

Decision 00-01-051 January 20, 2000

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

In the Matter of the Applicant of  
SOUTHERN CALIFORNIA EDISON  
COMPANY (U 338-E) for Authority to Lease  
Available Land to Everest Storage, LLC at  
Three Separate Sites on Transmission Line  
Rights of Way.

Application 98-05-034  
(Filed May 18, 1998;  
Petition filed August 25,  
1999)

**OPINION**

Southern California Edison Company (SCE) and Everest Storage, LLC (Everest) seek to modify Decision (D.) 99-03-016 to extend the time authorized in Ordering Paragraph 1 of the decision from six months to December 31, 2000.

**Discussion**

D.99-03-016, dated March 4, 1999, authorized SCE, pursuant to Pub. Util. Code § 851, to lease to Everest available land at three separate sites on transmission line rights of way. The sites are located in the Cities of Anaheim, Ventura and El Segundo. The decision authorized SCE to lease the sites within six months of the effective date of the decision.

Subsequent to the Commission's issuance of the decision, Everest exercised its option to lease the Anaheim site. Everest has not yet exercised its options to lease the El Segundo and Ventura sites because the local permitting process, with the respective cities, has taken longer than Everest originally expected. Everest now expects that the local permitting processes will be more protracted and may last until the end of the year 2000. A letter from Everest,

supporting this Petition and describing the anticipated delays, is attached as Exhibit A hereto.

As a result of the foregoing, SCE and Everest seek modification of the decision to extend the date for SCE to lease the El Segundo and Ventura sites to Everest until December 31, 2000. SCE believes an extension of time, as requested, will benefit ratepayers when these leases are executed, and will not result in any loss or diminution of Commission oversight. We concur; it is reasonable to modify D.99-03-016 accordingly.

### **Comment Period**

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Pub. Util. Code § 311(g)(2), the otherwise applicable 30-day period for public review and comment is being waived.

### **Finding of Fact**

The local permitting process necessary to allow Everest to exercise its options to lease land located in El Segundo and Ventura may last until year-end 2000.

### **Conclusion of Law**

It is reasonable to modify D.99-03-016 to extend the time limit delineated in Ordering Paragraph 1.

## **O R D E R**

**IT IS ORDERED** that:

1. Ordering Paragraph 1 of Decision 99-03-016 is modified to extend the authorized time from six months to December 31, 2000.

A.98-05-034 ALJ/WRI/sid

2. This proceeding is closed.

This order is effective today.

Dated January 20, 2000, at San Francisco, California.

RICHARD A. BILAS

President

HENRY M. DUQUE

JOSIAH L. NEEPER

CARL W. WOOD

LORETTA M. LYNCH

Commissioners



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Ms. Dana Bullock  
Manager of Special Projects  
Southern California Edison  
100 North Long Beach Blvd  
Room 1004  
Long Beach, CA 90801

July 29, 1999

**Re: California Public Utilities Commission  
Application No. 98-05-034  
Aviation Avenue, El Segundo, CA  
Victoria Avenue, Ventura, CA**

Dear Ms. Bullock,

When the above referenced application was approved by the California Public Utilities Commission ("CPUC") it imposed a six-month period during which Everest Storage, LLC ("Everest") had to exercise our Option to Lease before the approval expired. That limitation has put the two projects listed above in jeopardy. As a result we are asking for an extension of the limit until December 31, 2000.

I believe we ultimately will be successful in developing both of these projects. But, both projects involve extremely complicated zoning issues that have taken much longer to accomplish than anyone could have anticipated when the applications were filed. We have had many meetings with both cities and their respective staffs and representatives. We continue to process both projects as quickly as possible; but there are still many issues that must be resolved and more time is needed to accomplish that task.

Under our agreement with Edison we cannot exercise our Option until rezoning is complete and we have obtained building permits. Given the history and current status of the projects I do not anticipate accomplishing these tasks for at least 9 months in the case of the El Segundo site and 12 to 18 months for the Ventura site.

Therefore, Everest is requesting that Edison file for an extension of the time limits imposed by the CPUC.

Very truly yours,

Carl D. Beckmann  
President  
Everest Storage, LLC

Cc: Paula Ames-Axt  
Michael Collier

(END OF EXHIBIT A)