

**ORIGINAL**

Decision No. 83922

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Norman O. Magill and  
Myrtle V. Magill to request deviation  
from the mandatory underground  
requirements in residential subdivisions.

Application No. 55060  
(Filed July 24, 1974)

O P I N I O N

Applicants Norman O. Magill and Myrtle V. Magill seek an exception to the mandatory undergrounding requirements of Rule 15.1 of the tariff of Southern California Edison Company (Edison), as they may be applied to applicants' development of Lot 63, Tract No. 4377, in the county of San Bernardino, as per map recorded in Book 59 of maps, pages 19 to 25, inclusive, in the office of the county recorder of said county. The zoning is R2 $\frac{1}{2}$ .

The application for exception is submitted pursuant to Rule 15.1 E.4. of Edison which provides that in unusual circumstances, when the application of the undergrounding rule appears impractical or unjust, the utility or the developer may refer the matter to the Public Utilities Commission for special ruling or for approval of mutually agreed upon special conditions, prior to commencing construction.

In the application applicants alleged facts to show that it would be economically impractical and unjust to require that the electrical utilities to serve applicants' Lot 63 be placed underground.

Applicants purchased Lot 63 which is a 2 $\frac{1}{2}$ -acre parcel of land in Joshua Tree, California, in November of 1972. In May of 1974 applicants built a small 800-square foot, all electric house on the lot. Applicants are both in their seventys and propose to use the

house on weekends. There are no other houses in the subdivision, but there are some other small cabins and outhouses in the adjacent area. Livestock such as chickens, pigs, ducks, and goats are kept in the area surrounding Lot 63. There are electric poles on all four sides of the subdivision, the nearest one being above 700 feet from Lot 63.

The total estimated cost of applicants' installed underground facilities to serve Lot 63 is \$600 which applicants will be required to pay to Edison as a nonrefundable advance.

The total estimated cost of Edison's installed underground facilities to serve Lot 63 is \$2,163.97, of which amount applicants will be required to pay to Edison \$827.40 as a nonrefundable advance and \$860.77 as a refundable advance.

The total estimated cost of an equivalent overhead extension of 650 feet is \$860.77 which applicants would be required to pay to Edison as a refundable advance.

The Commission finds:

1. The application of Rule 15.1 of the tariff of Edison to Lot 63, Tract No. 4377, in San Bernardino County, of applicants is impractical and unjust.

2. Edison should be authorized to deviate from the mandatory undergrounding requirements of its line extension Rule 15.1 of its tariff in providing service to Lot 63, Tract No. 4377, in San Bernardino County, of applicants.

3. With reasonable certainty the project involved in this proceeding will not have a significant effect on the environment.

4. A public hearing is not required.

We conclude that the application should be granted as provided in the order which follows.

O R D E R

IT IS ORDERED that Southern California Edison Company is authorized to deviate from the mandatory undergrounding requirements of its line extension Rule 15.1 of its tariff in providing service to Lot 63, Tract No. 4377, in San Bernardino County, of applicants Norman O. Magill and Myrtle V. Magill.

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

Dated at San Francisco, California, this 30<sup>th</sup> day of DECEMBER, 1974.

Leslie L. Stenger  
President  
William Synovis Jr.  
Thomas Magill  
Robert E. McPherson  
Commissioners