

Decision No. 68733

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ROBERT W. E. DUNCAN, et al.,)
)
 Complainants,)
)
 vs.)
)
 PACIFIC GAS AND ELECTRIC COMPANY,)
 a corporation,)
)
 Defendant.)

Case No. 8003

ORDER DENYING PETITION FOR INVESTIGATION

Complainants filed a petition for investigation pending submission of cause herein on February 2, 1965, said petition requesting "that the Commission, through its staff, conduct a full and complete comparative study of the two proposals for location of 500 kv transmission lines and towers both as to actual costs and the impact each would have on the farming economy and other industries and interests of the state affected by either proposal." Defendant filed an answer thereto on February 5, 1965.

The Commission having considered said petition and answer and each and every allegation therein made, and being of the opinion that good cause for granting said petition has not been made to appear,

IT IS ORDERED that complainants' "petition for investigation pending submission of cause" is denied.

Dated at San Francisco, California, this 11th day of MARCH, 1965.

Frederick B. Holdhoff
 President
Peter L. Mitchell
George H. Grever
Alvin J. ...

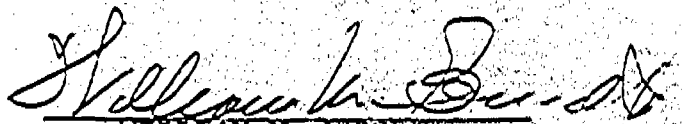
Commissioners

DISSENT

BENNETT, William M., Commissioner, Dissenting Opinion:

ORDER DENYING PETITION FOR INVESTIGATION
OF COMMISSION THROUGH ITS STAFF TO CONDUCT
A FULL AND COMPLETE COMPARATIVE STUDY.

I would grant the request that the staff of this Commission be directed to make a full study of the proposals for alternate location of transmission lines and at the same time I would direct that the staff determine whether any other routes are advisable. This proceeding involving individual complainants placed against the resources and skill of a giant utility suggests that the contest may be improperly balanced. The very existence of this Commission and its staff rests upon the premise that we assist the public where possible -- and it is quite possible here. A mere directive can accomplish such result. Litigation such as this which has a great impact above and beyond the interest of these litigants can hardly be left to such resources as complainants may possess. It is not only the obligation of the staff to be vigorous in proceedings such as this so far as the public is concerned but it makes for less than a complete record without active staff participation. As it is the completeness of the record leaves something to be desired and all of the expertise of the Commission staff has been denied us on the record by way of making a sound decision in which all public interest factors might be evaluated. As recently as May 5, 1964 (in Decision No. 67180, Application No. 45231) the staff of this Commission by my direction made a study encompassing all of Southern California as to possible suitable sites for a nuclear plant. Then and only then with such evidence was the judgment reached that the site at San Onofre (Southern California Edison Company and San Diego Gas & Electric Company Nuclear Plant) was by elimination the most suitable for the construction of the Edison Nuclear Plant.


WILLIAM M. BENNETT
Commissioner