

Decision 83 07 013 July 20, 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
William F. Bell, Wilfred C. Hagedorn,  
and Ray VanderWoude for a waiver of  
the requirement for undergrounding  
of utilities for San Diego County  
Tract 3846.

Application 83-02-48  
(Filed February 22, 1983)

O P I N I O N

William F. Bell, Wilfred C. Hagedorn, and Ray VanderWoude (applicants) seek a tariff rule variance to allow an overhead extension of electric service to Tract 3846 in San Diego County. Applicants are the developers of the tract, which consists of 44 acres being subdivided into 15 lots.

Although it is not stated in the application, the request is apparently being made under paragraph E.4. of Rule 15.1 of the tariffs of San Diego Gas & Electric Company (SDG&E).

In support of their request, applicants state that: (1) the tract is in a rural area, about two miles distant from the nearest underground electric facilities and (2) a considerable amount of rock is expected to be encountered when excavating in some parts of the tract.

Following the filing of this application, a Commission staff (staff) engineer made an investigation which included a review of the application, the on-site inspection of the tract and surrounding area, and the interview of various concerned parties. On May 12, 1983, the assigned administrative law judge incorporated the engineer's report on the investigation into the file in this application as Exhibit 1. A copy of the report was sent to applicants and various concerned parties on June 23, 1983. No comments have been received.

The following determinations were made by the staff engineer and included in his report:

- "a. Applicant's tract is located in the unincorporated Desmond Jene area approximately three miles north of the City of Escondido, in San Diego County. The area is a rural setting of rolling hills with homes and avocado orchards scattered throughout. There are rocky areas in steep terrain and on tops of some surrounding low mountains, however, little surface evidence of rock conditions are visible within applicants' tract. The utility installation was investigated in another tract about one-half mile southeast of applicants' tract. The terrain was very similar to applicants' tract and it was noted that utilities [lines] to homes on the hilltops were installed underground.
- "b. The tentative tract map was filed and approved in November 1979. The tract consists of 44 acres divided into 15 lots ranging in size from 2.5 to 3.5 acres. Applicants propose to market the tract as lot sales with no improvements other than streets, water system and the electric system, if it is required to be installed underground. Lot prices are expected to be in the \$75,000 to \$100,000 range.
- "c. The cost comparison for an underground extension and an overhead extension is attached to the application in Item 4 of Letter. In addition to the undergrounding non-refundable portion, an amount of \$40,600 should be added to the developers' costs for an estimate of the cost of trenching, conduit installation and backfilling. The underground cost would thus be:

	<u>Cost</u>	<u>Cost/Lot</u>
5,482 front feet @ \$7.10	\$38,922.20	\$2,594.81
Refundable portion	31,852.48	2,123.50
Non-refundable portion	<u>\$ 7,069.72</u>	<u>\$ 471.31</u>
Estimated trenching, conduit and backfill	<u>40,600.00</u>	<u>2,706.67</u>
Developers' cost	\$47,669.72	\$3,177.98

- "d. Applicants' tract does not qualify for an overhead service extension as all of the conditions in neither paragraphs C.1.a. nor C.1.b. of SDG&E tariff Rule 15 are satisfied.
- "e. From the standpoint of the terrain of the tract, it does not appear to be impractical to construct an underground line extension to and within applicants' tract."

The report contains the following recommendation:

"It is the staff engineer's opinion that the request should be denied on the basis that there is not sufficient evidence supporting the claim of unusual conditions to warrant a tariff rule deviation. It is recommended that SDG&E not be authorized to deviate from the mandatory underground requirements of the electric line extension rule of its tariffs to extend service to applicant's Tract 3846, in San Diego County."

Findings of Fact

1. Applicants do not meet the criteria for exception under SDG&E Tariff Rule 15.
2. The terrain does not make it impractical to construct an underground electric line extension to applicants' area.
3. Cost of underground line extension in this area is not prohibitive or unreasonable.
4. No special circumstances have been shown to exist that would warrant a deviation from the undergrounding requirement.

Conclusions of Law

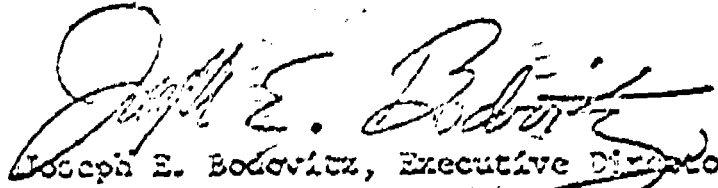
1. A public hearing is not necessary.
2. The application for deviation should be denied.

O R D E R

IT IS ORDERED that the application is denied.  
This order becomes effective 30 days from today.  
Dated July 20, 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.  
President  
VICTOR CALVO  
PRISCILLA C. GREW  
DONALD VIAL  
WILLIAM T. BAGLEY  
Commissioners

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

  
Joseph E. Bodovitz, Executive Director

ALJ/km/jn

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application as Exhibit 1. *A copy of the report was sent to applicant and various concerned parties on June 23, 1983. No comments have been received.*

O R D E R

IT IS ORDERED that:

1. The application is denied.
2. San Diego Gas & Electric Company is not authorized to deviate from mandatory underground requirements of Rule 15 of its tariffs to install electric line extensions to applicants', William F. Bell, Wilfred C. Hagedorn, and Ray VanderWoude, Tract 3846 in San Diego County.

This order becomes effective 30 days from today.

Dated JUL 20 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.  
President  
VICTOR CALVO  
PRISCILLA C. CREW  
DONALD VIAL  
WILLIAM T. BAGLEY  
Commissioners