

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY
AND COMPLIANCE DIVISION
Energy Branch

RESOLUTION E-3216
January 15, 1991

R E S O L U T I O N

RESOLUTION E-3216. REQUEST BY PACIFIC BELL
TO DEVIATE FROM UNDERGROUNDING REQUIREMENTS
ALONG THE SCENIC CORRIDOR OF HIGHWAY 50 BETWEEN
KYBURZ AND POLLOCK PINES.

REQUEST MADE BY LETTER DATED OCTOBER 29, 1990.

SUMMARY

1. Pacific Bell (PacBell) proposes to install approximately 17 miles of fiber optic cable between Kyburz and Pollock Pines in El Dorado County. The fiber optic cable will replace an existing analog cable and allow PacBell to provide upgraded service in the area.
2. The route of the replacement project parallels a Scenic Highway (Highway 50). PacBell proposes one new overhead crossing of Highway 50 because the terrain is inhospitable for an underground installation. The new overhead crossing would be placed on existing poles of Pacific Gas & Electric Company (PG&E), under a joint pole agreement.
3. State policy calls for undergrounding of electric or telecommunication facilities near scenic highways when feasible and consistent with sound environmental planning. This Commission is responsible for implementing the undergrounding policy.
4. The impact and visibility of the new overhead crossing should be negligible.
5. This resolution grants PacBell's request.

BACKGROUND

1. PacBell is required by Federal court order to provide equal access service to inter-exchange carriers such as MCI Corporation (MCI) and Sprint. This service must be rendered within two years of receipt of a formal request. MCI made such a request on April 13, 1989. The existing equipment serving Kyburz cannot support equal access service.
2. State policy is to achieve undergrounding of electric or telecommunication facilities near scenic highways when feasible and consistent with sound environmental planning (Public Utilities Code Section 320). This Commission is designated as the State's agency for implementing the undergrounding policy.

3. The Commission policy for overhead installations is as follows:

In order to facilitate administration, letter requests for deviations will be accepted, reviewed by the Commission Staff and, where appropriate, approved by Commission resolution. Local governments' participation in the review process is set forth hereinafter under the heading 'Coordination with Local Government'.

Clear-cut cases of reasonable deviations are granted by resolution following letter requests or by ex-parte order following formal application. Potentially controversial formal applications for deviations are heard and appropriate Decisions rendered in each Case. Decision 80864 in Case 9364, dated December 19, 1972.

NOTICE

1. The applicable governmental authorities in this case are the United States Forest Service, the California Department of Transportation, The El Dorado County Community Development Department (Planning Division) and the El Dorado County Board of Supervisors. All of these agencies have been notified of this request in accordance with the provisions of G.O. 96-A and all have had the opportunity to respond.

2. On November 7, 1990, the El Dorado County Community Development Department forwarded a recommendation to the County Board of Supervisors that the Board forward a recommendation to the CPUC requesting that PacBell's request for a deviation from Section 320 of the Code be approved. By unanimous vote on November 13, 1990, the El Dorado County Board of Supervisors adopted the recommendation of its staff.

PROTESTS

1. No protests have been received.

DISCUSSION

1. The route of the replacement project parallels a Scenic Highway (Highway 50). The final route, which was acceptable to the U.S. Forest Service, crosses Highway 50 at ten locations. Of the ten crossings, seven are at existing overhead locations, one is through an existing underground bore, and one requires a new underground boring. PacBell proposes one new overhead crossing, because the terrain is inhospitable for an underground installation. The new overhead crossing would be placed on existing poles of Pacific Gas & Electric Company (PG&E), under a joint pole agreement. Except for the crossings, the new cable route will be located on private property and the El Dorado National Forest, out of sight of Highway 50.

2. The existing overhead route of PG&E's electric lines is the most direct path across this area. The mountainous terrain and other topographical features, such as areas of solid rock, would force the selection of an underground route that would follow a different path than PG&E's overhead route.

3. The estimated cost of an overhead crossing on PG&E's existing poles is \$2,456. Estimated construction costs of the underground alternative are \$205,236. This is a cost ratio of more than 83 to 1. These estimates are based on 368 feet of overhead line as opposed to 3,629 feet of underground cable. The underground route would also require extensive environmental and archeological studies.

4. Three other alternatives to the optic fiber cable were considered by PacBell.

a. Digital radio between Kyburz and Placerville. This requires a tower at the Kyburz central office with a direct line of sight to the first passive reflector.

b. Buried fiber optic cable for the entire route between Kyburz and Pollock Pines. Trenching costs in the extremely steep and rocky terrain have proven to be prohibitively expensive. Extensive environmental and archeological studies would be required.

c. Reconditioning of the existing cable. Minimal transmission standards could not be met using this method. The new fiber optic cable will provide more capacity and improved features for subscribers along the Pollock Pines-Kyburz route.

5. The El Dorado County Board of Supervisors, besides recommending the overhead route as a deviation from the State's underground policy, had the following to say about the crossing:

The site at which the proposed overhead fiber optics cable would be is [sic] visible only a brief moment, being otherwise screened by dense forest. Furthermore, alternative installation methods would contribute to potential short-term disruptions of traffic, produce dust and construction equipment emissions, erosion and potential sedimentation impacts all of which can be avoided by the proposed overhead installation.

6. The Commission Advisory and Compliance Division (CACD) has reviewed this matter. CACD concludes that the request for a deviation from Section 320 of the Public Utilities Code is reasonable and recommends that the request be granted.

FINDINGS

1. PacBell needs to improve the telecommunication system in the Kyburz-Pollock Pines area to meet mandated equal access requirements. Potential customer growth in the area also requires the system upgrade.

2. Section 320 stipulates that undergrounding will take place "whenever feasible." The cost ratio of 83 to 1 between undergrounding and overhead, based upon underlying routing and terrain characteristics, creates an infeasible condition in that the excessive costs of undergrounding would create an unnecessary burden on the utility's ratepayers.

3. The overhead crossing of Highway 50 with a fiber optic cable would create minimal additional visual impact on the scenic highway because the new cable would be placed on an existing PG&E overhead crossing.

4. Applicable governmental agencies have had the opportunity to comment on this project and did not object. The El Dorado County Board of Supervisors recommends the overhead line extension.

5. This deviation, if granted, would apply only to this specific case and in no way should be construed as a precedent or a blanket endorsement for deviations in similar cases. Any further requests for deviations will have to be considered on a case by case basis.

6. PacBell's request for a deviation from the requirements for undergrounding is reasonable in this particular case and should be granted.

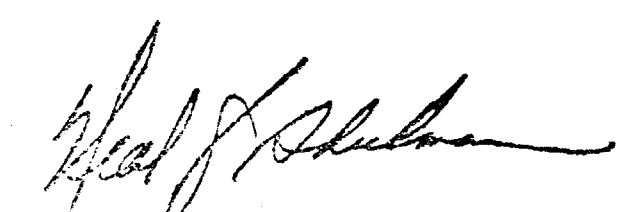
THEREFORE, IT IS ORDERED that:

1. Authority is granted for Pacific Bell to deviate from the undergrounding provisions of Section 320 of the Public Utilities Code in order to build a fiber optic cable system with one additional overhead crossing of the scenic corridor of Highway 50 between Kyburz and Pollock Pines, El Dorado County. This authority is granted in accordance with the procedures outlined in Decision 80864, dated December 19, 1972, in Case 9364.

2. This resolution is effective today.

I hereby certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on January 15, 1991. The following Commissioners approved it:

PATRICIA M. ECKERT
President
G. MITCHELL WILK
JOHN E. OHANIAN
Commissioners



Neal J. Shulman
Executive Director