

Decision No. 85884

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of A. E. Miller, for  
deviation to Rule 15 line  
extensions to permit overhead  
utility service to Tract Numbers  
7590, 7959, 7812 and 7803.

Application No. 56036  
(Filed October 29, 1975)

O P I N I O N

Applicant A. E. Miller, dba Western Hills Estates and Ranchos, seeks exemption from the mandatory undergrounding provisions of Southern California Edison Company's (Edison) line extension Rule 15.

Applicant's property for which the deviation is sought consists of 370 acres of land subdivided into four tracts of 577 lots. All lots are a minimum of 18,000 square feet. The property is located in San Bernardino County a few miles northeast of the desert community of Yucca Valley.

The application alleges that all four tracts were recorded and improvements constructed prior to the May 5, 1970 date cited in Rule 15.C.1.a(1), that at the time the subdivision was contemplated and the lots sold, overhead electric service was permissible and anticipated, and that the contracts of sale contained a stipulation that the developer would provide for the extension of electric service if and when construction was to be made.

Appendix A to the application indicates the property is zoned R-1 permitting single-family residences on 18,000 square foot lots and that the development is in conformance with the San Bernardino General Plan - Desert Portion. It also contained a letter from the San Bernardino County Environmental Improvement Agency stating that the county's position with respect to overhead versus

underground facilities is contained in San Bernardino County Ordinance No. 1557, which provides that all subdivisions approved subsequent to the effective date of the ordinance shall have underground facilities. The letter continues with the statement that the ordinance was effective approximately June 4, 1970, and since the subject tracts were approved and recorded prior to this date, it is the county's position that underground facilities are not required.

In addition, the application points out that the tracts in question are not contiguous. One is located on a rocky hillside which would require extensive blasting to construct underground lines. Tracts surrounding applicant's parcels are serviced from overhead facilities. Cost estimates from Edison vary from \$86 to \$101 per lot for overhead service versus \$477 to \$1,549 for undergrounding.

On site inspection by the Commission staff confirms that overhead lines would have no visual impact on the area and would not have a significant impact on the environment.

Under the circumstances we are of the opinion that the application should be granted. A public hearing is not necessary.

#### Findings

1. Applicant is a subdivider seeking exemption from Southern California Edison Company's undergrounding provisions of its line extension Rule 15.

2. Applicant's property consists of 370 acres divided into four tracts of 577 lots.

3. All lots are at least 18,000 square feet located in the desert area of San Bernardino County a few miles northeast of the community of Yucca Valley.

4. The tracts were all recorded and improvements made prior to adoption of Edison's Rule 15.C.1.a(1).

5. At the time the development was contemplated and the lots were sold, overhead electric service was permissible and anticipated.

6. The development is in conformance with the San Bernardino County General Plan - Desert Portion.

7. The Environmental Improvement Agency of San Bernardino County is not opposed to granting the exemption requested.

8. San Bernardino County Ordinance No. 1557, effective June 4, 1970, does not require undergrounding of utility service where the subdivision was approved prior to the effective date of the ordinance.

9. Cost estimates for undergrounding vary from \$477 to \$1,649 per lot compared to \$86 to \$101 for overhead service.

10. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.


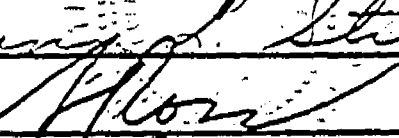
The Commission concludes that the application should be granted.

O R D E R

IT IS ORDERED that Southern California Edison Company is authorized to provide overhead electric service to applicant's Tracts 7590, 7959, 7812, and 7803 pursuant to Rule 15.E.7.

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

Dated at San Francisco, California, this 2nd day of JUNE, 1976.

 President  
William J. Sturgeon  
  
Robert B. Smith  
Commissioners