

ORIGINAL

Decision No. 82559

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

H.H. CAMERON,

Complainant,

vs.

SO. CALIFORNIA EDISON CO.,

Defendant.

Case No. 9592
(Filed August 1, 1973;
amended September 4, 1973)

H. H. Cameron, for herself,
complainant.
Woodbury, Cahall, and Elston,
by William T. Elston,
Attorney at Law, for
defendant.

O P I N I O N

A public hearing on the complaint was held before Examiner Rogers in Los Angeles on December 3, 1973, and the matter was submitted.

The complainant is hypersensitive to sound and the best way to explain her complaint is to set forth the pertinent portions of the original and amended complaint verbatim. The pertinent portions of the original read:

"My problem began March 19, 1971 when the defendant put a transformer, high voltage S.P. 3 box, riser, and connecting wires on the pole in front of my home. A few nights later, I could hear the loud noise emitting from it penetrating my home. I called the defendant and asked them to check it.

"As I continued to hear the noise, I asked them to move it as the pain to my ears was becoming unbearable. Also, I could only get 4 to 4-½ hours sleep per night, sometimes even less until the pain would awaken me and I couldn't go back to sleep. I tried everything, but could find no escape in my house from the hum of high voltage wires and transformer. (I had never had any trouble sleeping before it was installed.) On April 20, 1971, it was put on the next pole east of my home, which wasn't far enough away as it was as noisy as when in front of my home. I requested the defendant and the Temple City City Council to move it farther or back to where they took it from. Both said that I would have to submit a doctor's report about my sensitive hearing before they could move it.

"I obtained an audiogram and a doctor's report stating to the fact that I did have extra-sensitive hearing and which I submitted to the City Council in a letter dated August 10 and 24, 1971. During this time, over five months, I got only 4 hours of sleep per night, sometimes less.

"At the September 7, 1971, City Council meeting, it was voted to grant my request. I assumed that meant just what I had written. However, the wires are still connected to the high voltage box and transformer running in front and side of my home and the noise is still causing me great pain and suffering.

"On September 24, 1971, I again wrote to the City Council asking why the wires had not been removed per my original request. They told me to check with the Public Utilities Commission, which I did.

"The Public Utilities Commission informed me that the city of Temple City had the authority to move the wires. I wrote again to the City Council. At the December 5, 1971, Council meeting, they verbally told me that the wires were owned by the defendant and to check with them.

"I called again and again asking the defendant to move the high voltage wires. In June, 1971, So. California Edison said that the ambient noise level was 34 Decibel when the transformer, etc., was on the next pole east of my home. However, I had a sound engineer take a reading on December, 1971, when the transformer was at Woodruff and Rowland and it recorded at 50 Decibel at my home. (Reading is enclosed.)

"In late February, 1972, I had another sound engineer, John Van Houten, make a survey (reading enclosed), which I sent to the defendant, stating that the Decibel reading was more than that quoted by Edison Company.

"After waiting to hear from the defendant and more telephone calls to them, I agreed to pay one-half of the moving cost (approximately \$1700.00) to relocate the equipment to the pole between Woodruff and Las Tunas, and was verbally told by H. Collins of the Edison Company that the high voltage lines wouldn't be connected to the wires in front of side of my house. That meant to me that the wires would also be moved.

"The route of the wires are still connected and pass by the front and side of my home. I have hearing of 3 D.B. in my right ear and 5 D.B. in my left, which makes this noise very painful to me. In February, 1973, I had another ear doctor verify that I had very sensitive hearing and that it had not changed in over two years.

"I cannot afford to move and have tried every alternative, without receiving relief."

In the original complaint complainant requests an order that the high voltage wires in front and side of her home, and any related equipment such as transformers, be moved the same distance away as they were prior to January 3, 1970 so that she will no longer be annoyed and forced to suffer pain from the noise they emit.

In the amended complaint, the complainant alleges:

"Recently, on July 2, 1973 the small 4 k.v. wires in front of my home were removed, an increased capacity transformer installed (1st pole west) and wires from it attached to the 16 k.v. high voltage wires. Why not remove the high voltage wires instead?"

Complainant requests an order that the transformer and high voltage wires be moved or buried so she cannot hear the constant hum.

On September 19, 1973 the defendant filed its answer to the original and amended complaints.

As affirmative defenses, the defendant alleges that the complaint is defective in that it fails to allege any act or omission in violation of any provision of law or of any order or rule of the Commission, and that at all times mentioned in the complaint, Edison has complied with the Commission's General Order No. 95.

The complainant, in her testimony, reiterated and enlarged on her complaint which, in brief, is that she purchased her home at 9916 E. Garibaldi Avenue in Temple City in 1969;

that at that time defendant's transmission wires were on Garibaldi in front of her home, but the nearest transformer was so distant it did not bother her; that on March 19, 1971 the defendant placed a transformer on the power pole in front of her home; that she has extremely acute hearing; that the transformer creates a noise which is extremely painful to her and, as a result, she cannot sleep or rest; and that she complained and the defendant moved the transformer three times, the last time to a pole approximately 1100 feet away, but she still cannot sleep or rest. The complainant testified that "All I'm interested in Edison doing is putting it back -- as far back as it was."

Exhibit 4 in evidence is a map showing the location of complainant's home and the various places the transformer was placed by defendant in attempts to satisfy her.

Defendant's supervising service planner testified that the line of poles on Garibaldi Avenue supported a 16 k.v. line installed in 1954, and the line of poles on an easement immediately east of complainant's home supported a 120/240 volt line installed in 1958; that the line on Garibaldi is a street lighting circuit; and that when complainant purchased her home the street lighting was furnished by defendant in a box-loop embracing the area bounded by Live Oak Avenue on the south, Baldwin Avenue on the east, Garibaldi Avenue on the north, and Temple City Boulevard on the west (Exhibit 5). He said that at that time the lighting transformer was located at an alley between Golden West Avenue and Kauffman Avenue in the approximate center of the service area (Exhibits 4 and 5); that the street lighting is furnished by the county of Los Angeles and the only responsibility the defendant has is to furnish the power to the city of Temple City at the meter box; that the wiring for the street lights belongs to the

city, but the county of Los Angeles maintains them on a contract basis; that defendant is the distribution utility and establishes the feed points; that in April 1971, the county redesigned the street lighting circuits (Exhibit 6); and that the redesigned circuits are much smaller and the relocation of the transformer serving the street lights on Garibaldi was required by the change. The witness said the street lights in front of complainant's home (Garibaldi Avenue) are mercury vapor lamps served by underground wiring, but receiving power from overhead 16 kv lines reduced by transformers; that when the original reduced lighting circuit was placed in operation the transformer was located in front of complainant's home (1st relocation, Exhibit 4); that subsequently, because of complainant's complaints the transformer was moved three times (2nd, 3rd, and 4th relocation, Exhibit 4); that it is approximately 1100 feet on a direct line from complainant's home to the 4th relocation of the transformer; and that the only further possible relocations in the circuit are points F and G on Exhibit 4 which are approximately the same distance from complainant's home as the present location. The reduced circuits (Exhibit 6) were pursuant to the requirements of the city which had the work done by the county of Los Angeles.

The witness said that when the defendant was apprized of the complaint of noise on April 1, 1971, it moved the transformer to the first pole east of her home (2nd relocation, Exhibit 4), a distance of 150 feet; that complainant said it was better but she was still having a problem; that several calls were made at various times to determine whether or not the transformer was, in fact, noisy but no unusual noise could be discerned; that the transformer was de-energized while complainant was present, and she said the situation was better, but she could still hear

noise; that the defendant had five mercury vapor lamps on Garibaldi replaced in April 1971, but complainant still complained; that in May 1971 the mercury vapor lamp in front of complainant's home was replaced with an incandescent lamp but she still complained; that next the transformer was moved to Woodruff (3rd relocation, Exhibit 4), a distance of 700 feet from her home, in September 1971; that complainant still complained; that in September 1971 the transformer was moved to the 4th relocation (Exhibit 4); and that complainant still complained, but the witness could hear nothing.

The witness further testified in May or June 1971 the defendant replaced the complainant's house meter and thereafter could hear no sound therefrom; and that at various times the transformers were monitored and no noise was heard.

The senior apparatus engineer for the defendant testified that he is responsible for all transformers on the defendant's El Monte System (including those here involved); that in May 1971 he became involved with complainant's problems; that sound measurements were made of the transformers on the pole 175 feet away (2nd relocation, Exhibit 4); that the reading was 37 decibels, which is not out of order; that tests were made of the utilities and the sound was very low; that the outside street lighting was de-energized and complainant said the noise continued; and that the transformer was moved 1,000 feet and there is now no way any sound could be heard at complainant's home. He said he could find nothing out of the ordinary in her home such as a noisy refrigerator or clock.

Findings

1. Complainant resides on Garibaldi Avenue in Temple City. She has extremely acute hearing. She purchased her home in 1969. ✓ There are mercury vapor street lights in front of her home. In 1969 the defendant's nearest transformer was approximately 1,100 feet distant and complainant had no problem.
2. The county of Los Angeles does the street lighting work for Temple City.
3. In 1971 the county redesigned the street lighting circuitry for the city and made much smaller circuits.
4. On the original change the street lighting transformer was located on a pole immediately in front of complainant's home. The hum caused her extreme discomfort and as a result of her complaints, the transformer was moved three times. The last relocation is approximately 1,100 feet in a direct line from her home and is at the maximum distance it can be placed and be in the circuit.
5. If there is any sound from the transformer at the present location, it cannot be heard at complainant's home by a person with normal hearing.
6. The defendant should not be required to move the transformer to a different location.

Conclusion

The Commission concludes that the relief requested should be denied.

O R D E R

IT IS ORDERED that the relief requested is denied.

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

Dated at San Francisco, California, this 12th day of MARCH, 1974.

Vernon L. Livingston
President
William J. Sullivan
Thomas J. Moran
Commissioners

Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.