

Decision No. 87013**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Luther H. Colvin,
for exemption from the provisions
of the rules providing for mandatory
undergrounding of utilities lines,
Yucca Valley, San Bernardino County.

Application No. 56762
(Filed September 20, 1976)

O P I N I O N

Applicant Luther H. Colvin 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 San Bernardino County Tract 6812, located in an unincorporated, rolling, desert region about 4.2 miles northeast of the community of Yucca Valley. The tract consists of 24 lots of about 0.4 acres each. The tract was approved by the San Bernardino County Planning Commission on January 10, 1963. The tract map was recorded in the office of the San Bernardino County Recorder on August 28, 1964, on pages 46 and 47 of San Bernardino County Book of Maps No. 92.

One all-electric house, completed in the tract in June, 1976, will be occupied as a permanent residence as soon as electric service is available. The owner does not believe that overhead utility service would have an adverse environmental impact inasmuch as all-electric service in the vicinity is provided by overhead lines and a telephone pole line runs along the north boundary of the tract.

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 6812:

1. The Environmental Improvement Agency of San Bernardino County in a letter to applicant, dated September 4, 1976, stated that because Tract 6812 was approved by the San Bernardino Planning Commission prior to the adoption of any County regulation requiring the undergrounding of utility lines in new developments and that said tract is adjacent to developments on all sides presently served from overhead utility lines, the County does not object to permitting overhead utility lines within the tract.

2. General Telephone, in a letter to applicant dated September 3, 1976, stated that General Telephone has no objection to the applicant filing for a deviation from undergrounding telephone facilities in Tract 6812.

3. General Telephone, in a letter to applicant dated September 15, 1976, estimated the cost of underground service to the 24 lots of the tract to be \$4,000.

4. The Hi-Desert County Water District, in a letter to the applicant dated September 16, 1976, stated that they have no objection to the granting of a deviation to allow overhead electric utilities in Tract 6812.

5. Edison, in a letter to the applicant dated August 17, 1976, stated that they have no objection to a deviation that would allow overhead construction within the tract.

6. Edison, in a second letter to applicant dated August 17, 1976, compared the cost of an underground system, \$20,395.50 including trenching (of which \$15,556 is potentially refundable if conditions for refund are fulfilled within 10 years) to \$6,547.50 for overhead line extension cost, all of which will be refundable from the free line extension allowances of the first few houses built in the tract.

Applicant states that it is impossible and impractical for him to provide \$20,395.50 to meet the advance payment required by Edison plus trenching costs. It can be safely assumed that an additional \$4,000 for telephone undergrounding would represent an added impossibility.

A Commission staff engineer prepared a report dated December 27, 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 6812 is located in an unincorporated, desert area about 4.2 miles in a northeasterly direction from the community of Yucca Valley.
2. No highway within 1,000 feet of Tract 6812 has been designated as a scenic highway. Consequently, restrictions of D. 80864 do not apply.
3. Tract 6812 was approved by the San Bernardino County Planning Commission on January 10, 1963. The tract map was recorded in the office of the San Bernardino County Recorder on August 28, 1964, on pages 46 and 47 of Book of Maps No. 92.
4. Approval of the tract predated San Bernardino County's adoption of regulations requiring undergrounding of utility lines. The County has no objection to permitting overhead utility lines in this tract.
5. Most electric and telephone service in adjoining and nearby tracts is provided from overhead lines which are within one-half mile on all sides of Tract 6812.
6. Deviations from undergrounding requirements were granted by D. 85884 to Tracts 7590, 7959, 7812 and 7803. These tracts are in the proximity of Tract 6812.

7. Applicant is unable to provide approximately \$24,000 advance payment required for undergrounding of utilities in this tract. Free overhead line extension allowance for the all-electric house already completed would provide approximately one-third of the overhead line extension for the tract. The remaining cost of around \$4,000 would be refunded when service is established to the next few (two to four) residences in the tract.

8. The expenses associated with undergrounding of utilities in this tract would impose a severe financial burden on the applicant and an unexpected additional financial burden on the purchasers 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 6812, Yucca Valley, 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 Yucca Valley subdivision, Tract No. 6812.

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 Yucca Valley subdivision, Tract No. 6812.

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.

Robert R. Baker

President

Charles W. ...

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.