

Decision No. 90205 APR 24 1979

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of RAYMOND R. MEEKS,)
FLOYD C. WILLIAMS, and RICHARD)
K. PARRY for authority to deviate)
from mandatory requirement for)
underground utilities extension)
for Tract No. 117, Inyo County,)
California.)

Application No. 57575
(Filed September 14, 1977)

Richard K. Parry and Raymond R.
Meeks, for themselves,
applicants.

OPINION ON REHEARING

Applicants, Raymond R. Meeks, Floyd C. Williams, and Richard K. Parry, filed an application for authority to deviate from the mandatory undergrounding requirement for electric line extensions for Tract No. 117, Inyo County, pursuant to Rules 15 and 15.1 of Southern California Edison Company's (SCE) tariff schedule. In Decision No. 89264 dated August 22, 1978, the Commission denied the application, ex parte, on the ground that the application failed to state sufficient justification for granting the deviation and in its order, the Commission prohibited SCE from deviating from the mandatory undergrounding requirement of its electric line extension rule of its tariff in Tract No. 117, Inyo County. Applicants requested a rehearing of Decision No. 89264 on September 18, 1978 and the Commission granted such rehearing in Decision No. 89567 dated October 17, 1978.

A public hearing was held in Los Angeles on December 15, 1978 before Administrative Law Judge William A. Turkish, and the matter was submitted upon the filing of late-filed Exhibit 3 which has since been received. ✓

Richard K. Parry testified on behalf of applicants and offered Exhibits 1, 2, and 3 into evidence. Exhibit 1 is a letter dated September 12, 1978 from SCE's area manager to applicant Parry, wherein SCE states its preference for an overhead extension for Tract No. 117, if possible, due to the factors of remoteness of the subdivision, the already existing overhead facilities which skirt the northeast corner of Tract No. 117, and extend several miles north on the Nevada side of the border, the soil conditions at the subdivision, and the availability of materials and equipment. Exhibit 2 is a certified copy of an order duly made and entered by the Board of Supervisors, county of Inyo, at its regular meeting held on November 28, 1978, wherein the Board waived the requirement for underground utilities for Tract No. 117. Exhibit 3 is a letter from Mr. W. R. Brown, area manager of SCE, dated December 18, 1978, wherein SCE discusses several differences between underground and overhead systems relative to Tract No. 117. ✓

The witness testified that Tract No. 117 consists of 180 acres of desert land located in a remote part of Inyo County abutting the border with Nevada. It lies 20 miles east of Shoshone, California, eight miles west of Pahrump, Nevada, and approximately 65 miles southwest of Las Vegas. The tract has been subdivided into 49 lots of which over 60 percent are three acres or larger. It is surrounded by land owned by U.S. Bureau of Land Management and, according to the witness, is the last private property in that portion of Inyo County which will be permitted to be developed. He further testified that the area

is remote, covered only by sagebrush and dirt and contains no trees or structures. A dirt road leads from the tract to State Highway 178 which is approximately one and one-eighth miles south of the tract and is not designated as a scenic highway. The highway is a two-lane paved highway which connects Pahrump, Nevada, with Shoshone, California, and, according to the witness, is infrequently traveled due to its remoteness and the sparsely populated area. It is contemplated by the witness that the 49 tracts will be primarily used for vacation residential/recreational purposes with mobile homes dominating the tract. The applicants have owned the property for 16 years and have been trying to subdivide it for the past four years. Initial costs of undergrounding the electric extension to the tract would run approximately \$70,066 versus \$30,946 for overhead extension.

The position of SCE relative to overhead versus underground extension to the tract is a preference for overhead extension. SCE considered the remoteness of the subdivision, the already existing overhead facilities constructed by Valley Electric Association of Nevada, which skirts the northeast corner of the tract on the Nevada side of the border and which will be the point of hookup by SCE for the electric extension to the tract; and the caliche soil condition at the subdivision which will result in longer repair time, should repair crews have to hand-dig to locate underground cable faults and make repairs. Another factor it considered was the lack of availability of the necessary materials and equipment which SCE would require in providing the electric service to the tract, due to the fact that the service voltage provided by Valley Electric Association (14.4 kV) is not a normal service voltage in SCE's California system, and as a consequence, is not stocked as regular hardware and equipment. Such equipment would have to be specially ordered

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in the event of necessary replacement. In estimating average outage time to the tract for both systems, the average time necessary to clear underground problems is estimated to be 12 to 16 hours versus 6 to 8 hours to clear most overhead problems, considering the distance of 140 miles from the subdivision to the Barstow office of SCE and the availability of repair crews. The underground system outage time could be further increased due to the soil conditions and the time necessary to obtain any faulty nonstandard underground equipment in the 14.4 kV system.

Discussion

The proposed overhead lines would be over a mile from State Highway 178 which is not a designated scenic highway. The population in the area is sparse and widely dispersed. Overhead electric service is presently serving the area one-fourth mile east of Tract No. 117 in Nevada and SCE will connect to this source to provide service to the tract. The terrain is flat, and although the proposed overhead lines would not be highly visible from the highway due to the distance, there would be an aesthetic distraction of overhead utility lines which would affect the 49 customers and their families who will occupy Tract No. 117, as well as visitors to the area. However, weighed against the disadvantage of aesthetic distraction inherent in overhead lines, we must weigh the disadvantages associated with underground placement of utilities. In an urban or heavily populated setting, there is no question but that underground utilities are far more desirable to overhead lines and indeed it has long been the policy of this Commission to require mandatory undergrounding of utilities except in isolated instances where undergrounding was impracticable and unreasonable. While the Commission acknowledges that in remote and sparsely populated areas the adverse impact of overhead utilities is less, nonetheless, it is the Commission's belief that the aesthetics of remote areas also should not be adversely affected, unless other circumstances obviously outweigh the aesthetics.

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One of the obvious attractions of remote areas is its uncluttered natural beauty, which would be somewhat degraded by overhead facilities.

The Board of Supervisors of the County of Inyo, upon motion passed on November 28, 1978, waived the county ordinance requiring mandatory undergrounding of utilities for Tract No. 117. We also note that Tract No. 117 is surrounded by land owned by the U.S. Bureau of Land Management.

As to SCE's preference for overhead facilities, the Commission does not agree that the arguments offered are sufficient for granting a deviation. While it is true that repair time is greater for outages in underground distribution systems, that is merely characteristic of underground systems and is not an unusual circumstance here, but perhaps more important is the reduced frequency of outage for undergrounding systems. Overhead facilities are simply more vulnerable to outages due to physical contact as well as deterioration from the elements. The nonstandard service voltage should not cause a significantly greater burden on SCE as regards equipment stocking.

We observe that the special equipment for a 14.4 kV system is essentially the 14.4 kV transformer which is required whether the system is underground or overhead. The conductors and cables used by SCE for its standard voltage distribution system could also be used on a 14.4 kV system.

The application should be denied because it does not state sufficient justification for granting a deviation from the undergrounding requirement of Rule 15 of SCE.

Findings

1. Overhead electric facilities exist one-fourth mile north-east of the tract and extend several miles north of the Nevada side of the border, and it is from this source that electric energy will be provided to Tract No. 117.

2. The nearest highway to Tract No. 117 is State Highway 178, which is located one and one-eighth miles from Tract No. 117 and is not a designated scenic highway.

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

Conclusion

The application should be denied as provided in the order which follows.

O R D E R

IT IS ORDERED that Decision No. 89264, dated August 22, 1978, is hereby continued in effect.

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

Dated at San Francisco, California, this 24th day of APRIL, 1979.

I dissent

Vernon L. Sturgeon

John E. Byrne

President
Richard D. ...

Clair J. DeFuria
...
Commissioners