

Decision No 84960

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of San Jose
to install an overhead electrical
and telephone distribution in lieu
of an underground system at the
Historic San Jose Project in
Kelley Park, San Jose, California.

Application No. 55658
(Filed April 30, 1975)

O P I N I O N

The City of San Jose requests permission for Pacific Gas and Electric Company (PG&E) to deviate from its Rule No. 15.2, Underground Extensions Within New Commercial and Industrial Developments, of its tariff, and for Pacific Telephone and Telegraph Company (Pacific) to deviate from its Rule No. 15, Line Extensions, of its tariff, so that the City's commercial project, Historic San Jose, located at Kelley Park in San Jose be served by an overhead electric and telephone distribution line extension.

Both of the above-mentioned rules provide that in exceptional 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 the applicant presented evidence to show that it would be impractical and unjust to require that the electrical and telephone utilities be placed underground in the Historic San Jose Project.

Historic San Jose is a recreational project which will represent the City of San Jose circa the turn of the century and will be open to the public as a living museum. The project will cover approximately 25 acres within Kelley Park and is zoned R-1 for park use; attached to the application are maps and drawings showing the proposed development, the proposed electrical plant and

the other utilities planned for the project. Buildings, houses, barns, churches, etc., will be either moved on to or constructed upon the site with as much authenticity and historical accuracy as possible. An old collection of photographs of early San Jose will be used to re-design the original buildings, which will be used to display antique furniture, clothing, farm implements, vehicles, and a multitude of artifacts from the era being depicted. ✓

Applicant desires to have an overhead electrical and telephone distribution system to complete the authenticity it is striving to achieve in the buildings, exhibits, and overall atmosphere of the project.

Applicant did obtain cost figures for both the overhead and the underground systems; however, the question of the utilities' plant authenticity renders the cost analysis meaningless.

Findings and Conclusions

1. The application of the mandatory undergrounding requirements of Rule No. 15.2 of the tariff of PG&E and Rule No. 15 of the tariff of Pacific to the Historic San Jose development is impractical and unjust.

2. The uniqueness of the Historic San Jose Project calls for an overhead distribution system to assure the authenticity of the system and make it compatible with systems which existed during the San Jose era of the 1880's.

3. PG&E should be authorized to deviate from the mandatory undergrounding requirements of its electric line extension rule of its tariff in providing electric service to the Historic San Jose Project. ✓

4. Pacific should be authorized to deviate from the mandatory undergrounding requirements of its telephone line extension rule of its tariff in providing telephone service to the Historic San Jose Project. ✓

5. With reasonable certainty, the overhead line extensions involved in this proceeding will not have a significant effect on the environment.

6. 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

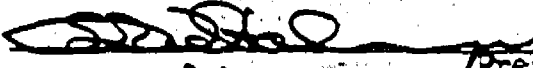
IT IS ORDERED that:

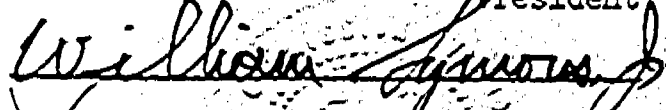
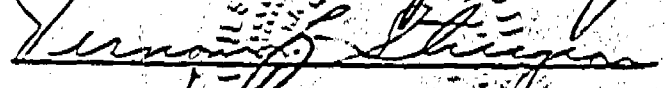
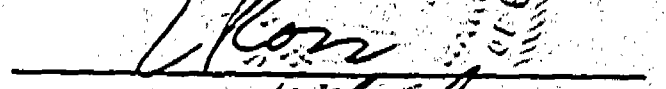
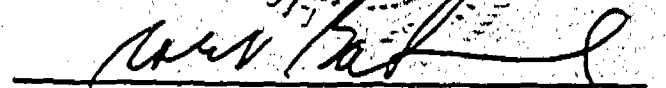
1. PG&E is authorized to deviate from the mandatory undergrounding requirements of its electric line extension rule of its tariff in providing electric service to the Historic San Jose Project.

2. Pacific is authorized to deviate from the mandatory undergrounding requirements of its telephone line extension rule of its tariff in providing telephone service to the Historic San Jose Project.

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

Dated at San Francisco, California, this 7th day of OCTOBER, 1975.



President





Commissioners