

Decision No. 79883

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of LESTER R. WILL to have  
electrical power lines installed above  
ground to living quarters for a mini-  
mum of 800 feet to a maximum of 1300  
feet.

Application No. 53141  
(Filed February 11, 1972)

O P I N I O N

Applicant Lester R. Will seeks a deviation from the mandatory undergrounding provisions of the line extension rule of Pacific Gas and Electric Company (PG&E).

Decision No. 77187, dated May 5, 1970, and Decision No. 78294, dated February 9, 1971, both in Case No. 8993, made mandatory the undergrounding of line extensions to and within residential subdivisions. Undergrounding was not made mandatory for extensions to serve individuals because of the potential hardship cases which could arise. It was not the intent, however, to permit circumvention of the mandatory undergrounding rule for subdivisions by having de facto subdivisions created through successive lot splits. PG&E's tariffs define a tract or subdivision as:

"An area for family dwellings which may be identified by filed subdivision plans or as an area in which a group of dwellings may be constructed about the same time, either by a large-scale builder or by several builders working on a coordinated basis."

PG&E, when investigating applications for line extensions, properly attempts to prevent circumvention of the rules. If there is reasonable cause to believe that an extension will serve a de facto subdivision, undergrounding is proposed by the utility. An application can be filed with the Commission by the potential customer requesting deviation from the extension rules.

Applicant states in paragraph number 3 of his application:

"3. I own one 6-acre parcel of land in a group of 15 parcels. Each parcel being in the vicinity of 5 acres in size."

In most other respects, the property in question does not have the attributes of what is generally accepted to be a subdivision. There are no improved roads, no water distribution system and no sewer system. Access to the property is over an unimproved road which may, or may not, follow dedicated easements over other parcels in the development. ✓

Applicant further states:

"To my knowledge, I am the only one who will move to this land to permanently live there with my family. The remaining parcels of land are being used as recreation land."

An overhead line extension to serve applicant would be constructed entirely on rights-of-way through private property and would not be visible from public roads. The terrain is covered with brush and scrub trees and is very rocky which makes undergrounding more difficult and expensive in this area. Due to the short length of the extension, approximately 700 feet, all work would be done by hand.

Under the circumstances hereinabove described, there is sufficient justification for deviation from the mandatory undergrounding requirement. The order herein grants the requested deviation.

#### Findings and Conclusion

The Commission finds that a public hearing is not necessary and that deviation from the mandatory undergrounding provisions of PG&E's line extension rule is justified for service to the Will's property described in this application, and such deviation will not be adverse to the public interest. The Commission concludes that the application should be granted.

O R D E R

IT IS ORDERED that Pacific Gas and Electric Company is authorized and directed to deviate from its line extension to the extent of providing an overhead rather than an underground extension to serve Lester R. Will's six-acre parcel of property located near Cherokee, Butte County.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 4th  
day of APRIL, 1972.

[Signature]  
Chairman  
[Signature]  
[Signature]  
[Signature]  
Commissioners

I abstain

[Signature]