

Decision No. 87303

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Wallan and Johnson a partnership for a variance from requiring electric service to the Meadows Subdivision which is a large lot residential agricultural subdivision.

Application No. 56533  
(Filed June 7, 1976)

O P I N I O N

Applicants James O. Johnson, Anita M. Johnson, Kenneth R. Wallan and Meredith Wallan (a partnership) seek authority to deviate from mandatory undergrounding requirement of Pacific Gas and Electric Company (PG&E) Rule No. 15 in the Meadows Subdivision Unit 1, a rural subdivision in Humboldt County.

Exhibit No. 1 herein is a staff engineer's report, resulting from a field investigation of this subdivision, recommends that a deviation from undergrounding requirements be granted by an ex parte action. The recommendation was based on facts discussed below.

Applicants' property for which the deviation is sought is located northeast of the unincorporated community of Garberville, California in moderately-timbered, rugged foothills. The subdivision consists of 424 acres divided into 69 lots varying in size from 1.5 acres to 21 acres. There are 14 lots less than 3 acres; 4 lots are less than 2 acres. Average lot size is about 6 acres. The tentative map of Meadows Unit 1 has been approved by the Humboldt County Planning Commission. The final map will be recorded and the subdivision zoned upon the applicants' submitting such map to the Planning Commission. The applicants are awaiting a PUC decision on their request for deviation from undergrounding before submitting their final map. The subdivision will be zoned for no-split recreational residential use (A-G primary zone, B-6 combining zone). The applicants will provide deed restrictions which would further limit the possibility of lot splitting, and which would limit one single family dwelling on each parcel.

The adjacent land known as Meadows Unit 2 will be developed into 3-acre minimum lot sizes. The subdivision is planned to be served by the Garberville Water Company and the Garberville Sanitary District.

Overhead lines exist within the subdivision as well as in nearby areas. Two parallel 60 kv transmission lines and a 12 kv distribution line extend across the subdivision along a 75-foot easement. In addition, a 12 kv distribution line abuts the subdivision on the west, serving adjacent Forest Service facilities.

New overhead lines would not be in proximity to or visible from a designated scenic highway. Private and county roads serve the development; Highway 101 passing through Garberville is not a designated scenic highway.

The cost for undergrounding not including trenching and backfill is estimated by PG&E to be more than six times that of an equivalent overhead system (\$296,366 vs. \$49,298).

PG&E's position is neutral on the issue of undergrounding vs. overhead service in this subdivision. ✓

Local ordinances do not require underground construction. The Humboldt County Planning Department is the only agency with jurisdiction and it has no objection to overhead service.

The applicant, because of oversight, has not requested an exemption from having to underground telephone lines. Continental Telephone Company serving the area has no objection to providing overhead service subject to a deviation from their mandatory undergrounding requirement.

#### Findings

1. Significant overhead lines exist within the Meadows Unit 1 subdivision as well as in nearby areas.

2. The subdivision is located near rural Garberville, in rugged, moderately-timbered foothills, and will be served by private and county roads. There are no designated scenic highways nearby.

3. The 69 lots in the subdivision range in size from 1.5 acres to 21 acres. Fourteen lots are less than 3 acres, 4 lots are less than 2 acres.

4. Cost for undergrounding the basic electric distribution system compared to overhead is in the order of six to one.

5. Humboldt County, in which the Meadows Unit 1 subdivision is located, has not adopted local requirements for undergrounding.

6. Lots in the subdivision will be zoned for no-split recreational residential use. There are deed restrictions planned which would limit future zoning changes and subsequent lot-splits in this subdivision.

7. The adjacent land will be developed into 3-acre minimum lot sizes.

8. The subdivision is planned to be served by the Garberville Water Company and the Garberville Sanitary District.

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

10. PG&E and Continental Telephone Company should be authorized to deviate from the mandatory undergrounding requirement of their Rule 15 so as to provide overhead electric and telephone service to the Meadows Unit 1 subdivision.

11. A public hearing is not required.

The Commission concludes that the application should be granted as provided in the order which follows.

O R D E R

IT IS ORDERED that:

1. PG&E is authorized to deviate from the mandatory undergrounding requirement of its electric line extension Rule 15 of its tariff so as to provide overhead electric service to the Meadows Unit 1 subdivision.

2. Continental Telephone Company is authorized to deviate from the mandatory undergrounding requirement of its telephone line extension Rule 15 of its tariff so as to provide overhead telephone service to the Meadows Unit 1 subdivision.

3. The above deviations are contingent upon the applicant providing deed restrictions limiting one single family dwelling on each parcel, and limiting further division such that parcels less than 3 acres could not be formed.

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

Dated at San Francisco, California, this 10<sup>th</sup> day of MAY 1, 1977.

Robert Babian  
President  
William J. Quinn  
William L. Stinson  
Arthur D. Swartz

Commissioners