

Decision No. 80293

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of
KENNAN HEARD and JACKSON TUTEUR for
exemption from regulations requiring
undergrounding of extensions of
electric and telephone utilities
in residential subdivision

Application No. 53277
(Filed April 20, 1972)

O P I N I O N

Applicants Kennan Heard and Jackson Tuteur seek a deviation from the mandatory undergrounding provisions of the line extension rules of Surprise Valley Electrification Corporation and Citizens Utilities Company of California as they apply to their property located in Modoc County, and more particularly described as follows:

Township 43 North, Range 13 East, M.D.B.&M.

Section 31: E $\frac{1}{2}$ of NE $\frac{1}{4}$

Section 32: NW $\frac{1}{4}$; W $\frac{1}{2}$ of SW $\frac{1}{4}$; NE $\frac{1}{4}$ of SW $\frac{1}{4}$; SW $\frac{1}{4}$ of NE $\frac{1}{4}$

Comprising 400 acres, more or less

Applicants have subdivided their property into twenty-20 acre parcels for rural homesites and for agricultural purposes such as farming and raising livestock.

An existing overhead primary distribution line owned by Surprise Valley crosses over eight of the 20 parcels. An existing overhead telephone line owned by Citizens Utilities crosses over six of the 20 parcels.

Modoc County has no ordinance which requires the undergrounding of utility distribution facilities.

Findings and Conclusion

The Commission finds:

1. Existing overhead facilities cross over eight of the 20 parcels.
2. All parcels in the Heard and Tuteur development are 20 acres.
3. All parcels in the Heard and Tuteur development are used for rural homesites and agricultural purposes.
4. A public hearing is not necessary.
5. A deviation from the mandatory undergrounding provisions of Surprise Valley and Citizens Utilities line extension rules is justified for service to the Heard and Tuteur property 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 Surprise Valley Electrification Corporation and Citizens Utilities Company of California are authorized and directed to deviate from their line extension rules to the extent of providing overhead extensions to serve the twenty parcels of land owned by Kennan Heard and Jackson Tuteur located in Modoc County and more particularly in this application.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 25th day of JULY, 1972.

William L. Sturgeon, Jr. President

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Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.
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Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.