

Decision No. 84789

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

APPLICATION OF C. J. BREITWIESER  
for deviation from the mandatory  
undergrounding requirements in  
residential subdivisions.

Application No. 55747  
(Filed June 19, 1975)

O P I N I O N

Applicant C. J. Breitwieser, an individual, requests that we permit Southern California Edison Company and The Pacific Telephone and Telegraph Company to deviate from the mandatory undergrounding provisions required by Rule 15 of their respective tariffs in regard to new subdivisions for the purpose of extending service to the 28 parcels in Tract 238 located in Springville, Tulare County. No protests to the application have been received.

The application shows that Tract 238 is situated in an undeveloped area, which area is now a target for federal assistance in development. Financing for several homes has been obtained through the U. S. Department of Agriculture, Rural Housing, Farmers Housing Administration which applies to moderate priced housing. The federal program imposes restrictions both as to time in which the development must be accomplished and as to the total sum of money which can be expended. Applicant represents that the soil properties of Tract 238 is composed primarily of decomposed granite which renders undergrounding extremely expensive and that the undergrounding cost will exceed the cost of the individual parcels themselves. Applicant alleges that the cost limitations imposed by the federal program dictate that utility extensions be overheaded else the increased cost of undergrounding would constitute a revocation of the federal assistance financing.

Applicant contends that the tract satisfied the exception to mandatory undergrounding provisions set out in Southern California Edison Company's Rule 15, C.l.a.(1), which provides that overhead extensions are permissible under the following conditions:

"The lots within the residential subdivision or development existed as legally described parcels prior to May 5, 1970, and significant overhead lines exist within the subdivision or development; or..."

Applicant claims the tract was subdivided originally in 1957. Attached to the application are copies of two Final Subdivision Public Reports issued by the State of California Department of Investment, Division of Real Estate, File No. 632 Fresno, one dated June 11, 1957 and the other December 2, 1964. Applicant alleges that there are presently two overhead high voltage transmission lines, one belonging to The Pacific Gas and Electric Company and the other to Southern California Edison Company, which cross 9 of the 28 parcels and several of the streets within the tract.

After consideration the Commission finds that significant overhead lines exist within the tract; that the application of the involved rules requiring the undergrounding of extensions of telephone and electrical power distribution lines within the tract would be impractical and unjust; and that Southern California Edison Company and The Pacific Telephone and Telegraph Company, respectively, should be permitted to construct overhead telephone and overhead electrical distribution lines within the tract. We further find that the project with reasonable certainty will not have a significant effect on the environment. A public hearing is not necessary.

O R D E R


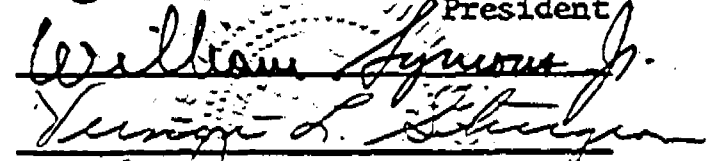

IT IS ORDERED that:

1. Southern California Edison Company may deviate from the mandatory undergrounding provision found in its Tariff Rule 15 for the purpose of constructing overhead electrical distribution lines throughout Tract No. 238 located at Springville, Tulare County.

2. The Pacific Telephone and Telegraph Company may deviate from the mandatory undergrounding provision found in its Tariff Rule 15 for the purpose of constructing overhead telephone distribution lines throughout Tract No. 238 located at Springville, Tulare County.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 12th  
day of AUGUST, 1975.

  
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President  
  
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Commissioners