

Decision 10-09-025 September 23, 2010

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Southern California Edison Company (U338E) for a Permit to Construct Electrical Facilities with Voltages between 50 kV and 200 kV: Triton Substation Project.

Application 08-11-019
(Filed November 21, 2008)

**DECISION APPROVING THE SOUTHERN CALIFORNIA EDISON
COMPANY'S APPLICATION FOR A PERMIT TO CONSTRUCT
THE TRITON SUBSTATION PROJECT**

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**DECISION APPROVING THE SOUTHERN CALIFORNIA EDISON
COMPANY'S APPLICATION FOR A PERMIT TO CONSTRUCT
THE TRITON SUBSTATION PROJECT**

1. Summary

This decision grants Application 08-11-019 (Application) by Southern California Edison Company (SCE) for a permit to construct the proposed project known as the Triton Substation Project (Proposed Project), pursuant to General Order 131-D, in the City of Temecula, California. To ensure that customers' forecasted electrical demand can be met safely and reliably without overloading the existing electric facilities serving the area, the approval of this Application allows SCE to construct additional transmission capacity serving the Cities of Temecula and Murrieta as well as adjacent areas of southwestern Riverside County.

The Proposed Project includes:

1. Construction of the 56 megavolt ampere (MVA) 115/12 kilovolt (kV) substation (Triton Substation) on an approximate 10-acre site located at the southeast corner of Nicholas Road and Calle Madusa in the City of Temecula;
2. Construction of two new overhead 115 kV subtransmission line segments (each approximately 1,300 feet in length) on approximately seven tubular steel poles to loop the existing 115 kV subtransmission line into the proposed substation;
3. Construction of two new underground 12 kV distribution duct banks; and
4. Installation of new fiber optic cable and communication equipment to connect the proposed Triton Substation to SCE's existing telecommunication system.

As the Lead Agency for environmental review, we find the Final Mitigated Negative Declaration prepared for the Proposed Project meets the requirements of the California Environmental Quality Act.¹

This proceeding is closed.

2. Background

Southern California Edison (SCE) is an investor-owned public utility operating an interconnected and integrated electric utility system that generates, transmits, and distributes electric energy in portions of Central and Southern California.² In addition to its California properties, SCE separately or jointly owns facilities in Nevada, Arizona, and New Mexico that produce power and energy for use in California.

In Application 08-11-032 (Application), SCE seeks a permit to construct the proposed project known as the Triton Substation Project (Proposed Project) to provide additional transmission capacity serving the Cities of Temecula and Murrieta as well as adjacent areas of southwestern Riverside County (the Electrical Needs Area or ENA) to ensure that the anticipated customers' electrical demand can be met safely and reliably without overloading the existing electric facilities serving the area.

¹ Public Resources Code Section 21000, *et seq.*

² SCE's service territory is located in 15 counties in Central and Southern California, consisting of Fresno, Imperial, Inyo, Kern, Kings, Los Angeles, Madera, Mono, Orange, Riverside, San Bernardino, Santa Barbara, Tulare, Tuolumne and Ventura Counties, and includes approximately 179 incorporated communities and outlying rural territories. SCE also supplies electricity to certain customers for resale under tariffs filed with the Federal Energy Regulatory Commission.

In conjunction with the filing of the Application, SCE filed its Proponent's Environmental Assessment (PEA).

The electrical needs of the ENA are currently served by SCE's Canine 33/12 kilovolt (kV) Substation, Moraga 115/12 kV Substation, and Auld 115/33/12 kV Substation. These substations currently provide electrical service to approximately 40,660 metered customers and several rapidly growing developments within the ENA.

3. The Proposed Project

SCE states that the amount of electricity that can presently be delivered into the ENA is limited to the maximum amount of combined electrical power that the Canine, Moraga, and Auld Substations can transmit before their operating capacity limits are exceeded. In addition, Canine Substation is a temporary facility with a designed capacity of 18 MVA and is presently scheduled to be retired in 2010.

Currently, the combined operating capacity of the three substations serving the ENA is 309 megavolt-ampere (MVA) under normal operating circumstances. Once Canine Substation is retired, the maximum capacity of the two remaining substations will drop to 291 MVA.

Furthermore, SCE projects that the normal peak demand in the ENA will increase at an average annual growth rate of 3.37 percent over the next 10 years. SCE's record shows that, in 2007, actual recorded normal condition peak demand in the ENA was 230 MVA. Even that 2007 normal condition peak demand in the ENA would not be met once Canine Substation retires because the maximum capacity for the remaining two substations would only be 291 MVA. Moreover, a forecasted annual peak demand for 2010, taking the 2007 peak demand figure of 230 MVA, as adjusted for a 1-in-10-year heat storm, would be 330 MVA.

Again, SCE asserts that such demand could not be met once Canine Substation retires. These scenarios worsen with each year. SCE therefore contends additional electrical facilities are required to continue to serve the ENA safely and reliably going forward.

The Proposed Project further anticipates and includes the removal of emergency 115/33/12 kV transformer bank at Auld Substation, which will take place after Triton Substation becomes operational and the resulting loss of transformation capacity to the ENA. The Proposed Project will ensure that safe and reliable electric service continues to be provided to meet customers' electrical demand of the ENA without overloading the electric facilities that supply the ENA by (1) increasing the total transformation capacity available within the ENA, (2) providing enhanced system reliability by locating Triton Substation in proximity to area of load growth, (3) enhancing operational flexibility by providing the ability to transfer load between distribution lines and substations within the ENA, and (4) meeting projected long term demand in the ENA.

The Proposed Project includes the following:

1. Construction of the 56 MVA 115/12 kV substation (Triton Substation) on an approximate 10-acre site located at the southeast corner of Nicholas Road and Calle Madusa in the City of Temecula;
2. Construction of two new overhead 115 kV subtransmission line segments (each approximately 1,300 feet in length) on approximately seven tubular steel poles to loop the existing 115 kV subtransmission line into the proposed substation;
3. Construction of two new underground 12 kV distribution duct banks;

4. Installation of new fiber optic cable and communication equipment to connect the proposed Triton Substation to SCE's existing telecommunication system;
5. Decommissioning of the existing 33/12 kV Canine Substation, which is a temporary facility that is scheduled to be retired by June 2010; and
6. Decommissioning of an emergency 33/12 kV transformer bank at the 115/33/12 kV Auld Substation, which is scheduled to be disconnected in 2010.

The original construction period was scheduled to begin in October 2009 and the originally planned operating date for the Proposed Project was June 2010. However, this schedule was subsequently revised. Construction and operation schedule will be further revised as needed.

4. Notice and Procedural Issues

Due process requires that affected parties be provided adequate notice and opportunity to be heard, such that they can timely protest and participate in the Commission's environmental review and analysis of the Proposed Project. For permits to construct (PTCs), the utility must comply with notice requirements described in General Order (GO) 131-D, Section XI.A. In pertinent part, Section XI.A requires the following forms of notice:

1. By direct mail to:
 - a. The planning commission and the legislative body for each county or city in which the proposed facility would be located, the California Energy Commission (CEC), the State Department of Transportation and its Division of Aeronautics, the Secretary of the Resources Agency, the Department of Fish and Game, the Department of Health Services, the State Water Resources Control Board, the Air Resources Board, and other interested parties having requested such notification. The utility shall also give notice to the following agencies and subdivisions in whose jurisdiction the proposed facility would

be located: the Air Pollution Control District, the California Regional Water Quality Control Board, the State Department of Transportation's District Office, and any other State or Federal agency which would have jurisdiction over the proposed construction; and

- b. All owners of land on which the proposed facility would be located and owners of property within 300 feet of the right-of-way as determined by the most recent local assessor's parcel roll available to the utility at the time notice is sent; and
2. By advertisement not less than once a week, two weeks successively, in a newspaper or newspapers of general circulation in the county or counties in which the proposed facilities will be located, the first publication to be not later than ten days after filing of the Application; and
3. By posting a notice on-site and off-site where the project would be located.

SCE represents that it has complied with all applicable notice requirements. The Application itself was noticed in the Commission's Daily Calendar on November 21, 2008. The Commission's record does not reflect any timely and formally filed protest in compliance with the Commission's Rules of Practice and Procedure.

While no formally filed protests are reflected in the record of this proceeding, the Commission did receive several letters from individuals, including the City of Temecula (City), as well as a petition regarding the Application which largely raised concerns about the environmental impacts of the Proposed Project, and in turn, sought a hearing on the Application.³ In compliance with California Environmental Quality Act (CEQA), the

³ On December 31, 2008, SCE filed a response to the letters and the petition.

environmental issues raised in those letters and the petition have been adequately addressed during the environmental review process of the Proposed Project which resulted in the Final Mitigated Negative Declaration (Final MND).

The administrative record of the environmental review process leading to the Final MND indicates that the City as well as many other individuals participated in the Commission's environmental process through both the informal consultation and the formal comment process. The City continues to oppose the Proposed Project.⁴

5. Requirements for a PTC

GO 131-D defines an electric "power line" as one designed to operate between 50 kV and 200 kV,⁵ and Section III.B requires utilities to first obtain Commission authorization, in the form of a PTC, before beginning construction of a power line. PTC applications for power lines need not include a detailed analysis of purpose and necessity, a detailed estimate of cost and economic analysis, a detailed schedule, or a detailed description of construction methods (beyond that required for CEQA compliance).⁶ However, GO 131-D requires PTC applications to:

⁴ On December 30, 2009, the City filed a motion for party status in this Application proceeding. On January 8, 2010, Administrative Law Judge Kim issued a ruling granting party status to the City. After the Final MND was issued and served on all parties, on April 20, 2010, the City submitted a letter to the Administrative Law Judge Kim raising issues similar to those the City previously raised during the preceding environmental review process and again requesting that a hearing be held in this proceeding. The Commission held a public hearing during the CEQA process and addressed the concerns raised in the Final MND. See Section 7.5 of this decision.

⁵ Section I.

⁶ Section IX.B.1.f.

1. Include a description of the proposed facilities and related costs, a map, reasons the route was selected, positions of the government agencies having undertaken review of the project, and a PEA;⁷
2. Show compliance with the provisions of CEQA related to the Proposed Project, including the requirement to meet various public notice provisions;⁸ and
3. Describe the measures to be taken or proposed by the utility to reduce the potential for exposure to electric and magnetic fields (EMF) generated by the Proposed Project.⁹

These requirements are discussed separately below.

6. Proposed Facilities Description

The Application describes the facilities proposed and related schedule. SCE included a project description and map in its request.¹⁰

The Proposed Project will meet the objectives of serving the existing and projected electrical demand requirements in the ENA to meet the forecasted electrical demands of ENA, in anticipation of the future load growth in the ENA and the planned decommissioning of the Canine Substation as well as the emergency transformer bank at the Auld Substation. The Proposed Project will also maintain the electrical system reliability, enhancing operational flexibility, while complying with the CEQA requirement of minimizing environmental impact.

⁷ Section IX.B.1.

⁸ Section IX.B.2-5.

⁹ Section X.

¹⁰ PEA, Chapter 3.

CEQA does not require analysis of project alternative when the initial study (IS) concludes that, as in this Proposed Project, there is no significant adverse environmental impact when combined with the proposed mitigation measures. The PEA, pursuant to Section IX.B.1 of General Order 131-D, set forth some information on project alternatives, and those alternatives that were considered were discussed in the Final MND but dismissed as the Proposed Project, in comparison, was deemed the environmentally superior alternative.¹¹

The Application also includes a list of governmental agencies that have reviewed the Proposed Project.¹² These agencies include the Cities of Temecula and Murrieta as well as the County of Riverside.

7. Environmental Review

CEQA requires that the Commission consider the environmental consequences before acting upon or approving the Proposed Project.¹³ Under CEQA, the Commission must act as either the Lead Agency or a Responsible Agency for project approval. The Lead Agency is the public agency with the greatest responsibility for supervising or approving the Proposed Project as a whole.¹⁴ Here, the Commission is the Lead Agency. The actions and steps taken for environmental review of the Proposed Project, in accordance with GO 131-D and CEQA, are discussed below.

¹¹ Final MND, Chapters 2 and 5 and Appendix A.

¹² Application at 8.

¹³ CEQA Guidelines, Section 15050(b).

¹⁴ CEQA Guidelines, Section 15051(b).

7.1. Proponent's Environmental Assessment

SCE included its PEA with the Application, pursuant to GO 131-D, Section IX.B.1.e.¹⁵ The PEA evaluates the environmental impacts that may result from the construction and operation of the Proposed Project. SCE's PEA sets forth the purpose and need for the Proposed Project in Chapter 1, Proposed Project description in Chapter 3, environmental impact analysis in Chapter 4, and analysis of project alternatives in Chapters 2 and 4.

The PEA concludes that the Proposed Project will have less than significant, or no impact, to all environmental resource categories. Although SCE does not anticipate significant impacts to any resource category, SCE incorporates specific procedures into the project construction plans as an added measure of protection to environmental resources that occur in the area.

7.2. Draft Initial Study/Mitigated Negative Declaration

As the next step in the environmental review, the Commission's Energy Division (Energy Division) reviewed the PEA. On April 30, 2009, the Energy Division informed SCE by letter that the Application was deemed complete for purposes of reviewing environmental impacts, and began preparing an Initial Study (IS). The IS determined the Proposed Project will not have a significant adverse impact on the environment, conditioned on certain mitigation measures.

On November 18, 2009, the Energy Division released for public review a Draft IS/Mitigated Negative Declaration (MND) for the Proposed Project. The Draft IS/MND found that the Proposed Project will have no significant adverse

¹⁵ The PEA was prepared by SCE.

environmental impacts if the Proposed Project is implemented in compliance with certain mitigation measures.

7.3. Mitigation, Monitoring, Reporting and Compliance Plan

As required by CEQA, the Draft IS/MND included a Mitigation, Monitoring, Reporting and Compliance Plan (MMRCP). Consistent therewith, the Final MND outlines the MMRCP to be followed and complied with by SCE. MMRCP is designed to ensure effective implementation of the project design features (PDFs) and mitigation measures required by the Commission and agreed to by SCE as necessary and required mitigation plan to implement as part of the Proposed Project. The MMRCP, which is outlined in detail in Chapter 5 and Table 5-1 of the Final MND, includes:

1. PDFs and mitigation measures that SCE is required to implement as part of the project;
2. CEQA checklist questions to which the PDFs and mitigation measures apply;
3. Monitoring requirements; and
4. Timing for implementation of the PDFs and mitigation measures.

With full implementation of the PDFs and mitigation measures set forth in Chapter 5 and Table 5-1 of the Final MND, and with compliance with all project permitting requirements, including compliance with all applicable federal, state, and local regulations, each potentially significant adverse environmental impact identified in this IS would be avoided or reduced to less than significant levels.

The Commission will use the MMRCP as a guide and record of monitoring the utility's compliance with its provisions. SCE has agreed to and shall comply with each measure and provision of the MMRCP. We adopt the MMRCP

outlined in Chapter 5 of the Final MND as part of this decision to approve the Proposed Project and require SCE to comply with the MMRCPP.¹⁶

7.4. Electric and Magnetic Fields

The Commission has examined EMF impacts in several previous proceedings.¹⁷ We found the scientific evidence presented in those proceedings was uncertain as to the possible health effects of EMFs and we did not find it appropriate to adopt any related numerical standards. Because there is no agreement among scientists that exposure to EMF creates any potential health risk, and because CEQA does not define or adopt any standards to address the potential health risk impacts of possible exposure to EMFs, the Commission does not consider magnetic fields in the context of CEQA and determination of environmental impacts.

However, recognizing that public concern remains, we do require, pursuant to GO 131-D, Section X.A, that all requests for a PTC include a description of the measures taken or proposed by the utility to reduce the potential for exposure to EMFs generated by the Proposed Project. We developed an interim policy that requires utilities, among other things, to identify the no-cost measures undertaken, and the low-cost measures implemented, to reduce the potential EMF impacts. The benchmark established for low-cost measures is 4% of the total budgeted project cost that results in an EMF reduction of at least 15% (as measured at the edge of the utility right-of-way).

¹⁶ CEQA Guideline Section 15074(d).

¹⁷ See Decision (D.) 06-01-042 and D.93-11-013.

The Field Management Plan (FMP) contained in the Application,¹⁸ addresses the EMF measures that will be taken in connection with the Proposed Project. The Proposed Project will employ the “no-cost and low-cost” design options by:

1. Placing major substation, electric equipment (such as transformers) away from the existing substation property lines;
2. Phasing the proposed subtransmission lines supplying the substation will be phased for magnetic field reduction;
3. Using pole heights that meet or exceed the SCE’s EMF Design Guideline which typically calls for 85 feet above ground poles to increase the distance of subtransmission lines from the ground; and
4. Using pole-head configurations with less phase-to-phase distance or circuit-to-circuit distance.

We adopt the FMP for the Proposed Project and require SCE to comply with it.

7.5. Public Notice and Review

On November 18, 2009, the Energy Division published a Notice of Intent to Adopt a MND (NOI), and released the Draft IS/MND for a 30-day public review and comment period.¹⁹

On November 18, 2009, the Draft IS/MND was distributed to federal, state and local agencies; property owners within 300 feet of the Proposed Project; and other interested parties (identified in the Draft IS/MND). A Public Notice of the

¹⁸ Appendix F.

¹⁹ On August 12, 2010, Administrative Law Judge Kim issued a ruling and identified, marked and received into the record the IS/Draft MND as Reference Exhibit A.

Proposed Project also was published in the local newspaper, announcing the availability of the Draft IS/MND. The 30-day public review and comment period had ended on December 17, 2009. The NOI also announced that there would be a public meeting held on December 7, 2009, at City of Temecula, where the public was invited to comment on the Proposed Project and the Draft IS/MND.

During the 30-day public review and comment period for the Draft IS/MND, the Commission received comments from public agencies, tribes, the City, members of the community and SCE. In addition, the Commission also received verbal comments from attendees of the December 7, 2009 public hearing held in City of Temecula. Those comments and any objections therein are addressed and the Commission's responses to those comments are contained in the Final MND.

7.6. Final MND

A Final MND was prepared pursuant to CEQA guidelines, and released by the Energy Division on March 10, 2010.²⁰ The Final MND addresses all aspects of the Draft IS/MND, includes the comments received on the Draft IS/MND and the responses to those comments by the Lead Agency (Energy Division), and includes a final version of the MMRCPP.

Although a few revisions were made to clarify and revise certain mitigation measures described in the Draft IS/MND, the Final MND does not identify any new significant environmental impacts, and does not omit any existing mitigation measures, from those identified in the Draft IS/MND.

²⁰ On August 12, 2010, Administrative Law Judge Kim issued a ruling and identified, marked and received into the record the Final MND as Reference Exhibit B.

Before granting the Application, we must consider the Final MND.²¹ We have done so and find that the Final MND (which incorporates the Draft IS/MND) was prepared in compliance with and meets the requirements of CEQA. We further find that on the basis of the whole record, there is no substantial evidence that the Proposed Project will have a significant effect on the environment and that the Final MND reflects the Commission's independent judgments and analysis.²² We adopt the Final MND in its entirety, and incorporate it by reference in this decision approving the Proposed Project.

The Final MND concludes that the Proposed Project will not have a significant adverse impact on the environment, because the mitigation measures described therein, and agreed to and incorporated by SCE into the Proposed Project, will ensure that any potentially significant impacts that have been identified with the Proposed Project will remain at less than significant levels. The Final MND is available for inspection on the Commission's website at: <http://www.cpuc.ca.gov/PUC/energy/Environment/>.

8. Conclusion

Based on the analysis of the IS, the Draft and Final MNDs, and the mitigation measures identified therein and incorporated into the Proposed Project, the Commission finds that the Proposed Project will not have a significant impact on the environment. We have reviewed the Application and, after considering all of the above requirements, find it complete and in compliance with GO 131-D.

²¹ CEQA Guideline Section 15004(a).

²² CEQA Guideline Section 15074(b).

We conclude that granting this PTC is in the public interest and the Application should be approved. Our order today adopts the Final MND (which incorporates the Draft IS/MND), subject to the conditions therein, and authorizes work on the Proposed Project to begin. Before commencing construction of the Proposed Project, SCE must have in place all required permits, easements or other legal authority for the project site.

9. Comments on Proposed Decision

The proposed decision of the Administrative Law Judge in this matter was mailed to the parties in accordance with Section 311 of the Public Utilities Code and comments were allowed under Rule 14.3 of the Commission's Rules of Practice and Procedure. On September 10, 2010, the City filed its opening comment. On September 20, 2010, SCE filed its reply comment. No other opening or reply comment has been filed.

In its opening comment, the City requested that we modify the proposed decision and deny the Application. In short, the City contends that the proposed decision relies on Draft IS/MND and Final MND which "do not meet the requirements set forth in the California Environmental Quality Act [] [and] do not adequately analyze and disclose significant, unmitigable adverse impacts [on aesthetics and land use created by] the Proposed Project."²³ The City further contends that: "the environmental documents fail to consider feasible alternative locations for the Proposed Project"; and "environmental documents fail to impose enforceable and feasible mitigation for the significant adverse impacts

²³ Final MND at 1.

that are disclosed in [] the Final MND....”²⁴ The City then details various City ordinances and other local regulatory requirements that the Applicants must first comply with before implementing the Proposed Project.

We disagree with the City. We find that Final MND complies with CEQA and the conclusions therein are supported by substantial evidence. We also find that the Final MND and the record fully reflect the City’s participation in the CEQA process for this Application and the adequately analyzes and responds to each concern the City raised in compliance with CEQA.

Contrary to the City’s contention, we find that the Final MND considered the each impact of the proposed project, including the aesthetics and land use impacts, and sets forth enforceable MMRCP, which we adopt here, to ensure effective and proper implementation of mitigation measures and project design features (PDFs).²⁵ This decision and MMRCP further requires that the Applicant secure City permits or otherwise comply with regulatory requirements when applicable. MMRCP also clearly outlines a monitoring process the Applicant is bound by to ensure the mitigation measures and/or PDFs are implemented in full compliance with the MMRCP, and any noncompliance which remain uncorrected become violative of this decision, pursuant to Ordering Paragraphs 2 through 5.

Finally, as discussed in Section 6 of this decision, the record supports the finding that CEQA does not require analysis of alternatives in this instance.

²⁴ *Id.*

²⁵ *Id.* at 3.1, 3-9 and 5.

Based on the foregoing, we find that the City's concerns do not merit modification of the proposed decision nor do they justify denial of the Application. Therefore, this decision adopts the proposed decision and approved the Application.

10. Assignment of Proceeding

Dian M. Grueneich is the assigned Commissioner and Kimberly Kim is the assigned Administrative Law Judge in this proceeding.

Findings of Fact

1. Application (A.) 08-11-019 for a PTC conforms to GO 131-D.
2. The Proposed Project of SCE includes (1) construction of the Triton Substation, the 56 MVA 115/12 kV substation on an approximate 10-acre site located at the southeast corner of Nicholas Road and Calle Madusa in the City of Temecula; (2) construction of two new overhead 115 kV subtransmission line segments (each approximately 1,300 feet in length) on approximately seven tubular steel poles to loop the existing 115 kV subtransmission line into the proposed substation; (3) construction of two new underground 12 kV distribution duct banks; (4) installation of new fiber optic cable and communication equipment to connect the proposed Triton Substation to SCE's existing telecommunication system; (5) decommissioning of the existing 33/12 kV Canine Substation, which is a temporary facility that is scheduled to be retired; and (6) decommissioning of an emergency 33/12 kV transformer bank at the 115/33/12 kV Auld Substation, which is scheduled to be disconnected in 2010.

3. The Proposed Project is intended to meet the forecasted electrical needs of the Cities of Temecula and Murrieta as well as adjacent areas of southwestern Riverside County (the Electrical Needs Area or ENA).

4. When completed, the Proposed Project will ensure that safe and reliable electric service is provided to meet customers' electrical demand without overloading the existing electric facilities that supply the ENA by (1) increasing the total transformation capacity available within the ENA, (2) providing enhanced system reliability by locating Triton Substation in proximity to area of load growth, (3) enhancing operational flexibility by providing the ability to transfer load between distribution lines and substations within the ENA, and (4) meeting projected long term demand in the ENA.

5. No formal protests were filed to the Application.

6. All comments received by the Commission during the environmental review of the Proposed Project pursuant to CEQA have been reviewed and addressed in the Final MND.

7. The Final MND (which incorporates the Draft IS/MND) related to the Proposed Project conforms to the requirements of CEQA.

8. The Final MND identified no significant environmental impacts of the Proposed Project that could not be avoided or reduced to non-significant levels with the mitigation measures described therein.

9. On the basis of the whole record, there is no substantial evidence that the project will have a significant effect on the environment.

10. The MMRCP, included as part of the Final MND, specifically describes the mitigation measures to be taken.

11. SCE agrees to comply with the mitigation measures described in the Final MND.

12. The Commission considered the Final MND in deciding to approve the Proposed Project.

13. The Final MND reflects the Commission's independent judgment.

14. Based on the mitigation measures included in the Final MND, the Proposed Project will not have a significant impact upon the environment.

15. The Proposed Project includes no-cost and low-cost measures (within the meaning of D.93-11-013, and D.06-01-042) to reduce possible exposure to EMF.

Conclusions of Law

1. SCE represents that it has complied with the notice requirements for PTCs described in GO 131-D, Section XI.

2. Evidentiary hearings are not necessary.

3. The Commission is the Lead Agency for compliance with the provisions of CEQA.

4. A Draft IS/MND analyzing the environmental impacts of the Proposed Project was processed in compliance with CEQA.

5. A Final MND on the Proposed Project was processed and completed in compliance with the requirements of CEQA.

6. The Draft IS/MND and the Final MND (which includes the MMRCP and EMF Field Management Plan) should be adopted in their entirety.

7. Possible exposure to EMF has been reduced by the no-cost and low-cost measures SCE will include in the Proposed Project that are specified in Appendix C of the Final MND, pursuant to D.93-11-013, and D.06-01-042.

8. SCE should obtain all necessary permits, easement rights or other legal authority for the project site prior to commencing construction.

9. SCE's Application for a PTC should be approved, subject to the mitigation measures set forth in the Final MND.

10. A.08-11-019 should be closed.

11. This order should be effective immediately so that construction of the Proposed Project can begin.

O R D E R

IT IS ORDERED that:

1. Southern California Edison Company (SCE) is granted a Permit to Construct the Triton Substation Project, including:
 - (a) Construction of the 56 megavolt ampere (MVA) 115/12 kilovolt (kV) substation on an approximate 10-acre site located at the southeast corner of Nicholas Road and Calle Madusa in the City of Temecula;
 - (b) Construction of two new overhead 115 kV subtransmission line segments (each approximately 1,300 feet in length) on approximately seven tubular steel poles to loop the existing 115 kV subtransmission line into the proposed substation;
 - (c) Construction of two new underground 12 kV distribution duct banks;
 - (d) Installation of new fiber optic cable and communication equipment to connect the proposed Triton Substation to SCE's existing telecommunication system;
 - (e) Decommissioning of the existing 33/12 kV Canine Substation, which is a temporary facility that is scheduled to be retired; and
 - (f) Decommissioning of an emergency 33/12 kV transformer bank at the 115/33/12 kV Auld Substation, which is scheduled to be disconnected in 2010.
2. The Final Mitigated Negative Declaration (which incorporates the Draft Initial Study/Mitigated Negative Declaration and the Mitigation Monitoring

Reporting and Compliance Plan) is adopted pursuant to the requirements of the California Environmental Quality Act, Public Resources Code §§ 21000 *et seq.*

3. The Mitigation Monitoring, Reporting and Compliance Plan, included as part of the Final Mitigated Negative Declaration, is adopted.

4. The Permit to Construct is subject to Southern California Edison Company's compliance with the mitigation measures set forth in the Final Mitigated Negative Declaration and Mitigation Monitoring, Reporting and Compliance Plan.

5. Southern California Edison Company shall have in place, prior to commencing construction, all of the necessary easements rights, or other legal authority, to the Triton Substation Project sites.

6. Application 08-11-019 is closed.

This order is effective today.

Dated September 23, 2010, at San Francisco, California.

MICHAEL R. PEEVEY

President

DIAN M. GRUENEICH

TIMOTHY ALAN SIMON

NANCY E. RYAN

Commissioners

Commissioner John A. Bohn, being necessarily absent, did not participate.