

Decision No. 80641

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of COLDWELL, BANKER
MANAGEMENT CORPORATION, a
California corporation, as
development agent for STAUFFER
CHEMICAL COMPANY, a Delaware
corporation, for an exception to
the mandatory undergrounding
requirements of Rule 15.1 for a
redevelopment of an industrial
tract located in the City of
Vernon, Los Angeles County,
California.

Application No. 53515
(Filed August 9, 1972)

O P I N I O N

Applicant Coldwell, Banker Management Corporation, seeks a deviation from mandatory undergrounding provisions of the line extension Rule 15.1 of The Pacific Telephone and Telegraph Company (Pacific). Decision No. 78294, dated February 9, 1971, in Case No. 8993, expanded the mandatory underground provision to include all new residential, commercial and industrial subdivisions, and real estate developments.

The applicant states that it is impractical and unjust to require that the applicant provide underground utility service to the said industrial site development. He cites the following reasons for his statement:

- (a) The aesthetic and environmental effect of overhead utility service is not material in the light of the existing patterns of development of the community, such as heavy concentration of industrial and commercial buildings and railroads;
- (b) The City of Vernon supplies electric power to the industrial sites by overhead pole mounted lines and these poles are available for use for telephone lines;

- (c) The type and kind of tenant occupancy of the buildings to be built in the applicant's industrial site cannot be known in advance. Furthermore, the occupancy is subject to change from time to time. Therefore, it is not possible to estimate electric and telephone needs. Underground installations are relatively inflexible as compared to aerial construction.
- (d) The added cost for undergrounding of telephone lines will be a hardship for future tenants.
- (e) There are no local ordinances requiring undergrounding of utilities in the City of Vernon.
- (f) The utility has no objection to installing the utilities overhead in the event a deviation from Rule 15.1 will be granted by the Commission.

The staff made a field investigation of the area and conferred with representatives of the City of Vernon, Pacific Telephone Company and Coldwell, Banker and prepared a report which in summary confirms the allegations of the complainant. The staff report contains a recommendation that the requested deviation from Rule 15.1 requiring mandatory undergrounding should be granted.

Findings and Conclusion

The Commission finds that a public hearing is not necessary and that deviation from the mandatory undergrounding provisions of Pacific's Rule 15.1 is justified for service to the industrial tract located in the City of Vernon, Los Angeles County, California, which is being developed by Coldwell, Banker Management Corporation for Stauffer Chemical Company. The applicability of mandatory undergrounding provisions of Pacific's tariffs would therefore be unjust, and the requested deviation would not be adverse to the public interest. The Commission concludes that the application should be granted.

