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JUL 31 1979

ORIGINAL

Decision No. 90595

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Carolyn Morton to
deviate from mandatory requirements
for underground utility extensions
in Los Angeles County, California

Application No. 58756
(Filed March 22, 1979)

O P I N I O N

Applicant, Carolyn Morton, has petitioned the Commission for a deviation from Southern California Edison Company's (SCE) Rule 15.D and General Telephone Company of California's (GTC) Rule 34 requiring underground construction of electric and telephone line extension for her house built on Lot No. 16 of the Aqueduct Tract located approximately seven miles west of the incorporated community of Lancaster.

The Southern California Edison Company's Tariff Rule No. 15, Section D provides as follows:

D. Underground Extensions.

1. General - All line extensions to serve new residential Subdivisions shall be made underground in accordance with Rules Nos. 15 and 15.1 unless exempted by Section C. of Rule No. 15 or the exceptional case provision of Section E.7. of Rule No. 15 and Section E.4. of Rule No. 15.1. All line extensions to serve new commercial and industrial developments shall be made underground in accordance with Rules Nos. 15 and 15.2 unless the extension to the new commercial and industrial development is exempted by the exceptional case provision of Section E.7. of Rule No. 15 and Section D.3. of Rule No. 15.2. Underground line extensions to serve individuals will be made only where mutually agreed upon by the utility and the applicant, except in those areas where the utility maintains or desires to maintain underground distribution facilities for its operating convenience or in compliance with applicable laws, ordinances, or similar requirements of public authorities.

A. 58756 FG*

Applicant claims exemption from the above rule by pointing to SCE's Tariff Rule No. 15, Section E.7. which provides as follows:

7. Exceptional Cases - In unusual circumstances, when the application of these rules appears impractical or unjust to either party, or in the case of the extension of lines of a higher voltage, the utility or the applicant shall refer the matter to the Public Utilities Commission for special ruling or for the approval of special conditions which may be mutually agreed upon, prior to commencing construction.

Applicant alleges that application of SCE's Tariff Rule No. 15.D. is impractical and unjust to her and that her case meets the conditions set forth in the SCE's Tariff Rule No. 15, viz., 15.c.1.a.(1); 15.C.1.b.(1) and 15.C.1.b.(2). Section C.1.a.(1) of Rule No. 15 provides that overhead extensions may be constructed when the lots or the development existed as legally described parcels prior to May 5, 1970, and significant overhead lines exist within the subdivision or development. Section C.1.b. of Rule No. 15 applies only to residential subdivisions or developments where the minimum parcel size is three acres.

Applicant further alleges that the SCE and GTC have no objections to overhead construction that her cost of obtaining underground electric service will be \$13,164 while her cost of overhead service would only amount to \$475, that she already has invested \$76,000 in the land, well, and house, and that it is impossible for her to invest an additional \$13,164 at this time.

The Commission staff investigation brought out the following facts.

A. 58756 FG*

The tract or subdivision in which the Applicant's lot is located consists of 41 lots which existed as a legally described subdivision in 1970. Applicant points to a number of overhead lines in the area, however, the lines in question are SCE transmission line leading to a substation approximately one mile to the east and an overhead communications line also owned by SCE along Avenue J in front of applicant's house. There are no overhead electric distribution lines in the subdivision. Accordingly, the conditions of Section C.1.a.(1) of SCE's Tariff Rule No. 15 are not met.

The sizes of lots in the Aqueduct tract range from 2.5 to 5 acres. The necessary condition of Section C.1.b. is, accordingly, not met either.

A line extension would be constructed a distance of 3,175 feet from the distribution lines near a farmhouse located approximately half mile to the east of the applicant's house. Soil conditions represent no problem for trenching. The staff found no unusual circumstances pertaining to this case.

On the basis of data provided by SCE the staff developed the following comparison of estimated costs to extend electric service to applicant's lot.

A. 58756 FG

Total Extension Cost

<u>Extension Method</u>	<u>Item</u>	<u>Cost</u>
Underground (U/G)	Extension cost	\$12,744
	Trenching & Backfill	5,231
	Excavation for SCE's Convenience	65
	Total	<u>\$18,040</u>
Overhead (O/H)	Equivalent Overhead Extension	<u>5,125</u>
	Difference	\$12,915

Cost to Applicant Comparison of U/G vs. O/H

Underground	Extension Cost	\$18,040
	Equivalent Overhead	<u>- 5,125</u>
	Difference	12,915
	75% of Difference	\$9,686
	Less: Trenching Cost	<u>5,296</u>
	Non-refundable Advance	\$4,390
	Total Extension: 3,175 ft.	
	Free Footage Allowance: 1,650 ft.	
	Excess Footage: 1,525 ft.	
	Excess Footage Advance (Refundable) 1,525 ft. x \$2.70/ft.	<u>4,118</u>
	Advance Subtotal	8,508
Trenching and Backfill	<u>5,231</u>	
Applicant's Total Cost, U/G	\$13,739	
Overhead	Total Extension Length: 3,175 ft.	
	Free Footage Length 1,650 ft.	
	Excess Footage 1,525 ft.	
	Cost @ \$2.70/ft. (all or partially refundable if any additional load or customers added to extension within ten years)	
	Applicant's Total Advance, O/H	<u>4,118</u>
	Difference between U/G and O/H	\$9,621
	Ratio of U/G to O/H	3.34

A. 58756 FG*

The nearest telephone facilities are approximately 700 feet from Applicant's lot. For an underground extension, joint use of a trench would reduce Applicant's trenching cost by approximately 50% for the 700 feet. Applicant's trenching cost for an underground extension would be reduced \$573 to \$4,658 from \$5,231 and the total cost reduced to \$13,166 from \$13,739. The difference between U/G and O/E would be reduced to \$9,048 from \$9,621.

As other homes are built within the subdivision Applicant will be entitled to any refunds arising under the provisions of Rule 15.B.3.b.

Decision No. 76394 in Case No. 8209, dated November 4, 1969, included a finding that it is Commission continued policy to encourage underground construction, that underground construction should be the standard in California and that all new residential subdivisions should have electrical line extensions constructed underground. ✓

Decision No. 80736 in Case No. 8993, dated November 11, 1972, reaffirmed the Commission's policy to require that line extensions be constructed underground.

In formulating its policy the Commission was cognizant of the fact that the average cost of an underground extension is approximately three times that of an overhead extension.

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

Findings of Fact

The Commission finds:

1. No significant overhead lines exist within the subdivision where Applicant is located, hence the Applicant's case does not meet the condition of SCE Tariff Rule No. 15, Section C.1.a.(1).

2. Lots smaller than three acres exist in the subdivision where Applicant is located, hence the Applicant's case does not meet the necessary condition of SCE's Tariff Rule No. 15, Section C.1.b.

3. It is not impractical to construct an underground line extension to the Applicant's lot.

4. Applicant's cost for an underground installation will be approximately \$13,739 of which approximately \$4,000 is refundable when electric service is extended to other houses in the development.

5. No unusual circumstances exist.

Conclusions of Law

1. A public hearing is not necessary in this matter.

2. The Applicant failed to show grounds under SCE's Tariff Rules Nos. 15.C and 15.E.7 and GTC's Rule No. 34 to justify approval of her request.

3. The application should be denied.

O R D E R

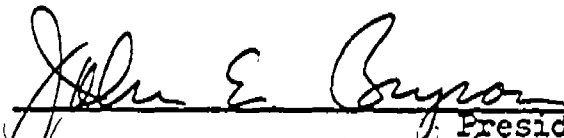
IT IS ORDERED that:


1. Southern California Edison Company is not authorized to deviate from the mandatory underground requirements of the electric line extension rule of its tariffs to the applicant's property, Lot No. 16, located in the Aqueduct subdivision west of Lancaster, in Los Angeles County.


2. General Telephone Company of California is not authorized to deviate from the mandatory underground requirements of the telephone line extension rule of its tariffs to the applicant's property, Lot No. 16, located in the Aqueduct subdivision west of Lancaster, in Los Angeles County.


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

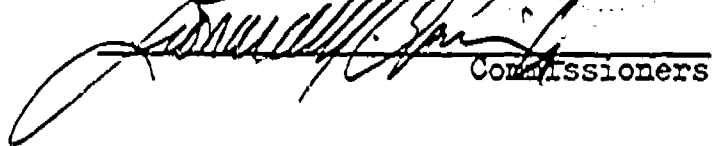
Dated JUL 31 1979, at San Francisco, California.



President








Commissioners