

Decision No. 87012**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Arthur W. Carries,  
for exemption from the provisions  
of the rules providing for mandatory  
undergrounding of electric lines,  
Camp Angelus, San Bernardino County.

Application No. 56827  
(Filed October 22, 1976;  
amended December 23, 1976)

O P I N I O N

Applicant Arthur W. Carries seeks authority to deviate from mandatory undergrounding requirements of Southern California Edison Company's (Edison) Rule 15 and General Telephone Company of California's (General Telephone) Rule 34A.

The deviation is requested for Tract 8136, Angelus Oaks, San Bernardino County, California, located in an unincorporated, wooded, mountainous area along State Highway No. 38, about 20 miles east of the City of Redlands. It consists of 91 lots, varying in size from about 0.2 to 2.2 acres. The tract was approved by the San Bernardino County Planning Commission on September 6, 1973. The final map was recorded in the office of the San Bernardino County Recorder on January 31, 1974 on pages 11 through 14, inclusive, of San Bernardino County Book of Maps No. 121. This tract is the last private property available for development in the vicinity. All electric and telephone service in the vicinity is provided by overhead lines.

Two moderately sized houses have been completed in the tract and will be occupied as permanent residences as soon as electric service is available. Two other houses are nearing completion and two more are to be started as soon as weather permits in the spring.

The following are summaries of letters attached to the application as filed from parties or agencies having involvement in the providing of or approval of electrical and/or telephone services to Tract 8136:

1. The Environmental Improvement Agency of San Bernardino County in a letter to applicant, dated October 14, 1976, indicated that approval by the Public Utilities Commission of the application for deviation from undergrounding requirements is prerequisite to filing for a waiver by the Planning Commission of County requirements for undergrounding. Applicant states that Planning Commission approval is routine following favorable Public Utilities Commission decision.

2. General Telephone, in a letter to applicant dated October 1, 1976, expressed the opinion that, "...Tract 8136 should qualify for this deviation." Applicant amended his application to include deviation from telephone service undergrounding requirements.

3. Edison, in a letter to the applicant dated June 24, 1975, stated that the installation in Tract 8136 does not fulfill the specifications for overhead construction set forth in Edison's Rule 15C. They note, however, that all existing distribution lines in the community are overhead.

4. Edison, in a letter to applicant dated September 28, 1976, compared the cost of an overhead system (\$15,600 entirely refundable) to the advance of \$22,725 for an underground system (\$180 is not refundable) and stated that "Edison does not foresee any installation problems of our underground system once you have provided the necessary trench with sand cushion." (Emphasis added: see next paragraph.) Edison also indicated that expenses to customers for undergrounding their service connections would be excessive in some areas of the tract.

5. An excavating and grading contractor, Mr. W. E. Fagerstedt, in a letter to applicant dated September 30, 1976, stated that because of the rock structure and hardness in the tract, "...it is not practical and next to impossible to get electrical services to houses except by utility poles and overhead wires."

Applicant states that he has exhausted all financial resources available to him in meeting other unforeseen expenses that have been imposed since inception of this development in 1969.

A Commission staff engineer prepared a report dated December 23, 1976 setting forth his conclusions and recommendations on the matter. This report, received as Exhibit 1, states that after a review of the application and an on-site inspection of the subdivision the staff engineer recommends an ex parte grant of the requested deviations to the mandatory undergrounding requirements of Edison and General Telephone.

#### Findings

1. San Bernardino County Tract 8136 is located in an unincorporated, wooded, mountainous area along State Highway No. 38 at Angelus Oaks, about 20 miles east of the City of Redlands.

2. Highway 38 has not been designated as a Scenic Highway in the vicinity of Angelus Oaks. Consequently, restrictions of D. 80864 do not apply.

3. Tract 8136 was approved by the San Bernardino County Planning Commission on September 6, 1973. The final map was recorded in the office of the San Bernardino County Recorder on January 31, 1974.

4. A waiver of the County undergrounding requirements is dependent on approval by the Public Utilities Commission of the application for deviation from Edison's tariff Rule 15 and General Telephone's tariff Rule 34A.

5. Tract 8136 is a continuation of previous developments by the applicant and is the last private property available for development in the Angelus Oaks vicinity.

6. All electric and telephone service in adjoining and nearby tracts is provided from overhead lines which are inconspicuous among the tall conifers and smaller deciduous trees.

7. Non-recoverable expenses to the applicant associated with the undergrounding of utilities would be around \$100,000. Free overhead line extension allowances for the four houses already complete or nearing completion would cover all but \$2,000 to \$3,000 of the cost of overhead electrical system.

8. The expenses associated with undergrounding in the prevalent rock structure of this tract would impose a severe financial burden on the applicant as well as the purchases of a majority of the lots.

9. Neither Edison nor General Telephone object to providing overhead utilities services.

10. Edison and General Telephone should be authorized to deviate from their respective mandatory undergrounding requirements of their line extension rules so as to provide overhead electric and telephone service in Tract 8136, Angelus Oaks, San Bernardino County, California.

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

#### Conclusions

1. A public hearing is not required.
2. The Commission concludes that the application should be granted as provided in the order that follows.

#### O R D E R

IT IS ORDERED that:

1. Southern California Edison Company is authorized to deviate from the mandatory undergrounding requirement of its electric line

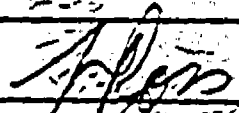

extension rule of its tariff in order to provide overhead electric service to the subdivision, Tract No. 8136.

2. General Telephone Company of California is authorized to deviate from the mandatory undergrounding requirement of its telephone line extension rule of its tariffs in order to provide overhead telephone service to the Camp Angelus subdivision, Tract No. 8136.

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

Dated at San Francisco, California, this 23rd day of FEBRUARY, 1977.

  
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President

  
  
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Commissioners

Commissioner William Symons, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.