13-2023

Resolution Required: Yes

Resolution Number: E-5279

Commission Meeting Date: 07-13-2023

CPUC Contact Information:

edtariffunit@cpuc.ca.gov

AL Certificate Contact Information:

Kimberly Loo

(415)973-4587

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- Disposition of Filing (Accepted, Rejected, Withdrawn, etc.)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



Sidney Bob Dietz II
Director
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

November 9, 2022

Advice 6756-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 Construction of VASCO-HERDLYN 60 KV POWER LINE POLE REPLACEMENT PROJECT, Alameda and Contra Costa counties and City of Livermore

Pacific Gas and Electric Company ("PG&E" or "the Company") hereby submits notice pursuant to General Order ("G.O.") 131-D, Section XI, Subsection B.1, 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

To support Altamont Winds LLC's wind generation facilities and continue to provide reliable electric service in Alameda County, PG&E is proposing to replace poles on approximately 11 miles of the existing Vasco-Herdlyn 60 Kilovolt ("kV") Power Line.

The replacement project begins at PG&E's Vasco Substation, located near Southfront Road and Commerce Way in an industrial area of the City of Livermore in Alameda County. The line extends approximately 0.6 mile east along Southfront Road, crossing Interstate 580 into unincorporated Alameda County, and turns northeast approximately 1.1 miles running parallel to Altamont Pass Road crossing Union Pacific Railroad. The line continues through rural open space in a northeasterly direction for approximately 2.1 miles crossing Dyer Road, then continues north parallel to California Department of Water Resources (DWR) South Bay Aqueduct and easterly north of a DWR reservoir for approximately 1.2 miles. The line continues northeasterly approximately 4.9 miles across open space, crossing the DWR Bethany Reservoir Canal entering rural Contra Costa County, and continues northeast approximately 1.1 miles through agricultural

lands to PG&E's Herdlyn Substation located at 7800 Byron Highway near Herdlyn Road.

PG&E will replace approximately 90 existing wood poles, which range in height from approximately 36 feet to 67 feet tall with approximately 71 new light duty steel poles and 19 new wood poles approximately 48 feet to 77 feet tall. Taller poles are needed to accommodate the hilly terrain and comply with California Public Utilities Commission ("CPUC") General Order 95 minimum ground-to-conductor clearance requirements.

The project will span over Las Positas Arroyo stream and 4 unnamed intermittent streams. However, no work will occur within the bed or bank of the streams, or within wetlands, and no removal of riparian vegetation is required. Construction is tentatively scheduled to begin in early 2023, or as soon as practicable after project approval. Construction is anticipated to be completed by April 30, 2024, or as soon as practicable after construction begins.

Exemption Under G.O. 131-D

CPUC General Order 131-D, Section III, Subsection B.1, exempts a utility from the CPUC's requirement to file an application requesting authority to construct if a project meets specific conditions. This project qualifies for the following exemption(s):

- b. "the replacement of existing power line facilities or supporting structures with equivalent facilities or structures."

This project consists of the replacement of poles with new poles that have the same form and function as the existing facilities. Approximately 90 existing wood poles will be replaced with approximately 71 new light duty steel poles and 19 new wood poles approximately that will be similar in appearance to the existing poles.

None of the exceptions to the exemptions in Section III B.2, as specified in CEQA Guidelines section 15300.2, exist to disqualify this project from the NOC process.

The exceptions, and why they do not apply, include the following:

- a. There is a reasonable possibility that the activity may impact an environmental resource of hazardous or critical concern where designated, precisely mapped and officially adopted pursuant to law by federal, state, or local agencies.

Discussion:

The project will not impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and official adopted pursuant to law by federal, state, or local agencies. With the implementation of PG&E's Bay Area Habitat Conservation Plan and Bay Area 2081 Field Protocols, impacts to special-status species with potential to occur in the project area are not expected. Potentially jurisdictional wetland or water features will be avoided, and no impacts will occur. The

project would not violate any state or federal water quality standards or waste discharge requirements because crews will implement BMPs for this project, and implementation of these practices will prevent water quality impacts. The project will not affect any known historical, archaeological, or paleontological resources. Contaminated soil or groundwater is not anticipated to be encountered during project excavation or soil disturbance.

- b. The cumulative impact of successive projects of the same type in the same place, over time, is significant.

Discussion: The cumulative impact of successive projects of the similar type and in a similar location over time is not significant. Cumulative impacts may result from past, current, and reasonably foreseeable future projects in the region. These projects will all undergo (or have undergone) separate environmental review and will require separate environmental permits. Ecological impacts for these individual projects will be mitigated as part of the environmental review and regulatory agency permit process. With the implementation of measures to avoid and minimize impacts from the project, the project would result in a negligible contribution to cumulative impacts.

- c. There is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

Discussion: There is no reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances. In *Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086 (Berkeley Hillside), the California Supreme Court found that, to apply this exception, the lead agency must find both (a) an unusual circumstance that makes this project different from others in the class, and (b) a reasonable possibility of a significant impact due to that unusual circumstance. (Id. at 1104-1105.) Thus, the first question is whether there is an unusual circumstance that would make this project different from others in the class.

PG&E is continually undertaking structure replacement projects throughout its territory, most of which require replacement, removal and/or addition of structures as well as replacement of the conductors. There is nothing about this project that is different from others in its class. In litigation over the meaning of “unusual circumstances,” most courts have declined to find that circumstances were unusual; examples where unusual circumstances were identified were striking in their difference from the norm, including, e.g., a project in a leaking landfill (*Azusa Land Reclamation Company v. Main San Gabriel Basin Watermaster* (1997) 52 Cal.App. 4th 1665, 1207), involving a particular historic wall (*Committee to Save the Hollywoodland Specific Plan v. City of Los Angeles* (2008) 161 Cal.App 4th 1168, 1187), and stock car racing at a fairgrounds near residences (*Lewis v. Seventeenth Dist. Agricultural Ass’n* (1985) 165 Cal App. 3d 823). Each of these cases presented circumstances that were atypical for the type of project proposed and created potentially significant effects due to the unusual circumstances. There is no similar anomaly present in this project.

Even if unusual circumstances were present, which they are not, there is no reasonable possibility of a significant impact due to an unusual circumstance. This project consists of replacing existing structures with similar structures. As explained above, no significant impacts associated with PG&E's Project have been identified.

Protests

Anyone wishing to protest this submittal may do so by letter sent electronically via E-mail with the CPUC and the Company by November 29, 2022, which is 20 days after the date of this submittal. Protests should be emailed to the following address:

CPUC Energy Division
ED Tariff Unit
E-mail: EDTariffUnit@cpuc.ca.gov

The protest shall also be electronically sent to PG&E via E-mail at the address shown below on the same date it is electronically delivered to the Commission:

Sidney Bob Dietz II
Director, Regulatory Relations
c/o Megan Lawson
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.

Public Comment

Individuals or groups who do not submit an official protest may still submit a comment on the request to the Energy Division at the address noted above, referencing Advice Letter 6756-E.

Effective Date

The Company requests that this Tier 2 advice letter become effective on December 9, 2022, which is 30 days after the date of submittal. (In accordance with G.O. 131-D, construction will not begin until 45 days after notice is 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



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: 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) #: 6756-E

Tier Designation: 2

Subject of AL: Submits Notice of Construction, Pursuant to General Order 131-D, for the Construction of VASCO-HERDLYN 60 KV POWER LINE POLE REPLACEMENT PROJECT, Alameda and Contra Costa counties and City of Livermore

Keywords (choose from CPUC listing): G.O. 131-D

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: 12/9/22

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 proposed¹: N/A

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

¹Discuss in AL if more space is needed.

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

California Public Utilities Commission
Energy Division Tariff Unit Email:
EDTariffUnit@cpuc.ca.gov

Contact Name: Sidnev Bob Dietz II. c/o Megan Lawson
Title: Director, Regulatory Relations
Utility/Entity Name: Pacific Gas and Electric Company

Telephone (xxx) xxx-xxxx:
Facsimile (xxx) xxx-xxxx:
Email: PGETariffs@pge.com

Contact Name:
Title:
Utility/Entity Name:

Telephone (xxx) xxx-xxxx:
Facsimile (xxx) xxx-xxxx:
Email:

CPUC
Energy Division Tariff Unit
505 Van Ness Avenue
San Francisco, CA 94102

Clear Form

NOTICE OF PROPOSED CONSTRUCTION

Para más detalles llame 1-800-660-6789

PROJECT NAME: VASCO-HERDLYN 60 KV POWER LINE POLE REPLACEMENT PROJECT (Alameda and Contra Costa counties and City of Livermore) P.NO. 5798811)
ADVICE LETTER NUMBER: 6756-E

Proposed Project: To support Altamont Winds LLC's wind generation facilities and continue to provide reliable electric service in Alameda County, Pacific Gas and Electric Company (PG&E) is proposing to replace poles on approximately 11 miles of the existing Vasco-Herdlyn 60 Kilovolt (kV) Power Line.

The replacement project begins at PG&E's Vasco Substation, located near Southfront Road and Commerce Way in an industrial area of the City of Livermore in Alameda County. The line extends approximately 0.6 mile east along Southfront Road, crossing Interstate 580 into unincorporated Alameda County, and turns northeast approximately 1.1 miles running parallel to Altamont Pass Road crossing Union Pacific Railroad. The line continues through rural open space in a northeasterly direction for approximately 2.1 miles crossing Dyer Road, then continues north parallel to California Department of Water Resources (DWR) South Bay Aqueduct and easterly north of a DWR reservoir for approximately 1.2 miles. The line continues northeasterly approximately 4.9 miles across open space, crossing the DWR Bethany Reservoir Canal entering rural Contra Costa County, and continues northeast approximately 1.1 miles through agricultural lands to PG&E's Herdlyn Substation located at 7800 Byron Highway near Herdlyn Road.

PG&E will replace approximately 90 existing wood poles, which range in height from approximately 36 feet to 67 feet tall with approximately 71 new light duty steel poles and 19 new wood poles approximately 48 feet to 77 feet tall. Taller poles are needed to accommodate the hilly terrain and comply with California Public Utilities Commission (CPUC) General Order 95 minimum ground-to-conductor clearance requirements.

The project will span over Las Positas Arroyo stream and 4 unnamed intermittent streams. However, no work will occur within the bed or bank of the streams, or within wetlands, and no removal of riparian vegetation is required. Construction is tentatively scheduled to begin in early 2023, or as soon as practicable after project approval. Construction is anticipated to be completed by April 30, 2024, or as soon as practicable after construction begins.

Exemption from CPUC Permit Requirement: CPUC General Order 131-D, Section III, Subsection B.1, exempts a utility from the CPUC's requirement to file an application requesting authority to construct if a project meets specific conditions. This project qualifies for the following exemption(s):

- b. "the replacement of existing power line facilities or supporting structures with equivalent facilities or structures."

Additional Project Information: To obtain further information on the proposed project, please call PG&E's Project Information Line at (415) 973-5530.

Public Review Process: Individuals or groups may protest the proposed construction if they believe that PG&E 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, email 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 November 29, 2022 at the following address:

Director, Energy Division
 ED Tariff Unit
 E-mail: EDTariffUnit@cpuc.ca.gov

With a copy emailed to:
 Pacific Gas and Electric Company
 PG&E Tariffs
 E-mail: PGETariffs@pge.com

PG&E must respond within five business days of receipt and serve its response on each protestant and the Energy Division. Within 30 days after PG&E has submitted its response, the CPUC Executive Director will send you a copy of an Executive Resolution granting or denying PG&E's request and stating the reasons for the decision.

Assistance in Filing a Protest: If you need assistance in filing a protest, contact the CPUC Public Advisor: email: public.advisor@cpuc.ca.gov or call: 1-866-849-8390 (toll-free), or (415) 703-2074, or TTY (415) 703-5258.

Public Comment: Even if you do not want to file an official protest, you may still comment on the request. To do so, send your comments to the Energy Division at the address noted above. Please reference Advice Letter 6756-E

Notice Distribution List

VASCO-HERDLYN 60 KV POWER LINE POLE REPLACEMENT PROJECT (Alameda and Contra Costa counties and City of Livermore)

Advice 6756-E

Energy Commission

Mr. Drew Bohan, Executive Director
California Energy Commission
1516 Ninth Street, Mail Stop 39
Sacramento, California 95814
Drew.Bohan@energy.ca.gov

Ms. Linda Spiegel, Chief Deputy Director
California Energy Commission
1516 Ninth Street, Mail Stop 39
Sacramento, California 95814
Linda.Spiegel@energy.ca.gov

California Department of Fish and Wildlife

Mr. Larry Bonner
California Department of Fish and Wildlife, Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
Lawrence.Bonner@Wildlife.ca.gov
R3CEQA@wildlife.ca.gov
R3CESA@wildlife.ca.gov
R3LSA@wildlife.ca.gov

County of Alameda

Mr. Albert Lopez, Planning Director
Planning – Community Development Agency
224 W. Winton Avenue, Room 11
Hayward, CA 94544
Albert.lopez@acgov.org

County of Contra Costa

Mr. John Kopchik, Director
Conservation & Development Department
30 Muir Road
Martinez, CA 94553
John.kopchik@dcd.cccounty.us

City of Livermore

Steve Stewart, Planning Manager
Planning Division
1052 S. Livermore Avenue
Livermore, CA 94550
scstewart@cityoflivermore.net

Newspaper
East Bay Times

PG&E Gas and Electric Advice Submittal List

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