

ORIGINAL

Decision No. 80634

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Joe Chaney and D. A. Duryee, copartners, doing business as Chaney and Duryee, a partnership, for an exception to the mandatory undergrounding requirements of Rule 15.1 for creation and development of Town Farms Subdivision located in Shasta County, California.

Application No. 53541
(Filed August 23, 1972)

OPINION AND ORDER

Applicants Joe Chaney and D. A. Duryee request an exception from the mandatory undergrounding of telephone line extensions in Town Farms Subdivision, Shasta County.

Applicants allege that electric service to Town Farms Subdivision will be provided by Shasta Dam Area Public Utility District, which agency does not come under the jurisdiction of this Commission. Applicant further alleges that the district has set poles, plans to provide electric service by means of overhead extensions, and has no objection to the joint use of its poles for both electric and telephone lines.

Telephone service to Town Farms Subdivision will be provided by The Pacific Telephone and Telegraph Company (Pacific). Rule No. 15 of Pacific's tariffs provides, in Section I, Paragraph G, that only underground line extensions will be constructed to and within new residential subdivisions, but Paragraphs H and I provide for exemptions from the mandatory undergrounding. Paragraph H provides for exemption if an applicant for extension of telephone lines "can and does elect to be served by aerial electric facilities". Paragraph I provides for exemptions under other justifiable circumstances. The exemption in Paragraph H, by its terms, does not

require individual authorization by the Commission whereas the exemptions in Paragraph I do.

If all of the electric facilities were to be installed overhead, the automatic exemption of the aforementioned Paragraph H would apply. A Commission staff report dated September 21, 1972, hereby received as Exhibit No. 1, states that the electric distribution facilities will be overhead but that underground electric service lines will be installed to the individual lots.

It is the staff's view that the fact of partial aerial electric construction is controlling. The staff recommends that applicants' request be granted in part, permitting telephone lines to be installed on electric pole contacts but require telephone service connections to be installed underground. In a memorandum from Pacific, a copy of which is part of Exhibit No. 2, a representative of Pacific has advised the Commission staff that Pacific does not oppose the subdividers' request for deviation from undergrounding requirements.

The Commission finds that the staff recommendation is reasonable, follows the intent of Pacific's tariffs and, because of the use of existing power poles, will not have a significant effect on the environment.

The Commission concludes that the application should be granted in part, as recommended by the staff. A public hearing is not necessary.

IT IS ORDERED that The Pacific Telephone and Telegraph Company is authorized to require undergrounding of only those

portions of its facilities to be installed in Town Farms Subdivision, Shasta County, where the comparable portion of the electric system is to be constructed underground.

The effective date of this order is the date hereof.

Dated at Los Angeles, California, this 17th
day of OCTOBER, 1972.

Samuel L. Suter
President
W. J. [illegible]
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Commissioners