

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND
COMPLIANCE DIVISION
Energy Branch

RESOLUTION E-3443
March 13, 1996

R E S O L U T I O N

RESOLUTION E-3443. CITY OF SAN RAMON REQUESTS COMMISSION AUTHORITY TO TEMPORARILY DEVIATE FROM THE UNDERGROUNDING REQUIREMENTS OF PUBLIC UTILITIES CODE SECTION 320 FOR OVERHEAD ELECTRIC FACILITIES ALONG SAN RAMON VALLEY BOULEVARD IN CONTRA COSTA COUNTY

AUTHORITY REQUESTED BY LETTER DATED NOVEMBER 21, 1995 FROM JOHN R. HARPER, SENIOR CIVIL ENGINEER FOR THE CITY OF SAN RAMON.

SUMMARY

1. The City of San Ramon (San Ramon) requests Commission approval for a temporary deviation from the undergrounding requirements of Section 320 of the Public Utilities Code. The deviation is requested for part of a 9,900 foot improvement project on San Ramon Valley Boulevard between Alcosta Drive and Montevideo Drive. The overhead central section of the project is requested to be allowed to be relocated and continue as overhead until San Ramon acquires a right of way consistent with its development plan.
2. No protests have been received regarding San Ramon's request.
3. This Resolution approves the request.

BACKGROUND

1. San Ramon proposes to make road improvements to San Ramon Valley Boulevard (SRVB) between Alcosta Boulevard and Montevideo Drive. SRVB parallels Interstate Highway 680, which is a designated Scenic Highway. The total project length is approximately 9,900 feet and is divided into three segments.
2. The northern section is being undergrounded by a developer as a condition of San Ramon's approval of the developer's subdivision. Nine poles will be removed and one pole will be installed as a riser. The length of this section is approximately 1,300 feet.
3. In the central section, which is the subject of San Ramon's request for a deviation, San Ramon proposes to have PG&E relocate 20 existing poles and 3 guy stub poles. The relocation would move the poles approximately 10 feet to the west to clear

interim improvements. The 5,400 foot section would remain on the same side of the street.

4. The southern section starts at the city limit between the cities of San Ramon and Dublin and proceeds northerly for approximately 3,200 feet. This section would be encompassed by an underground district as provided for under Pacific Gas and Electric Company's Tariff Rule 20B - Replacement of Overhead With Underground Electric Facilities.

5. San Ramon is requesting this deviation for the following reasons:

Right of Way is not currently available for the proper underground relocation of the utilities. The right of way will be available at the time of future development.

The relocated pole line is only temporary until such time as the area to the west side of the road develops. Two large developments are currently in progress and are being undergrounded.

Current undergrounding of the existing pole line utilities would result in excessive and wasteful future costs for utility services to be provided for the future development.

Ultimately, undergrounding will be required as a condition of approval for all future development, as it has been for the two current developments.

6. State policy is to achieve undergrounding of electric or telecommunication facilities near scenic highways when feasible and consistent with sound environmental planning. This policy is contained in California Public Utilities Code (Code) Section 320. The Commission is designated as the State's agency for implementing this undergrounding policy.

7. The Commission's policy for overhead installations was expressed in Decision (D.) 80864 dated December 19, 1972 in Case No. 9364 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.

NOTICE

1. San Ramon has provided correspondence regarding its proposal to Pacific Gas and Electric Company, PacBell, and the adjacent City of Dublin. In addition, notice of the letter request was included in the Commission calendar.

PROTESTS

1. No protests were received by this Commission.

DISCUSSION

1. The Commission has granted deviations from Code Section 320 in past years. One example is the deviation granted to Viacom Cablevision (Viacom) by Resolution E-3317. Viacom was granted authority to construct overhead facilities along State Highway 16, a designated Scenic Highway. The authorization was conditioned upon Viacom placing its facilities underground when other utilities' overhead facilities are placed underground.
2. San Ramon has expressed its intent to underground the overhead facilities along the central section of the SRVB Improvement Project consistent with development in the area.
3. CACD has reviewed San Ramon's request. CACD believes that deferring the undergrounding of this section is consistent with sound environmental planning and is not inconsistent with the legislative intent expressed in Code Section 320. CACD therefore recommends granting San Ramon's request.
4. CACD also recommends that any future requests to deviate from Public Utilities Code Section 320 should be considered on a case by case basis.

FINDINGS

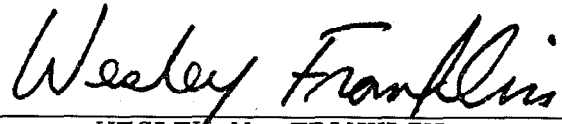
1. San Ramon is in the process of making road improvements to SRVB between Alcosta Boulevard and Montevideo Drive.
2. The central section of this improvement is presently served by overhead electric and communication facilities. Construction work requires the relocation of the overhead facilities by approximately ten feet to the west. Rather than undergrounding the facilities at this time, San Ramon requests authority by letter dated November 21, 1995 for a temporary deviation from the undergrounding policy expressed in Code Section 320 until development occurs.
3. CACD recommends granting the deviation, based upon the temporary nature of the requested deviation and San Ramon's expressed intent to underground the facilities when development occurs.
4. The Commission has granted deviations from Code Section 320 in the past, and has conditioned such deviations upon future undergrounding of the facilities.

5. The requested temporary deviation should be granted, conditioned upon undergrounding of the facilities when development in the vicinity occurs.
6. Future deviations from Public Utilities Code Section should be considered on a case by case basis.

THEREFORE, IT IS ORDERED that:

1. A temporary deviation from Public Utilities Code Section 320 is granted to the City of San Ramon for the central section of its San Ramon Valley Boulevard Improvements Project.
2. Any future requests to deviate from Public Utilities Code Section 320 will be considered on a case by case basis.
3. This Order is effective the date today.

I hereby certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on March 13, 1996. The following Commissioners approved it:



WESLEY M. FRANKLIN
Executive Director

DANIEL Wm. FESSLER
President
P. GREGORY CONLON
JESSIE J. KNIGHT, Jr.
HENRY M. DUQUE
JOSIAH L. NEEPER
Commissioners