

Decision No. 81325

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of VERNON MORELLI for  
approval of an exception to rule  
requiring undergrounding of public  
utilities in subdivisions.

Application No. 53643  
(Filed October 16, 1972)

Joseph W. Burton, for applicant.  
F. T. Searles, M. H. Furbush, and J. Bradley Bunnin,  
Attorneys at Law, for Pacific Gas and Electric  
Company, interested party.  
Vincent MacKenzie, Attorney at Law, for the Commission  
staff.

O P I N I O N

Applicant Vernon Morelli 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 Santa Rosa  
on January 22, 1973. Notice of hearing had been sent to applicant  
and his representative, to the electric and telephone utilities  
involved, and to the clerk, county counsel, and planning director of  
Sonoma County. At the Commission's request, applicant also had  
published a notice of hearing. Testimony was presented by applicant's  
engineer, by one of PG&E's engineers, and by the chairman and another  
member of the Sonoma County Citizens Advisory Committee on Open Space,  
Conservation and Recreation. The application was submitted on  
January 22, 1973, the reporter's transcript was filed on March 1, 1973,  
and the matter is now ready for decision.

### Proposed Development

Applicant is the owner of a 905.5-acre piece of property located on the western slope of Sonoma Mountain, about seven miles northeast of Petaluma in Sonoma County. He proposes to divide the property into 89 parcels of an average size of 10 acres. Approximately six miles of roads would be constructed to provide access to the lots. Only one building site per lot, and no further subdivision of the lots, is proposed. Water is to be provided by individual wells, and sewage disposal will be by individual septic tanks.

Applicant proposes to provide utility easements along rear lot lines, rather than to have the poles installed along public streets. Applicant's engineer testified that, in addition to eliminating the undesirable appearance of pole lines along public roadways, the judicious spacing of poles within the easements could avoid obstructing the view from the building sites within the development. Further, he testified that the slope of the hillside is such that the pole lines would not be in the line of view of any future subdivisions which might be developed nearby. The PG&E witness confirmed that existing tree cover and the general topography would lend themselves to a rather unobtrusive overhead line installation.

### Positions of Various Parties

On August 8, 1972, the Sonoma County Citizens Advisory Committee on Open Space, Conservation and Recreation recommended to the Board of Supervisors that they adopt a policy of requiring underground electrical distribution lines in all new residential or commercial areas. The chairman of that committee testified that the committee still has the same recommendation.

The Board of Supervisors did not completely concur, however, with the committee's recommendation. Unanimous Resolution No. 38953 dated December 4, 1972, a copy of which is Exhibit No. 4, states:

"WHEREAS, the Public Utilities Commission of the State of California has heretofore adopted Decision No. 77187, which decision, in general, requires the undergrounding of utilities in subdivisions, and

"WHEREAS, Decision No. 77187 may have a reasonable application for urban-type subdivisions, it creates hardships and defeats a current policy of this Board relating to large lot rural subdivisions, and

"WHEREAS, this county is attempting to encourage large lot subdivisions in rural areas rather than high density development, and

"WHEREAS, the cost of undergrounding under Decision No. 77187 dictates against large lot development, and requires high density projects;

"NOW, THEREFORE, BE IT RESOLVED that this Board of Supervisors hereby petitions the Public Utilities Commission of the State of California to take those steps necessary to modify Decision No. 77187 as it applies to large lot subdivisions of a minimum lot size of 10 acres or greater so that the cost of compliance will not render low density development unfeasible."

The witness for PG&E testified that the company believes that the requested deviation should be granted in this instance, primarily because of the large lot size, limited visibility to the public, and the opportunity for effective screening of overhead construction.

It was noted on the record that several Sonoma County residents had written letters to the Commission objecting to any deviation from the mandatory undergrounding rule. Those residents did not testify at the hearing.

### Relative Costs

In order to encourage rural subdivisions such as the one planned by applicant, Sonoma County has established less rigid road requirements for large-lot tracts. As a result, applicant's engineer estimates that the average cost per lot for roads within the subdivision will be only about \$700. Since no community water, gas, or sewer systems are planned, the only additional improvements will be electric and telephone line extensions. The total development cost for roads and overhead electric and telephone lines would be about \$1,780 per lot; whereas the total cost of roads and underground electric and telephone lines would be from about \$3,650 to \$4,010 per lot, depending upon the extent of ploughed-in lines as opposed to trench installation. Undergrounding, in this instance, would thus more than double the cost per lot for all provided improvements. Applicant contends the extra cost of undergrounding would make the subdivision economically unfeasible.

### Findings

1. Applicant plans to develop a large-lot, 905.5-acre subdivision in Sonoma County consisting of about 89 lots having an average size of 10 acres or larger.
2. The Board of Supervisors of Sonoma County has requested exemption of large-lot subdivisions from the mandatory undergrounding provisions of the line extension rules of electric and communications utilities.
3. The size and location of the lots and proposed utility easements will make overhead lines relatively unobtrusive from public roads.
4. Undergrounding electric and telephone lines in applicant's subdivision would more than double the cost per lot of all provided improvements, as compared with overhead construction of electric and telephone lines.

5. Under the conditions hereinabove described, there would be no significant aesthetic disadvantages to the public in extending electric and telephone lines overhead rather than underground. The application of mandatory undergrounding provisions of the utilities' tariffs would therefore be unjust, and the requested deviation will not be adverse to the public interest.

6. There is a reasonable certainty that the overhead lines proposed by applicant will not have a significant effect on the environment.

Conclusion

Applicant's request is reasonable and will be granted.

O R D E R

IT IS ORDERED that Pacific Gas and Electric Company and The Pacific Telephone and Telegraph Company are authorized and directed to deviate from the mandatory undergrounding provisions of their line extension rules to the extent of providing overhead line extensions to the Vernon Morelli tract described herein, provided proof is furnished to the utilities by Mr. Morelli that further subdivision of the approximately 10-acre lots will be prohibited by either Sonoma County or mutual covenants in deeds to all lots in the tract.

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

Dated at San Francisco, California, this 1st  
day of MAY, 1973.

*I dissent.*  
*Thomas Moran*

Commissioner

*Vernon L. Stinson*  
President  
*William S. Brown*  
*[Signature]*  
*[Signature]*  
Commissioners