

L/SEE/lmz

Decision 88 05 037 MAY 11 1988**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 PACIFIC GAS AND ELECTRIC COMPANY for)
 a Certificate of Public Convenience)
 and Necessity Authorizing Participation)
 in the California-Oregon Transmission)
 Project.)

Application 87-10-018
 (Filed October 14, 1987)

ORDER MODIFYING DECISION (D.) NO. 88-02-029
AND DENYING REHEARING

A petition for rehearing of D.88-02-029 has been filed by Pacific Gas and Electric Company. We have carefully considered the allegations raised in the petition and are of the opinion that rehearing should be denied. We confirm that A.87-10-018 was deficient with respect to the issue of project description and was properly rejected as incomplete. However, the decision should be modified in several respects. Therefore,

IT IS HEREBY ORDERED:

1. The first full paragraph on page 5 is modified to state:

"The PSA requires that each agency prepare an 'Information and Criteria List' to help inform applicants of information that will be necessary for a determination of completeness (Gov't. Code §§ 65940-41). The Commission adopted such a list in 1979 (1 CPUC 2d 166 (1979)). One of the requirements in that list is that an electrical public utility desiring to build transmission line facilities shall in its application for a certificate of public convenience and necessity include a "detailed description of the proposed transmission facilities" (G.O. 131-C, Sec. VII.A.1.). This is the key issue in PG&E's appeal. As we analyze that appeal, we must recognize the realities imposed by the Public Utilities Act and the PSA, as well

as the fact that the burden of proof justifying the issuance of the certificate is clearly on the applicant."

2. Conclusion of Law No. 1 is modified to state:

"1. General Order 131-C requires a clear and detailed description of the project."

IT IS FURTHER ORDERED:

Rehearing of D.88-02-029, as modified herein, is denied.

This order is effective today.


Dated MAY 11 1988, 1988, at San Francisco, California.

STANLEY W. HULETT
President
DONALD VIAL
G. MITCHELL WILK
Commissioners

Commissioner Frederick R. Duda,
being necessarily absent, did
not participate.

Commissioner John B. Ohanian,
being necessarily absent, did
not participate.

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.


Victor Weiser, Executive Director