

ORIGINAL

Decision No. 83663

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of JOSEPH A. MEHM  
and ANNA M. MEHM for authority  
to install overhead electric  
and telephone lines in Units  
2 and 3 of Wynola Estates, a  
subdivision in San Diego  
County.

Application No. 55142  
(Filed August 29, 1974)

O P I N I O N

Joseph A. Mehm and Anna M. Mehm, husband and wife, seek a deviation from the mandatory provisions of the line extension rules of San Diego Gas & Electric Company (SDG&E) and of The Pacific Telephone and Telegraph Company (PT&T) applicable to new residential subdivisions and developments in connection with applicants' development of Unit 2 of Wynola Estates in San Diego County, California.

Applicants are in the process of developing approximately 133 acres of property located just west of the small community of Wynola. The area is rural and the terrain is mountainous, with an average elevation of 3,500 feet. Unit 2 has 28 residential lots and Unit 3 has 20 residential lots. All of the lots in Unit 3 are at least 3 acres; however, some of the lots in Unit 2 are less than 3 acres with the minimum size being  $2\frac{1}{2}$  acres. As a result Unit 2 lots do not qualify for exemption from the underground requirements as established by Commission Decisions Nos. 81620 and 81869 and as set forth in Rule 20 of SDG&E and Rules 15 and 16 of PT&T, which require a minimum of 3 acres; however, deviation from the rules governing underground extensions within new residential subdivisions and residential developments may be authorized when application of said rules appears impractical or unjust.

It is alleged that the land is very rocky, which will make undergrounding extremely expensive; that the proposed overhead lines would not be in proximity to, and visible from, a designated scenic highway, state, or national park, or other area determined by a governmental agency to be of unusual scenic interest to the general public; that although some of the proposed overhead lines in Unit 2 would be within 1,000 feet of State Highway 78/79, applicants are informed and believe that they would not be seen from the highway because the area is wooded, and the property restrictions prohibit removal of trees, except when necessary for a building site; and that the development is in a relatively isolated rural area, miles from anything which might be considered as urban.

By resolution passed January 18, 1974, the San Diego County Planning Commission waived the provisions of the county ordinance which would otherwise have required undergrounding of electric, telephone, and Cable TV transmission lines.

The application was listed in the Commission's Daily Calendar. No protests to the granting of the application have been received.

After consideration the Commission finds that:

1. The application of the mandatory requirements of Rule 20 of SDG&E and Rule 15 of PT&T to Unit 2 of Wynola Estates would be impractical and unjust.
2. Overhead lines would be visually unnoticed because of the many trees on the property.
3. It is reasonably certain that the project involved in this proceeding will not have a significant effect on the environment.
4. The requested deviation would not be adverse to the public interest.

5. Unit 3 of Wynola Estates qualifies for an exemption from the underground requirements as set forth in Rule 20 of SDG&E and Rules 15 and 16 of PT&T, and requires no further authorization.

6. A public hearing is not necessary.

The Commission concludes that the application should be granted.

O R D E R

IT IS ORDERED that San Diego Gas & 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 in applicant's Wynola Estates Subdivision Unit 2 located west of Wynola in San Diego County.

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

Dated at San Francisco, California, this 29<sup>th</sup> day of OCTOBER, 1974.

Vernon L. Sturgeon  
President  
William J. ...  
...  
...  
Robert E. McLeod  
Commissioners