

ORIGINAL

Decision No. 82775

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

MARY HARTZELL, individually and as)
Trustee of the GUISEPPINA BIAGGINI)
TRUST,

Complainant, et al.,

vs.

PACIFIC GAS AND ELECTRIC COMPANY,

Defendant.

Case No. 9075
(Petition filed November 13, 1972)

AND RELATED MATTERS.

Case No. 9115
(Petition filed November 13, 1972)

Case No. 9182
(Petition filed November 13, 1972)

Case No. 9189
(Petition filed November 13, 1972)

OPINION ON PETITION FOR MODIFICATION

Pacific Gas and Electric Company (PG&E) on December 7, 1973, filed a petition with the Commission for modification of Ordering Paragraph No. 5 of Decision No. 79726 in these proceedings to allow PG&E to make access road erosion and vegetation surveys, and to report annually on or before each June 30 in lieu of the semiannual reports required in Decision No. 79726 and requests that the petition be granted ex parte.

On February 15, 1972, the California Public Utilities Commission issued its Decision No. 79726, in Cases Nos. 9075, 9115, 9182, and 9189, concerning complaints against PG&E with respect to planning and construction of its transmission line from Diablo

Canyon to Gates. Ordering Paragraph No. 5 of the decision states as follows:

"5. PG&E shall promptly survey all existing access roads of transmission lines from the nuclear fuel power plant in Diablo Canyon and shall report in writing on or before ninety days after the effective date hereof what action is now required to reasonably control erosion and to reasonably restore the areas affected by construction to their natural state. The reports shall identify areas of required action by maps, mileage reference and photographs and shall include proposed programs and estimated completion dates to implement proposed programs. Thereafter, at 6-month intervals, PG&E shall make, in writing, progress reports on the said programs."

PG&E, in compliance with the order, has filed required reports on June 1, 1972, December 11, 1972, June 12, 1973, and December 5, 1973.

PG&E in its petition for modification states that, since changes in erosion and vegetation establishment are best observed during the spring and corrective actions are taken during the summer and fall months, the survey prior to the report to be filed in December reveals little in determining the effectiveness of the program. Also, PG&E states that the elimination of the December report will save time and money without seriously affecting the efficiency of the utility's erosion control measures and restoration program.

Findings and Conclusions

1. An annual survey of Diablo Canyon-Gates transmission line access roads, and submission of written reports on required action to reasonably control erosion and restore the areas affected by construction to their natural state, would be adequate to implement the intent of Paragraph No. 5 of Decision No. 79726.

2. The proposed modification will not be adverse to the public interest.

3. A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. Pacific Gas and Electric Company shall conduct surveys and submit the written reports required by Paragraph No. 5 of Decision No. 79726 on an annual basis rather than semiannually, on or before each June 30, until further order.

2. Decision No. 79726 shall be deemed modified in accordance with this decision.

The Secretary of the Commission is directed to cause a certified copy of this order to be served upon the Pacific Gas and Electric Company and to cause a copy to be mailed to each appearance of record.

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

Dated at San Francisco, California, this 23rd day of APRIL, 1974.

Vermon L. Stenger
President
William Symons Jr.
[Signature]
[Signature]
[Signature]
Commissioners