

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of San Diego
Gas & Electric Company (U 920-E) for a
Certificate of Public Convenience and Necessity
For the Sunrise Powerlink Transmission Project

Application No. 05-12-014
(Filed December 14, 2005)

PROTEST OF
THE COMMUNITY ALLIANCE FOR SENSIBLE ENERGY (CASE)
and
REQUEST FOR HEARING

COMMUNITY ALLIANCE FOR SENSIBLE ENERGY (CASE)
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1. **Community Alliance for Sensible Energy(CASE)**, a group of citizens residing in communities throughout San Diego County, including but not limited to Ranchita, San Felipe, Warner Springs, Santa Ysabel, Lake Henshaw, Mesa Grande, Sunshine Summit, Julian, Borrego Springs, and Chihuahua Valley, with support from many of the areas' civic organizations, including but not limited to the Montezuma Valley Historical Society, the Montezuma Valley Community Center, The Montezuma Valley Volunteer Fire Department, and the Warner Community Resource Center; represented by Mary Aldern, of 36264 Montezuma Valley Road, Ranchita, California, 92066, 760/782-9036, hereby submits this Protest objecting to the granting on whole of the authority sought by San Diego Gas & Electric ("SDG&E") pursuant to Application No. 05-12-014 (the Application) before the Public Utilities Commission of the State of California ("the Commission"). (This statement is an amendment to the CPUC appearance form submitted by Mary Aldern at the PHC in Ramona on 1/31/06.)

2. SDG&E filed the Application with the Commission seeking a Certificate of Public Convenience and Necessity to build and maintain a new far-reaching transmission segment and substation system that is designed to ultimately deliver an additional 900-1,000 megawatts or 500,000 volts of electricity from Imperial County to communities throughout Southern California.¹ SDG&E has advertised at various times that the Sunrise Powerlink was needed to: relieve congestion,² bring renewable energy to San Diegans by the year 2010,³ (an "aggressive,"⁴ yet not essential state goal, actually designed for the year 2017, as mandated by law⁵), access renewable energy resources in "Central San Diego" ("Warners"),⁶ accommodate growth in the region,⁷ increase reliability to our energy supply,⁸ and, perhaps most significantly, off-set other costs of the utility company.⁹

¹ SDGE Application

² First packet advertisement(folder), Warner Meeting, 1/11/06

³ Warner Meeting, 1/11/06

⁴ USDept. Of Energy Scoping Meeting, WECS1/1/2005

⁵ Calif. 20% Alternative Energy Mandate

⁶ FERC PEIS

⁷" Kenda" SDG&E rep, via telephone

⁸ SDG&E Application

⁹ First Packet Advertisement

CASE finds flaws with each of these reasons:

- a. Sempra has withdrawn “alleviating congestion” from the list for needs, only after it was caught in a scandal regarding this issue pertaining to the 2001 power crisis.¹⁰ Apparently, the congestion of energy delivered to our part of the grid could have been alleviated by changing the way the energy was moved, and not necessarily due to the lack of an available transmission pathway.¹¹ Also, this “congesting” energy was, and still is, under a service contract which is due to expire in the year 2010,¹² which leads us to believe that the massive Sunrise Powerlink was actually initially partially designed as a solution for a short term, temporary problem, which has now been solved, even without any construction.
- b. SDG&E recently revealed that the proposed Sunrise Powerlink Transmission Project is not required for the delivery of contracted alternative energy to San Diego County residents¹³: the new transmission lines and “Central San Diego Substation” will only carry initially an amount of 300 MW¹⁴ of renewable energy, from a presently non-existing solar plant in Imperial County.¹⁵ This small amount of energy could be carried on existing lines.¹⁶ So, in this instance, we believe that SDG&E has subjected the people of San Diego to a false statement, by saying the project was needed to accommodate these purposes.¹⁷
- c. We have heard that the Sunrise Powerlink will allow San Diego to “gain access to cheaper energy markets,”¹⁸ however it does not explain or guarantee how our actual energy will be cheaper in five or ten years, or when the price of power-plant fuels goes up.

¹⁰ SD Union Tribune Article

¹¹ Ibid.

¹² Bill Powers report on congestion-contract name

¹³ Bill Powers

¹⁴ First Advertisement

¹⁵ Warner Meeting, First Advertisement

¹⁶ Bill Powers

¹⁷ First Advertisement

¹⁸ SDG&E Application

- d. SDG&E stated that it cannot keep Mexican and Arizona-produced energy off the Sunrise Powerlink during the roughly 19 hours per day that the future Imperial Valley-produced solar energy would not be transmitting solar energy.¹⁹ This could result in about four times as much “dirty” fossil-fuel or nuclear energy, traveling through the wires, than “green,” on any given 24-hour day. This line cannot therefore be justified as a renewable energy line, or even a line that would transmit energy produced to the minimum California standard. This could be a very “dirty” line.²⁰ (This practice of calling a transmission line which carries only a small portion of renewable energy “green,” is commonly called, “green-washed,” to reveal its true composition of a much “less green” energy mixture.²¹ We do not believe it would be responsible for the CPUC to approve a “Green-washed” transmission project that has the capacity to import so much energy that would have been illegal to produce in California. Instead, we believe it is time to require all energy produced in Mexico or other States that is imported into or through California to adhere to the same high level of air quality standards that we have set for our own environment, neighborhoods, children, and future generation. Otherwise, border communities, particularly in Imperial Valley, but also in San Diego County, will continue to be subject to an atrocious and unethical fall-out from this sort of “loop-hole” production of energy for unsuspecting San Diegans and Californians.
- e. The renewable energy projects along the general proposed route in the vicinity of the new, “Central San Diego Substation” (“Warners”) have not been described, guaranteed, or determined to be financially feasible at this time, and so do not appear to be a significant cause for this application. We suspect they may have already been abandoned,²² or have not yet been

¹⁹ Scot Crider, Warner Meeting

²⁰ Greenpeace Article, 2002

²¹ Bernadette, Environment California

²² Banner Grade, San Felipe Hills Test Poles

shown to produce a significant enough amount of energy,²³ to warrant the construction of a high cost, high-voltage transmission system and 80-acre substation of this nature.

- e. The growth of the region has been extensively addressed in the “San Diego Regional Energy Strategy 2030” report of July 2003,²⁴ which does not appear to require this transmission line; at any rate, the application does not guarantee the required energy itself, or the price thereof, only a transmission vehicle for energy which would still have to be generated or purchased.
- f. Reliability, in other words, a back-up system, with its extreme expenses (monetary, physical, and spiritual)²⁵ in this case, now seems to be cited as the main issue. However, we believe more reliable alternatives exist, as outlined in the San Diego Regional Energy Strategy 2030 document. If this expensive and massive line were to be built simply as a huge backup system, there would be plenty of time to conduct other, ulterior “green-washed” business, with “dirty” energy transmission jobs on an “as needed” (regular) basis.
- g. Another main benefit, but not to San Diego, appears to be the off-setting of other costs to the rest of Southern California and perhaps the utility, as cited by both SDG&E²⁶ and SEMPR, ²⁷ although again, several other alternatives to these issues exist, but apparently have not been fully explored.²⁸

In other words, we do not see a need, either interim or final, for this project, or by any other name, essentially the same. However, we do not necessarily disagree with the Commission’s

²³ Los Coyotes, Santa Ysabel, other BLM areas

²⁴ www.sdenergy.org/uploads/Regional_Energy_Strategy_Final_07_16_03.pdf

²⁵ “Warner Meeting Announcement/psa,” www.peoplespowerlink.org

²⁶ First Advertisement

²⁷ FERC PEIS

²⁸ Bill Powers, of Border Power Plant Working Group, “Regional Power Needs, Sunrise Powerlink, and Alternatives,” Feb. 2, 2006

goal to improve transmission in the state,²⁹ and we congratulate the Commission on encouraging both cooperation and competition between businesses.³⁰

3. The regulated utility, SDG&E, has not named a specific route, only the starting and ending terminals.³¹ The non-regulated parent-company, SEMPRA, has also stated in other arenas their desire for several related transmission projects, to and from various points in San Diego County, again, without thought to the actual route, to play off these terminals.³² It is strange and confusing to us that each of these individual companies can work together in different arenas to form a transmission grid which covers virtually our entire region with transmission lines and substations, on protected and unprotected lands alike, for preparation for some kind of major growth spurt and transmission frenzy, which is apparently unlimited in size. This sort of development is scientifically unwise, it goes against the CPUC Rules of Practice & Procedure (see section 9 below), and seems frantic; these recent actions have perplexed and alarmed the citizens of our county.³³ In a U.S. Department of Energy Public Scoping Comment Period Public Meeting RE: the West-Wide Energy Corridor Programmatic EIS, held on November 1, 2005,³⁴ a Sempra representative, Bill Zobel, states that “the geographic location of our regulated business... pose some specific concerns,” and goes on to discuss the difficulty of siting the Sunrise Powerlink on land where no dedicated utility corridor currently exists, and how having a dedicated energy corridor in “this segment” will make a specific route here “easier for future projects.” A slew of desired corridors within the regulated utility San Diego service area are listed, including natural gas transmission projects, corridors “touching off” Camp Pendelton, corridors expanding the connection with Southern California Edison system supply in the Orange County service area, corridors connecting to the Sycamore Canyon Substation, and corridors connecting potential (emphasis added, see item 2.c. above) wind generations in San Diego County, and existing transmission systems and the plans of substations. One of the maps submitted to the FERC is of the

²⁹ Dian Grueneich, interview

³⁰ Ibid.

³¹ SDG&E Application

³² Sempra, Zobel statement, PEIS

³³ “Warner Meeting Announcement/psa,” www.people’spowerlink.org

³⁴ As stated.

exact Sunrise Powerlink Project itself.³⁵ To qualify these federal project goals, Mr. Zobel briefly discusses transmission emergencies (see item 2.a. above), and the aggressive target of achieving 20 % renewable energy by the year 2010 (see item 2 above). It is evident to us that the placement of these “Sunrise Powerlink” starting and ending transmission line terminals and the acquisition of the corridors, are of greater interest to the overall transmission vision of the dual companies, than the actual energy product it plans to deliver to the people of San Diego, across our very own bioregion (determined to have more endangered species and types of habitats than any other county in the United States).³⁶

4. There has not been revealed a detailed specific route, yet residents living within a broad proposed region which may eventually house the route have been subject to much speculation and worry during these 6 months prior to the route announcement.³⁷ The proceedings of SDG&E during this period of speculation have not been conducted according to established Commission procedures,³⁸ resulting in much suffering of the public citizens in affected areas.³⁹ The available maps, routes, schedules and information for the project have been vague, inaccurate, illegible, and incomplete.⁴⁰ This set of “resources” actually led to and added to the stress and trauma of this project on the citizenry, and have been insufficient in explaining this project to the average person.⁴¹ The “extensive efforts” of the utility did not include a meaningful bill insert.⁴² Instead, news of this project spread mostly through word of mouth in the vast regions of the county subject to this proposal.⁴³ This decision by SDG&E to subject the public to “unrequired” community involvement, “above and beyond...the law,”⁴⁴ should never be allowed again; if the CPUC can impose punishment on the utility for such out-of-order

³⁵ Sempra fed version website

³⁶ SD Reader, 1988

³⁷ “Reply of SDG&E to Protests,” 1/30/06, E.G. Barnes, p.15, “Warner Meeting psa,” www.people'spowerlink.org

³⁸ See section 9 below

³⁹ “warner meeting psa,” www.people'spowerlink.org

⁴⁰ “Warner meeting notes, www.people'spowerlink.org

⁴¹ “Warner Meeting PSA,” www.people'spowerlink.org

⁴² The bill insert was vague and non-descriptive.

⁴³ “Warner Meeting PSA,” www.people'spowerlink.org

⁴⁴ Reply of SDG&E to Protests, 1/30/06

actions, we strongly encourage it. We also suggest that the CPUC examine its own policy of observing calendar days during heavily observed religious holidays,⁴⁵ thus encouraging a utility to submit an application before the religious holidays, such that hard-working American citizens will lose their hard-earned, valuable vacation time, traditionally spent planning and traveling to family reunions, et cetera, in order to participate in these proceedings. In fact, it is evident that this application schedule has not gone smoothly in this regard, causing a great deal of extra work and expense on the part of everyone involved, because of this holiday filing. While SDG&E has described this time period of increased community involvement as “fortunate,”⁴⁶ we strongly disagree, and see this period as one in which the public and regulatory community has done much of the utility’s own work, at our own up-front cost, during a disaster recovery period, a loss which cannot truly be assigned a value. These costs have tested our community strength: The utility purposefully and mercilessly pitted one community against another, during route speculations, purportedly to avoid taking the responsibility of making people “unhappy,” as in the Valley-Rainbow debacle,⁴⁷ yet this method has resulted in the same unhappiness⁴⁸ ... we believe the source of the unhappiness is the proposal itself, which is relatively one and the same.⁴⁹ If this is actual evidence that the utility is incapable of accomplishing its work properly, it should not be allowed to continue. If the application demonstrates that the utility has purposely failed to properly accomplish its work, these companies or their leaders should be fined, reprimanded or have their credentials revoked and disallowed to do business in this county or state.

5. Property values based on the area’s pristine beauty will be affected, in fact have already been affected.⁵⁰ The impacts from the EMF emissions on the wildlife, human life, and agricultural operations in our vicinity could be devastating, seriously impacting the

⁴⁵ CPUC Guide to Participation

⁴⁶ See ref. 37

⁴⁷ Quote from newspaper, SDG&E vice-president of energy

⁴⁸ Protest from Cities of Temecula, Murrieta, and Hemet

⁴⁹ Valley-Rainbow, FERC PEIS, to link Sempra energy through high voltage transmission to Riverside County.

⁵⁰ Verbal information, Joe Rauh, Ranchita Realty

economy within the community.⁵¹ Just compensation for any properties affected by this health risk must be mandated before this project is approved.

6. The proposed region contains many sensitive ecological preserves, including the Anza Borrego Desert State Park, highly significant Native American ruins,⁵² and federal open-space areas set aside for other species and the enjoyment of future human generations. The designation of utility corridors is a highly significant activity, when considering the Garamundi Principle⁵³ and what can result.⁵⁴ We value these fast-disappearing nature preserves, and believe that their survival, which is protected by law, is paramount to the survival of the Earth, and any proposal which attempts to mar these special places should be scrutinized with great care, as the loss of these places would be permanent and irreversible. The assertion in the application that the three best possible viable routes for Sunrise Powerlink all pass through the Anza Borrego Desert State Park, is highly questionable, in fact suspect. If there is a viable route at all, there would likely only be one, leaving at least two new options to develop, from a long list of previously described alternatives, which the utility should consider in good faith, rather than flip-flopping over to a federally governed discussion of the same problems.

7. The scenic and historical values⁵⁵ of these subtle yet fantastic areas are great, and fishing and hiking tourism is a major economic contributor to the Anza Borrego Desert, Palomar Mountain, Warner Hot Springs, Lake Henshaw, Historic Warner Valley, Historic Julian, Historic Santa Ysabel, including The Mission, and Dudley's Bakery, and local wineries, and all of these places and businesses would be impacted. These are also regular school bus routes,⁵⁶ including a regular array of school and tour buses full of children coming to the countryside to learn about history and ecology, and go back and forth to school.

⁵¹ Verbal communication, Celia Lawley, Mesa Grande

⁵² Angelina springs, Grapevine Canyon, birthplace of the Santa Ysabel Band of Diegueno Indians

⁵³ Bill Powers, ref. 28

⁵⁴ Note 5 rows of high voltage 500kV lines along I-5 corridor north of Bakersfield

⁵⁵ Montezuma Valley Historical Society, communications

⁵⁶ Warner Unified School District, Julian School Districts, Ramona School Districts, San Diego County Office of Education Outdoor Schools, and private camp buses traveling to schools and outdoor locations in our backcountry areas, all designated along possible routes.

8. The first rule of the Commission, the Code of Ethics, states that any person transacting business with the Commission, "...agrees to comply with the laws of this State," including the procedural process of the Commission, designed to protect both the citizenry, as well as the resources and treasures found within the affected zone. We believe that the Application does not comply with the rule of ethics, or CPUC code 1003, rule 17.1a, b1, b2, b3, d, and f1, rule 18a, c, and e, or rule 87, and we believe these violations should be adjudicated accordingly.
9. Pursuant to Article 5 of the Commissions Rules of Practice and Procedure, in accordance with Rule 18, Construction or Extension, the application must contain a financial statement showing a detailed(emphasis added) estimate of the annual costs, both fixed and operating.
10. Our communities have been historically subject to wildfire,⁵⁷ and have been recently subject to a devastating fire caused by downed power-line, which we are still recovering from (the "Pines" fire of August, 2002). While the government took responsibility for that fire,⁵⁸ it was costly and disastrous for the local communities. We believe that the possibility of aircraft collision in our neighborhoods will increase, with the presence of this lengthy, high voltage electricity line. For example, we cite the two accidental military aircraft collisions within the last 10 years, with 500kV transmission lines, in a no-fly zone at Fort Irwin, CA.⁵⁹ We believe the risk and burden of increased fire and accident insurance on the residents of the immediate area, and the government itself, via disaster relief, will be significant, and should be absorbed by the applicant (a private enterprise which directly profits from the project), or the project should not be allowed.
11. We believe the correct order for the utility-customer relationship is: need, design, guarantee, and build sensible energy, then address the transmission to get the product where it's going. In particular, we believe in the creation of new, renewable energy in California that leads us toward self-sufficiency; where aesthetically pleasing and

⁵⁷ Montezuma Valley Volunteer Fire Department communications

⁵⁸ San Diego Union Tribune, August 2002

⁵⁹ Google search, "military aircraft, Fort Irwin, utility dispute"

sensibly- and sensitively-created renewable energy is manufactured as close to the end-user as possible, thereby reducing the need for a lot of high-voltage transmission. The reason why we believe this is in part due to the limited and polluting nature of most power-plants and the fluctuating cost of their fuels, the dangers of nuclear energy, the destructive nature of large transmission systems, and the increasing effects of global warming. We believe that there are other alternatives to the Sunrise Powerlink Proposal that have not been properly addressed,⁶⁰ which should be addressed before an interim or final decision on need has been made by the CPUC. The “Million Solar Roof” Initiative, passed by the Commission in January 2006, is a true example of where the energy production of the 21st century is going to come from. It does not require massive and dangerous transmission lines, (and thus help to push these older technologies into obsolescence, rather than encourage their use), does not despoil the environment, and provides a much more significant amount of alternative energy, both to this region as well as state wide, at a shared cost, to produce a win-win-win situation. It is associated with a guaranteed and stable predictable energy price for consumers of the future. We energetically promote this type of alternative in San Diego County, the “solarization” within the lowlands, and the future requirement of all new construction to contain solar panels. We would like to eventually see all of Southern California aggressively invest in the world’s most advanced solar energy system, and be a showcase for the world. We believe that we are nearing the end of the age of remote transmission of fossil-fuel generated electricity, which may be obsolete within our own lifetimes; the age of cheap oil is coming to a close. In the 2006 State of the Union address, President Bush said he plans to cut imported oil by 75% in the next 19 years. We feel that we need to increase our sustainability and enhance our security, by lessening our dependence on imported energy, which is simply one step beyond imported fuel. We believe our “CASE” philosophy gives a 21st Century answer to a 21st Century problem.

The Sunrise Powerlink Transmission Project does not guarantee the price or quality of energy it will deliver in the future, it has a questionable applicable longevity to the

⁶⁰ Bill Powers, Jim Bell, in “Warner Meeting Notes,” and ref. 28

citizens of San Diego and Southern California,⁶¹ and it does not guarantee the safety of this project in our San Diego County neighborhoods, or to our natural environment and archeological treasures. We do not believe that any portion of an application containing this many poorly-described variables-- the need, the exact route, the cost, the benefits—can be reasonably weighed, and so we reject it wholly as irregular, non-compliant and inconsistent with the CPUC standard.

12. Pursuant to the Commissions Rules of Practice and Procedure, Rule 44.2, this group of private citizens hereby requests an evidentiary hearing to support our request for whole denial of the Application. In this regard, we encourage the Commission to assign a likely San Diego County location⁶² to these and all further hearings on this Application, allowing full public participation by the thousands of people in this County who have expressed an extreme interest in this matter.

13. Applicant SDG&E, as shown on the attached certification, has been furnished with a copy of this protest by certified electronic e-mail.

14. This group of private citizens will furnish a copy of this Protest to any interested party upon written request.

Dated: February _____, 2006

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⁶¹ Bill Powers, ref. 28

⁶² Poway Center for the Performing Arts, Escondido Center for the Arts, East County Center for the Arts...