

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

In the matter of the Application of
San Diego Gas & Electric Company
(U 902-E) for a Certificate of Public
Convenience and Necessity for the
Sunrise Powerlink Transmission
Project

Application No. 06-08-010
(Filed August 4, 2006)

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

**PREHEARING CONFERENCE STATEMENT OF THE MUSSEY
GRADE ROAD ALLIANCE**

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Dated: September 7, 2006

INTRODUCTION

The Mussey Grade Road Alliance (“Alliance”) is a grassroots citizen organization dedicated to the preservation and protection of Mussey Grade Road and environs in Ramona, California. Mussey Grade was the main road from the coast to the Julian gold mines in the 19th century. Bisected in 1943 by the San Vicente Reservoir, the some five miles of remaining stagecoach route was recognized by the California State Historic Preservation Commission as a historical “Point of Interest” in 2003.

This historic road, which is located at approximately the mid-point of San Diego County, is also part of the unincorporated area of Fernbrook, a small village established in the late 19th century and which paralleled the development of the unincorporated town of Ramona itself. Mussey Grade is lined by ancient oaks and winds through a richly forested riparian area, which is surrounded by mountains. The road dead ends into the San Vicente Reservoir, and thus the Mussey Grade Road valley is its own unique and natural cul-de-sac. The valley is made up in the main of large rural ranch holdings, with the exception of Fernbrook and some recent housing built within the last decade.

The Alliance was formed in 1999 to preserve and protect this special area. To date the Alliance has engaged in a number of activities in furtherance of this goal, including intervening with the County of San Diego for the purpose of preserving some 2,200 acres of ranchland eventually purchased by the County as open space and known to locals as Boulder Oaks Ranch. The SDG&E proposed power line would run through this preserve, along with other open space preserves in San Diego County.

The Alliance was not planning to enter a prehearing conference statement pursuant to the August 25, 2006, Administrative Law Judge’s Ruling Setting Date for Prehearing Conference Statements and Extended Time for Filing Protests. The Alliance has not entered any filings to date. As the process is restarting with this new SDG&E

application, the Alliance planned to attend the conference and subsequently submit a protest to establish the issues specific to the concerns of the Alliance. Following that submittal, the Alliance planned to submit a Notice of Intent within the required 30 days following the scheduled Prehearing Conference in order to comply with requirements. However, due to new developments regarding the application of San Diego Gas & Electric (SDG&E), the Alliance feels that it is necessary to enter this statement.

SDG&E DELAYED PROVIDING INFORMATION REQUESTED BY THE COMMISSION IN THIS MATTER

In response to the Commission's Energy Division CEQA Unit, SDG&E filed on Friday, September 1, 2006, prior to the extended Labor Day Weekend, some 2,000 pages of required supplemental material.¹ According to the August 16th letter by Billie C. Blanchard, AICP, Project Manager for Sunrise Powerlink in the Energy Division CEQA Unit, some of the information had been requested earlier of the company:

“As part of an effort to streamline the review of the PEA, during May, June, and July 2006 SDG&E submitted portions of the PEA to the CPUC for preliminary review. The CPUC's EIR/EIS Team reviewed all documents received, and provided detailed comments in a series of seven letters to SDG&E between May 22 and July 21, 2006. The final PEA, submitted on August 4, 2006, incorporated most of the changes requested by the CPUC's EIR/EIS Team. **However, certain critical information items that were clearly presented to SDG&E as being required for completeness were not provided to the Energy Division.** In addition, the PEA included several new sections that had not been provided to the CPUC's EIR/EIS Team for review (the most important being the section on Biological Resources).”² (Emphasis Added)

The letter states that, “After completing our review of SDG&E's Application and PEA for the Project, the Energy Division concludes that the PEA is incomplete.” Consequently, the company has submitted thousands of pages of documentation less than two weeks before the scheduled Prehearing Conference and Public Participation Conference, set for Wednesday, September 13, 2006 in Ramona.

¹ Notice of Availability of Supplement to Application of San Diego Gas & Electric Company (U902-E), September 1, 2006. See also, <http://sdge.com/sunrisepowerlink/CPUC.shtml> The estimated number of pages of the Supplement is calculated by adding together the links on the above-reference website where the Supplement has been posted by SDG&E.

² See August 16, 2006 Letter to Mr. Kevin O'Beirne, Regulatory Affairs, San Diego Gas & Electric Company, p.1.

It is important to note that earlier this summer SDG&E was asked by the Commission to provide in its new application issued August 4th some of the information released in its Supplement, dated September 1st. However, the company evidently chose not to do so and thereby delayed the release of the information by almost a month.

**THE MUSSEY GRADE ROAD ALLIANCE HAS NOT HAD
ADEQUATE TIME TO REVIEW THE SUPPLEMENTAL
MATERIALS SUBMITTED BY SDG&E**

It is obvious that there are severe time pressures on members of the public, including members of the Alliance, who desire to participate in the public participation portion of the proceedings in Ramona on September 13th. These time pressures are, in the main, due to the immense size of SDG&E's new application.³ To complicate matters, the application is not easily downloaded on computers without high speed band width, an expensive cost for rural residents of San Diego County when broadband service is even available.

The PEA alone, the topic of the Commission's letter, runs into the hundreds of pages (close to 1,000 or more in total). While placed by SDG&E in public libraries for the public, the PEA presents a huge undertaking to read in such a short period of time -- the traditional vacation month of August. There may be no expectation that all of this documentation will be read and understood in such a short period of time. Nevertheless, the Alliance objects to the tactic of filing huge amounts of paper (totaling some 2,000 more pages) just prior to the Labor Day Weekend and less than two weeks before the planned Prehearing Conference (PHC) and the Public Participation Hearing (PPH). We believe that this additional material, arriving as it does so late in the day, requires that scheduling be changed to allow for adequate time to digest the supplemental material and to comment to the Commission regarding what that material may mean in light of the entire PEA and proposed transmission line project.

³ The Application runs to some 300 pages, according to the hard copies provided by SDG&E and excluding the Appendices and the PEA. The PEA runs close to 1,000 pages or more.

THE COMMISSION SHOULD ADOPT A PROCEEDING SCHEDULE THAT WILL ALLOW FOR ADEQUATE TIME FOR PARTIES AND THE PUBLIC TO MEANINGFULLY COMMENT ON THE SUPPLEMENTAL PEA MATERIALS

SDG&E originally filed its application for this proposed power line project during the approaching Christmas holiday time. The company has filed its second application for this proposed power line project during the traditional vacation season. While there has been some talk of the need to efficiently review the project within a reasonable period of time, SDG&E has caused itself some months of delay, while evidently benefiting from that delay for its own purposes.

While there is, obviously, a need for efficiency and smooth operation regarding the proceedings concerning this proposed project, an adequate amount of time should be allotted by the Commission within the scheduling process to allow the public time to understand the issues presented by SDG&E in their application. If supplements occur that would require more time for the public to access and read, then the Commission should allow time for that to occur within the framework of the overall estimated year of deliberations concerning the proposed project.

We believe that it is reasonable for the Commission to extend the protest deadline by two weeks to October 6, 2006 to allow more time for the parties and the public to comment on this proposed application, as it has been supplemented. While supplements to applications may not be unheard of, thousands of pages of supplements to applications are probably not the general rule, and especially for materials that have been previously requested by the Commission. Not allowing more time would be unfair because of the potential serious impacts to communities, such as the Mussey Grade Road community, if not given sufficient time to develop issues. Additionally, comments received on the supplemented PEA as issues should be fully included as topics to be taken up in the future proceedings in this matter.

CONCLUSION

The Mussey Grade Road Alliance respectfully requests that the Commission extend the time for protests by parties and comments by the public on the supplemental materials of the SDG&E application to October 6, 2006 and that issues raised in protests be fully incorporated into the proceedings.

The Alliance is grateful to the Commission for its thoroughness and makes this request in order to take advantage of the newly filed supplemental materials to more comprehensively understand the issues raised in the PEA.

Respectfully submitted,

Dated: September 7, 2006

MUSSEY GRADE ROAD ALLIANCE

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By /s/ Diane Conklin
Diane Conklin

CERTIFICATE OF SERVICE BY ELECTRONIC MAIL

I, Diane Conklin, hereby declare under penalty of perjury, that on the 7th day of September 2006 I served a true copy of:

PREHEARING CONFERENCE STATEMENT OF THE MUSSEY GRADE ROAD ALLIANCE

on all known parties with an email address on the service list in proceeding A.06-08-010/A.05-12-014 by electronic mail.

Executed this 7th day of September 2006, at Ramona, California.

/s/ Diane Conklin_____

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