

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



Pacific Gas & Electric Company
ELC (Corp ID 39)
Status of Advice Letter 6970E
As of July 31, 2023

Subject: Submits Notice of Construction, Pursuant to General Order 131-D, for the Construction of Ignacio- Alto-Sausalito #1 and #2 60 kV Power Line Tower Replacement Project in the County of Marin

Division Assigned: Energy

Date Filed: 06-26-2023

Date to Calendar: 06-28-2023

Authorizing Documents: None

Disposition:	Accepted
Effective Date:	07-26-2023

Resolution Required: No

Resolution Number: None

Commission Meeting Date: None

CPUC Contact Information:

edtariffunit@cpuc.ca.gov

AL Certificate Contact Information:

Kimberly Loo

(279)789-6209

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- Disposition of Filing (Accepted, Rejected, Withdrawn, etc.)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

June 26, 2023

Advice 6970-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 Ignacio- Alto- Sausalito #1 and #2 60 kV Power Line Tower Replacement Project in the County of Marin

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.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

To improve electric service reliability in Marin County, PG&E will replace approximately two lattice steel towers (LSTs) along a portion the Ignacio- Alto- Sausalito #1 and #2 60 kV Power Line within unincorporated Marin County. The existing LSTs will be replaced one-for-one with new LSTs approximately 45 feet shorter than the existing structures. Tower heights are calculated to meet California Public Utilities Commission (CPUC) General Order (GO) 95 minimum ground to conductor (wire) clearance requirements.

The project will occur along an approximately 0.2-mile segment of the power line north of North San Pedro Road and east of Backs Launching within Marin County Open Space District. The two towers that will be replaced are on the north and south sides of Gallinas Creek. Helicopters will be used to facilitate construction and minimize ground disturbance. Construction is tentatively scheduled to begin in September 2023, or as soon as practicable after project approval. Construction is tentatively scheduled to be completed in January of 2024, or as soon as possible after construction begins.

This submittal will not cause the withdrawal of service, or conflict with any other rate schedule or rule.

Exemption Under G.O.131-D

CPUC G.O.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 outdated 60 kV structures. The work is within the same utility corridor, following the same route as the existing lines, and the existing structures will be removed and replaced in approximately the same location.

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: While the proposed activities will occur in designated critical habitat as established by the National Marine Fisheries Service (NMFS) for green sturgeon (southern distinct population segment "DPS") and coastal cutthroat trout (central California coast DPS) the project activities were evaluated in the pending United States Army Corps' of Engineers Regional General Permit for Pacific Gas and Electric Company's Bay Area Operation and Maintenance Program (RGP). Under the RGP's implementing provisions, the proposed activities are "covered activities" that have been reviewed by NMFS for impacts to green sturgeon and steelhead and associated critical habitat. All activities will comply with mandatory avoidance and minimization measures. As per RGP mitigation requirements, mitigation for temporary impacts to green sturgeon and steelhead will be charged against existing mitigation bank credits that PG&E has already acquired for this species. The RGP was adopted only after full environmental review under the National Environmental Protection Act (NEPA) to minimize and mitigate the impacts of any taking "to the maximum extent practicable" (Endangered Species Act of 1973, section 10(a)(2)(B)), a higher standard than mitigating to a "less-than-significant" level under CEQA. As such, the mitigation ratios in the RGP capture a net increase in available habitat for the species, and temporarily impacted sites such as those in this project will return to preexisting conditions. The RGP's AMMs and compensatory mitigation ensure that there is no "reasonable possibility" of a significant impact that would negate use of the advice letter process.

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

Discussion: PG&E is not aware of any other projects of the same type in the same place, or over time, that would result in significant cumulative impacts. Moreover, the proposed project would minimize the frequency of repairs and reduce the need for similar work within the electrical corridor in the future.

- 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 reconductoring and tower replacement projects throughout its territory, most of which require replacement, removal and/or addition of structures as well as replacement of the conductors. Numerous reconductoring and replacement projects have established staging areas, used cranes for construction, required vegetation removal or surface recontouring, and adjusted structure locations to avoid resources or other impacts. 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.

In addition, there is no evidence of a reasonable possibility of a significant impact. This project consists of replacing existing towers with similar facilities and reconductoring in a largely urban area. The construction and operation would not result in any potentially significant impacts. The project has been designed to avoid impacts to biological resources, and no other potential impacts 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 July 17, 2023, which is 21 days¹ 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 file an official protest may still submit a comment on the request to the Energy Division at the address noted above, referencing Advice Letter 6970-E.

Effective Date

The Company requests that this Tier 2 advice letter become effective on July 26, 2023, 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 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 submittals can also be accessed electronically at <http://www.pge.com/tariffs/>.

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



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 #: (279)789-6209

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) #: 6970-E

Tier Designation: 2

Subject of AL: Submits Notice of Construction, Pursuant to General Order 131-D, for the Construction of Ignacio- Alto-Sausalito #1 and #2 60 kV Power Line Tower Replacement Project in the County of Marin

Keywords (choose from CPUC listing): Compliance, 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: 7/26/23

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: Ignacio- Alto- Sausalito #1 and #2 60 kV Power Line Tower Replacement Project - (Marin County, P.No. 5797979)**ADVICE LETTER NUMBER: 6970-E**

Proposed Project: To improve electric service reliability in Marin County, Pacific Gas and Electric Company (PG&E) will replace approximately two lattice steel towers (LSTs) along a portion the Ignacio- Alto- Sausalito #1 and #2 60 kV Power Line within unincorporated Marin County. The existing LSTs will be replaced one-for-one with new LSTs approximately 45 feet shorter than the existing structures. Tower heights are calculated to meet California Public Utilities Commission (CPUC) General Order (GO) 95 minimum ground to conductor (wire) clearance requirements.

The project will occur along an approximately 0.2-mile segment of the power line north of North San Pedro Road and east of Backs Launching within Marin County Open Space District. The two towers that will be replaced are on the north and south sides of Gallinas Creek. Helicopters will be used to facilitate construction and minimize ground disturbance. Construction is tentatively scheduled to begin in September 2023, or as soon as practicable after project approval. Construction is tentatively scheduled to be completed in January of 2024, or as soon as possible 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 July 17, 2023 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 6970-E.

Notice Distribution List

Ignacio- Alto- Sausalito #1 and #2 60 kV Power Line Tower Replacement Project - (Marin County) Advice 6970-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

Ms. Erin Chappell, Regional Manager
California Department of Fish and Wildlife, Bay Delta Region 3
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
Erin.Chappell@Wildlife.ca.gov

Marin County

Ms. Sarah Jones
Community Development Agency, Planning Division
3501 Civic Center Drive, Suite 308
San Rafael, CA 94903
sjones@marincounty.org

Newspapers

Marin Independent Journal

PG&E Gas and Electric Advice Submittal List

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