

ORIGINAL

Decision No. 80661

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application
 of SCREECH OWL COUNTRY, a limited
 partnership, by GORDON R.
 KIRKPATRICK, general partner,
 Applicant.

Application No. 53447
 (Filed July 10, 1972)

Lew Arthur Garbutt, Attorney at Law, and
G. R. Kirkpatrick, for applicant.
F. T. Searls, Malcolm H. Furbush and
J. Bradley Bunnin, Attorneys at Law, for
 Pacific Gas and Electric Company, interested
 party.
James J. Cherry, Attorney at Law, and E. R.
Davidson, for the Commission staff.

O P I N I O N

Applicant Screech Owl Country, a limited partnership,
 seeks a deviation from the mandatory undergrounding provisions of
 the line extension rules of Pacific Gas and Electric Company (PG&E).

Public hearing was held before Examiner Catey at Placerville
 on August 24, 1972. A civil engineer, a geologist, a realtor and
 applicant's general partner testified on behalf of applicant. An
 engineer for PG&E testified regarding a description of the area and
 presented alternative costs and methods of construction of overhead
 and underground line extensions to serve applicant's subdivision.
 Notice of hearing had been sent to officials of El Dorado County
 but the County did not take any position on this application. The
 application was submitted after closing statements by counsel for
 applicant, PG&E and the Commission staff. The transcript has been
 filed and the matter is ready for decision.

Decision No. 77187, dated May 5, 1970, in Case No. 8993, required electric and communication utilities to revise their overhead line extension rules to make them inapplicable to new residential subdivisions.

Applicant's subdivision is a 280-acre tract to be known as Screech Owl Country, consisting of 74 lots of 2-1/2 or more acres each. It is located about 1/4 mile south of Highway 50, 12 miles west of Placerville, in El Dorado County. Parts of the property are heavily covered with trees and brush, but, in other portions, the trees have been cleared over a period of years so the land could be used for grazing. The terrain is rolling and some areas are fairly steep. Rock outcroppings are evident throughout the property.

Applicant does not plan to provide water, sewer or gas lines. Each lot purchaser will develop his own private well and install a septic tank with leach lines.

Basis for Application

The principal reasons given in the application for requesting approval of overhead electric lines for Screech Owl Country are:

1. Cutting trenches for underground utilities would create a very high risk of upsetting the natural drainage system, causing substantial damage to, and perhaps destruction of, the subsurface water supply upon which the area is dependent.
2. Underground utility trenches would interfere with proper engineering of septic system leach lines.
3. Utility trenches would cause many tree roots to be cut unnecessarily.
4. The cost of undergrounding would nearly double the cost per parcel in the subdivision.

Discussion

Applicant caused a detailed geologic investigation to be made in the course of preparing preliminary subdivision plans. This investigation disclosed, among other things, that a belt of jointed or fractured rock passes through the subdivision, extending to great

depths. The geologist's comprehensive report (Exhibit No. 2) points out that the jointed rock areas provide a conduit connecting the subterranean water supply to the surface and that the jointed rock areas should be avoided in locating leach field sites on each lot.

Applicant's engineer gave weight to the geologist's findings in laying out the subdivision. Road cuts were held to a minimum, which avoids possible disturbance of the sensitive underground structure. The large lots accommodate the extensive leach fields needed for proper operation of the septic tank systems. Use of local wells and septic tanks avoid long trenching along and lateral to roadways.

Applicant's geologist testified that, although the fractured and jointed rock in Screech Owl Country is not unique in the rigid definition of the word, it is much more prevalent in that subdivision than elsewhere. He could not state categorically that the trenching required for underground electric lines would harm the subsurface natural drainage system, but emphasized that by the time any detrimental effects took place, it would be too late to undo the damage.

Considerable testimony was introduced regarding the economic effects of undergrounding as opposed to overhead electric line extensions. Inasmuch as the requested deviation is granted by the order herein on environmental grounds, the side issues of economic considerations need not be considered.

Finding and Conclusion

The Commission finds that the aesthetic advantages of underground electric lines in Screech Owl Country are outweighed by the potential harm to the underground natural drainage system in that area which could be caused by the installation of the underground distribution and service lines.

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 filed line extension rules to the extent of extending overhead lines from existing overhead power lines to serve the subdivision in El Dorado County known as Screech Owl Country, as described herein.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 31st day of OCTOBER, 1972.

Vernon L. Stinson
President
Veronica Stinson
Veronica Stinson
Veronica Stinson
Commissioners

I dissent
Thomson
Commissioner

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I abstain :
Stinson
Commissioner