

March 12, 2010

**ADVICE 2334-E-A**  
**(U 338-E)**

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA  
ENERGY DIVISION

**SUBJECT:** Rule Modifications to Accommodate Southern California Edison Company's (SCE's) Initiative to Install Above-Ground Equipment in SCE's Underground Distribution Systems Whenever Feasible

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CHIEF EXECUTIVE OFFICE

SCE hereby submits for filing the following changes to its tariff schedules. The revised tariff sheets are listed on Attachment A and are attached hereto. Pursuant to discussions with the California Public Utilities Commission (Commission or CPUC), this filing supplements Advice 2334-E in its entirety.

**PURPOSE**

This advice filing advises the Commission of an SCE initiative designed to enhance service reliability by reducing the duration of service outages, enhance the safety of SCE's employees and members of the public, and help protect the environment. Specifically, the proposed initiative would implement an orderly discontinuance of an existing customer option that allows for the installation of certain types of electrical equipment for distribution systems, such as transformers, in underground structures.<sup>1</sup>

Currently, underground installation may be requested by a customer and approved by SCE. When SCE installs underground distribution systems today, standard designs include above-ground padmounted equipment wherever feasible. But in some cases, municipalities, residential developers, and customers who request underground distribution line or service extension conversions or relocations may request that equipment such as transformers be installed below-ground, primarily for aesthetic reasons. In most cases, SCE has been able to accommodate these requests and has implemented them under the Added Facilities tariff provisions.<sup>2</sup> The tariffs provide that where SCE agrees, it will install facilities which are in addition to, or in substitution for the standard facilities SCE would normally install, provided the

<sup>1</sup> This change involves all primary-voltage electrical distribution system equipment, including, but not limited to, transformers, switches and fuses, capacitors, and junction bars. The Rule 20 undergrounding of existing overhead electric wires (conductors) themselves and the removal of poles, however, is not affected by this change. Only the related transformers and other specified equipment will be installed above ground, where it is technically feasible to do so.

<sup>2</sup> Rule 2, Description of Service, Section H, Added Facilities.

requesting customer bears the incremental cost of such facilities. Below-ground transformers and related equipment are considered "other than standard facilities." Thus, customers pay the incremental cost of these below-ground facilities. Most such underground installations are on the customer or applicant's own property, as tariff Rule 16 requires, and the type of equipment most commonly installed underground consist of transformers. What is installed is called a Buried Underground Residential Distribution (BURD) transformer.

SCE proposes this initiative to slow the proliferation of new below-ground installation of equipment for underground distribution systems because above-ground installations improve the reliability of electric service, are safer and easier to maintain, and pose less of a threat to the environment. These important gains justify SCE no longer allowing new below-ground equipment installations in circumstances where technical or space concerns do not require them.

Upon implementation of this initiative, and wherever it is technically feasible to do so,<sup>3</sup> SCE will only accept designs that allow these types of equipment to be installed on standard above-ground structures or in enclosures on the applicant or customer's property.<sup>4</sup> This would apply to distribution systems with primary voltages of 4 kV (Kilovolt) through 35 kV for all new underground service to residential and business developments and for customer- or applicant-driven service capacity increases associated with increased demand or changes of use of existing structures, such as those associated with major remodeling projects, including where the existing equipment is installed underground.

For upgrade or replacement of equipment in existing underground installations, conversion to above ground padmounted installations may be evaluated. However, underground installations are still approved for existing equipment or its replacement, and it is anticipated that most equipment replacement will remain in the existing underground structure.

Although in SCE's opinion existing tariff language is broad enough to implement this initiative without any modification, SCE proposes to add clarifying language to make it clear to customers that the option of electing installation of distribution systems below-ground will no longer be available for new construction projects. Accordingly, this filing requests approval of modifications to Rule 2 - Description of Service, Rule 15 - Distribution Line Extensions, and Rule 16 - Service Extensions, to add language accommodating this initiative.

## **BACKGROUND**

By virtue of its location, distribution equipment in underground enclosed spaces (vaults, enclosures, etc.) is more difficult to install and maintain than above-ground equipment. Also, this equipment, in many cases, is located beneath traveled public roadways. Although rare, equipment failures in these underground spaces can occur and require significant safety precautions to repair.

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<sup>3</sup> "Technically feasible" refers to the availability of the required physical space, either readily available or through architectural design, that can be set aside to accommodate the required electrical distribution equipment necessary for SCE to serve the customer. The required space is defined by existing design standards within the operation and maintenance requirements that are in compliance with applicable safety codes and regulations such as CPUC General Orders 95 and 128.

<sup>4</sup> Installations in walk-in vaults are acceptable, provided SCE is afforded unfettered 24/7 access.

SCE has concluded that limiting the further use of equipment in underground distribution systems would increase service reliability, provide safety benefits and help protect the environment. Installing electrical equipment above-ground versus installing it in underground vaults or enclosures helps SCE further advance these important goals.

The use of padmounted above-ground equipment is standard industry practice and has been a part of SCE's own design standards for many years. Above-ground installation is identified in SCE's Rule 16 - Service Extensions, as part of SCE's standard installations.<sup>5</sup> In fact, prior to the Commission's approval of Rule 16 language identifying padmount equipment as part of SCE's standard installation, the Commission issued Decision (D.) 92-03-065, which supported SCE's position concerning padmount equipment, by stating that SCE's "standard transformer in a residential subdivision is a padmount transformer."

### **Enhance Reliability**

Operating, maintaining and repairing below-ground equipment in enclosed, confined underground spaces such as vaults is difficult and complex work. Electric service outages involving components installed in underground structures typically last much longer than those occurring above ground for the obvious reason that it usually takes much longer to locate and repair or replace a failed underground component. Below-ground equipment located in vaults and enclosures creates unique challenges for SCE's maintenance personnel. Complex and time-consuming safety precautions and procedures for vault entry such as heat scans for "hot spots" and testing for combustible gases and breathable oxygen levels must be employed. These additional procedures hamper timely service restoration. If water is present, it must be removed before electrical work can begin; that process can take hours in itself.<sup>6</sup> Moreover, as contaminants are typically present in the water in underground installations, water must often be trucked away to disposal sites for processing. In many cases, the equipment in the vault or enclosure may require steam or pressure-washing before work can begin.<sup>7</sup>

Even routine maintenance activities take longer to carry out with underground equipment. During routine circuit switching operations, for example, multiple vaults and enclosures are accessed to operate equipment. Each vault or enclosure must be opened and, at a minimum, tested for combustible gas and breathable oxygen. All of these necessary activities significantly increase the time it takes to restore electric service.

A key measure of electric system reliability is how long a power outage lasts before workers are able to restore the power. Customers will typically see their electrical service restored sooner when equipment is located above ground than when it is installed in below-ground structures, because it takes repair crews less time to locate and repair or replace above-ground equipment.

Equipment degradation is also more likely to occur below-ground because equipment is especially susceptible to the corrosion that occurs when run-off water washes contaminants and pollutants, such as household chemicals, motor oil, and lawn fertilizer, into these structures and submerges the equipment.<sup>8</sup>

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<sup>5</sup> Rule 16.D.1.g.

<sup>6</sup> The presence of water may also delay the ability to connect to the existing equipment and thus has a negative impact on new service connectivity for customers.

<sup>7</sup> See Pictures 1 and 2 in Appendix A for examples of water accumulated in below-ground structures.

<sup>8</sup> See Pictures 3 and 4 in Appendix A for examples of the corrosion of this equipment.

In addition, the SmartGrid technologies,<sup>9</sup> which further enhance system reliability and reduce outages, require that certain electrical equipment, such as controls and telecommunication antennas and sensitive electronic circuitry associated with the equipment, be located above ground. Allowing customers to choose a below-ground equipment option would hamper SCE's important efforts to integrate the SmartGrid technologies into its electrical system.

### **Secure Safety Benefits**

Electrical equipment such as transformers and switches fail from time to time. Catastrophic equipment failures are rare, but do occur. When a catastrophic failure occurs, pressure inside an underground structure can build up and can be released through a rapid discharge of high energy. The release of this energy could result in the rapid exhaust of hot gases or flames.<sup>10</sup>

While underground installations are relatively safe with proper precautions, SCE's goal is to achieve additional safety protections where reasonably feasible. An incremental enhancement of safety is reasonable through the use of above-ground equipment, given that most underground installations are made purely for aesthetic reasons.

### **Environmental Protection**

Water can accumulate in underground structures even in the absence of rain. The structures collect run-off, which is often contaminated with materials such as motor oil, pesticides and other substances. This water must be pumped out of the underground vault or enclosure, tested, and removed for proper treatment and disposal as required by environmental laws.<sup>11</sup> Moving away from underground installations will reduce the number of collection points for standing and contaminated water.

### **Implementation Plan**

Upon Commission approval, the types of equipment described above will be required to be located in above-ground padmounted structures in new installations when technically feasible, whether designed by SCE or third-party developers.

Following a transitional grace period of 90 days after the effective date of this filing, SCE will no longer accept customer or developer requests for underground distribution system installations that call for specific pieces of electrical equipment (all primary-voltage electrical distribution system equipment, including, but not limited to, transformers, switches and fuses, capacitors, and junction bars) to be installed in below-ground structures in circumstances where it is technically feasible to install the equipment above ground. Customers, developers, and governmental entities requesting SCE to install underground distribution systems would be required to utilize above-ground equipment.

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<sup>9</sup> Smart Grid technologies will incorporate high-tech digital devices and telecommunication advancements, providing needed system intelligence for improved service reliability, increased operating efficiency, and enhanced system flexibility and security. These efforts are consistent with Title XIII of the Energy Independence and Security Act of 2007.

<sup>10</sup> An example of this type of failure occurred during a trouble call in July of 2004 (PIR# 20041285) where a SCE crew was called out to repair a bad BURD switch. After making repairs, the crew went to energize the primary cable that is the source for this BURD. During this time frame a 600-amp primary component in an adjacent substructure failed catastrophically, causing a large flame to shoot out of the Customer Subsurface Transformer (CST) substructure where the component was located. Luckily, no employees were in the CST substructure during the failure. Had there been any employees in that substructure when the failure occurred, serious injuries may have resulted.

<sup>11</sup> Federal Clean Water Act, State guided National Pollutant Discharge Elimination System (NPDES) legislation, local municipal regulations and ordinance, and the California Regional Water Quality Control Board (RWQCB).

SCE believes the proposed Transitional Grace Period of 90 Days, coupled with its Stakeholder Outreach activities discussed below (which have been occurring over the past several months), will allow customers ample time to prepare for this change and meet above-ground equipment design requirements.

SCE will implement this change in an effective and orderly manner. Implementation will consist of a change in design requirements that will, following the Transitional Grace Period of 90 Days after the effective date of this filing, affect new residential and commercial developments, as well as customer- and applicant-driven capacity increases (such as remodels and changes of use). Where the retrofitting, on a planned basis, of existing equipment installed in underground structures in the public right-of-way is required, and replacement with above-ground equipment is technically feasible, SCE will attempt to obtain an easement, priced at fair market value, on private property to do so. Where an easement is not available, SCE will make the new installation in the above-ground public right-of-way where technically feasible and consented to by the local government.

This implementation will take into account the realities of development and the practicalities of providing electric service in urban areas, by respecting existing below-ground equipment installations, and by affording customers and local governments the opportunity to share their ideas for aesthetic improvements when changes to existing installations are required.

### **Existing Underground Equipment**

Where SCE has existing underground primary-voltage distribution equipment installed in below-ground structures, the equipment will continue to be operated and maintained below ground. Should existing below-ground equipment fail and result in an unplanned outage, service will be restored on an emergency basis using below-ground equipment when replacement equipment is available. Where existing below-ground equipment is required to be replaced in a planned process, such as a maintenance program or capacity upgrade, and where replacement with similar above-ground equipment would be technically feasible, SCE may evaluate converting to padmounted equipment. Where above-ground installation is not technically feasible or is not consented to, the new equipment will be installed underground.

### **Local Ordinances**

Some municipalities in SCE service territory have ordinances that purport to restrict or even prohibit utilities' ability to install equipment above ground. While federal law, such as the Americans with Disabilities Act, and the Commission's authority in the matters of utility system design are paramount over local law,<sup>12</sup> and while the Commission itself and California courts have consistently affirmed this in cases involving local ordinances,<sup>13</sup> the Commission also prefers that the utilities consult with affected parties before making an above-ground installation.<sup>14</sup> SCE is committed to continue doing so, as the company is required to obey local laws on such matters as health and safety.

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<sup>12</sup> See, e.g., California Public Utilities Commission General Order 131-D, P.U. Code § 761, P.U. Code § 762, P.U. Code § 768.

<sup>13</sup> See, e.g., *California Water & Telephone Company v. County of Los Angeles*, 253 Cal.App.2d 16, 31 (1967) (county water ordinance cannot be applied to water company regulated by the CPUC).

<sup>14</sup> See, e.g., California Public Utilities Commission General Order 131-D.

In new residential and commercial developments, including remodel projects and changes of use requiring electric system capacity upgrades, SCE expects developers' designs to provide for location of the equipment on private property.<sup>15</sup>

### **Stakeholder Outreach**

It is a guiding principle of all important SCE projects and initiatives that they be shared with affected stakeholders in advance wherever possible, in order to answer questions and, where feasible, make adjustments to reflect stakeholder input. SCE has done, and continues to do so with this initiative. Prior to this filing, SCE has briefed dozens of representatives of local governments, representative organizations such as the League of California Cities, individual land developers and the Building Industry Association (BIA).

SCE briefed, through in person contact by its employees, cities with ordinances in place that on their face would purport to limit SCE's ability to install above ground the facilities this initiative affects. The company used written materials prepared specifically for this purpose. Other cities were briefed by letter.

A number of stakeholders expressed concern that SCE intended to simply unearth perfectly serviceable below-ground equipment and replace it with above-ground equipment. SCE assured stakeholders that this is not the company's intention. In cases where a retrofit of an existing underground equipment is contemplated to result not in a like-for-like replacement, but rather with a larger or different device, the newer piece of equipment will be installed above ground. In each case, SCE affirms its commitment to another guiding principle, that of consultation with affected stakeholders, in order to find the most acceptable above-ground location.

Appendix B to this filing provides a sample listing of the local governments and other stakeholder organizations that were briefed prior to this filing.

Subsequent to the original filing of this Advice Letter, SCE was encouraged by the Commission to conduct a workshop and other outreach to stakeholders, and SCE did so. The reduced scope of this Supplemental Advice Letter reflects the results of that outreach.

In addition, SCE will conduct workshops for stakeholders in the building industry to provide education concerning this change and the various design options whereby above-ground equipment can be better integrated into the architectural design of the project.

### **Aesthetic Considerations**

SCE has assembled a team to research various options that would make padmounted equipment better blend visually into the surrounding landscape. Other utilities, vendors, and cities have been surveyed for relevant ideas. Safety, equipment performance (heat dissipation, corrosion, etc.), operability, inspection, installation and replacement are some of the issues that must be considered for this equipment. SCE has developed a catalog of various approved aesthetic improvement options available to customers and developers to help minimize the visual impact of above-ground padmounted equipment. The catalog ("Above Ground Equipment Initiative Aesthetic Improvement Manual" or "AIM") includes aesthetic treatments and

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<sup>15</sup> This may be either outdoors or in walk-in vaults, provided SCE is afforded access at all times in accordance with Rule 16, Service Extensions, Section A.11, Access to Applicant's Premises..

enhancements for above-ground equipment, such as use of certain colors, screening and landscaping. Aesthetic treatments may be available, at the customer's expense, subject to tariffs and applicable safety laws and regulations. SCE is open to suggestions from its customers and will evaluate them and include them in the catalog as options, upon approval. The AIM catalog is available on the SCE website at - <http://www.sce.com/AboutSCE/Regulatory/distributionmanuals/>.

### **PROPOSED TARIFF CHANGES**

SCE proposes to insert the following language into Rule 2 - Description of Service, Rule 15 - Distribution Line Extensions, and Rule 16 - Service Extensions.

"Following a Transitional Grace Period of 90 Days after the date SCE receives Commission approval of AL 2334-E-A, SCE will no longer accept requests under the Added Facilities provision of Rule 2, Section H, for underground distribution systems that call for specified pieces of electrical equipment to be installed in below-ground structures in circumstances where it is technically feasible to install the equipment above ground. For purposes of this provision, specified pieces of equipment include all primary voltage from 4 kV to 35 kV electrical distribution system equipment, including, but not limited to, transformers, switches and fuses, capacitors, and junction bars.

Where SCE has existing primary voltage distribution equipment installed in below-ground structures, the equipment will continue to be operated and maintained below ground. Should the existing below-ground equipment fail and result in an unplanned outage, service will be restored using below-ground equipment when replacement equipment is available. Where, however, existing below-ground equipment is installed on a customer's premises and is scheduled or required to be replaced in a planned process, such as a maintenance program or capacity upgrade, the replacement will be made on the customer's premises with similar, above-ground equipment, to the extent technically feasible.

"Technically feasible" refers to the availability of the required physical space, either readily available or through architectural design, that can be set aside to accommodate the required electrical distribution equipment necessary for SCE to serve the customer. The required space is defined by existing design standards within the operation and maintenance requirements that are in compliance with applicable safety codes and regulations such as CPUC General Order 128."

No cost information is required for this advice filing.

This advice filing will not increase any rate or charge, cause the withdrawal of service, or conflict with any other schedule or rule.

### **TIER DESIGNATION**

Pursuant to D.07-01-024, Energy Industry Rule 5.3(1), this advice letter is subject to Commission disposition and is submitted with a Tier 3 designation.

## **PROTESTS**

In accordance with General Order (GO) 96-B, Sections 1.3 and 7.5.1, SCE respectfully requests the Commission exercise its discretion under these rules and handle this filing expeditiously and that it not reopen the protest period. SCE makes this request because this supplemental Advice Letter merely limits what SCE previously proposed and because protests have already been filed on the previous, more expansive version.

## **EFFECTIVE DATE**

This advice filing will become effective upon review and approval by the Energy Division.

## **NOTICE**

In accordance with Section 4 of GO 96-B, SCE is serving copies of this advice filing to the interested parties shown on the attached GO 96-B and A.08-03-002 service lists. Address change requests to the GO 96-B service list should be directed by electronic mail to [AdviceTariffManager@sce.com](mailto:AdviceTariffManager@sce.com) or at (626) 302-4039. For changes to all other service lists, please contact the Commission's Process Office at (415) 703-2021 or by electronic mail at [Process\\_Office@cpuc.ca.gov](mailto:Process_Office@cpuc.ca.gov).

Further, in accordance with Public Utilities Code Section 491, notice to the public is hereby given by filing and keeping the advice filing at SCE's corporate headquarters. To view other SCE advice letters filed with the Commission, log on to SCE's web site at <http://www.sce.com/AboutSCE/Regulatory/adviceletters>.

For questions, please contact Lisa Vellanoweth at (626) 302-2021 or by electronic mail at [Lisa.Vellanoweth@sce.com](mailto:Lisa.Vellanoweth@sce.com).

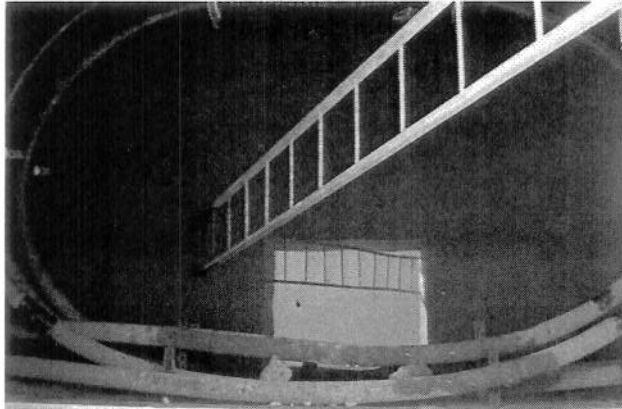
**Southern California Edison Company**

Akbar Jazayeri

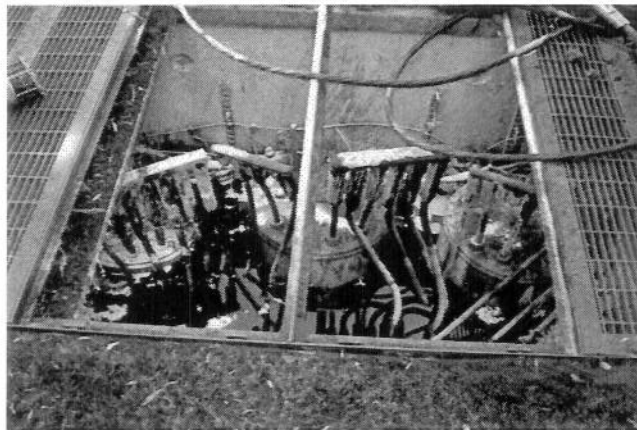
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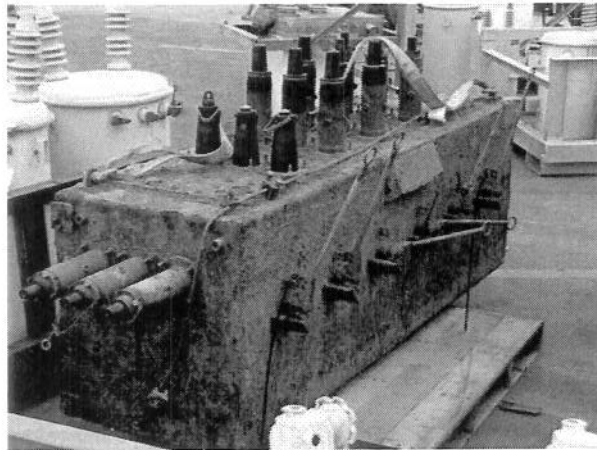
## Appendix A



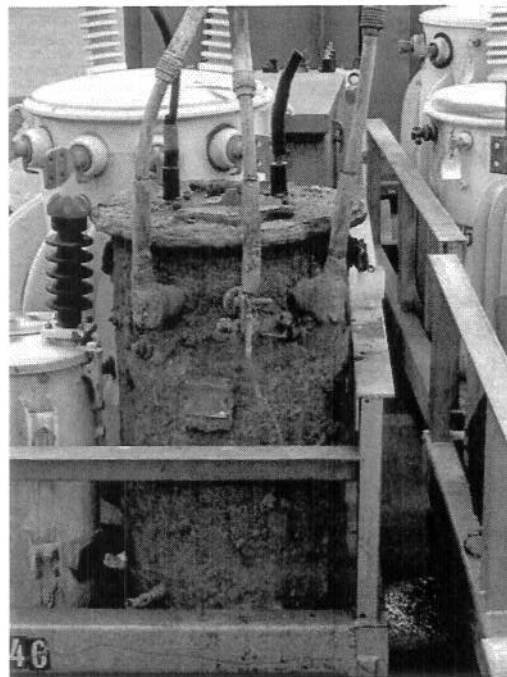
**Picture 1** - A vault with what appears to be muddy water and must be tested prior to evacuation, in cases of severely contaminated water, such as this, water needs to be pumped out via a vacuum truck and sent for proper disposal. This results in additional time and resources that must be committed before electrical crews can enter the structure to begin service restoration.



**Picture 2** - Example of contaminated water that will have to be evacuated and the structure power-washed before any work can be performed on the equipment.



**Picture 3** – An example of a switch installed in below-ground vault that failed due to prolonged submersion under water that accumulated in the underground structure.



**Picture 4** – Another example of a transformer that failed due to severe corrosion on the casing of the transformer. This transformer was installed in an underground structure that was also filled with run-off that collects various chemical and undesirable contaminants.

## Appendix B

Sample listing of the local governments and other stakeholder organizations that were briefed prior to this filing.

Adelanto	Fullerton	Orange County City Engineers
Aliso Viejo	Gateway Cities - PWO	Association (34 cities)
Alta Loma	Glendora	Orange County Public Works
Anaheim	Grand Terrace	Palm Desert
Apple Valley	Hemet	Palm Springs
Arcadia	Hesperia	Perris
Azusa	Highland	Pico Rivera
Baldwin Park	Huntington Beach	Placentia
Barstow	Indian Wells	Pomona
Beaumont	Industry	Rancho Cucamonga
BIA/SC Chapter	Irvine	Rancho Mirage
Blythe	Irvine Company	Rancho Santa Margarita
Bradbury	Irwindale	Redlands
Brea	La Habra	Rialto
Buena Park	La Habra Heights	Rowland Heights
Building Industry Association	La Mirada	San Bernardino
California BIA Quarterly Meeting -	La Palma	San Dimas
Public Utilities Working Group	La Puente	San Jacinto
Calimesa	La Verne	Santa Ana
Camarillo	Laguna Beach	Santa Fe Springs
Canyon Lake	Laguna Hills	Seal Beach
CBIA Quarterly Forum	Laguna Niguel	Shea Homes
(Consulting Companies &	Laguna Woods	Stanton
Builders	Lake Elsinore	Temecula
League of City Planners	Lake Forest	Temple City
Chino	League of Cities Public Works	The Great Parks Neighborhood
Claremont	Officers	The Irvine Company
Colton	Loma Linda	Town of Yucca Valley
Costa Mesa	Los Alamitos	Tustin
County of Orange	Menifee	Twentynine Palms
Covina	Mission Viejo	Upland
CPUC Consumer Protection and	Monrovia	Victorville
Safety Division	Montclair	Villa Park
CPUC Energy Division	Moreno Valley	Walnut
Cypress	Murrieta	West Covina
Diamond Bar	Newhall Land	Westminster
Downey	Newport Beach	Whittier
Duarte	Norwalk	Wildomar
Fontana	Ontario	Yucaipa
Fountain Valley	Orange	

# CALIFORNIA PUBLIC UTILITIES COMMISSION

## ADVICE LETTER FILING SUMMARY ENERGY UTILITY

MUST BE COMPLETED BY UTILITY (Attach additional pages as needed)

Company name/CPUC Utility No.: Southern California Edison Company (U 338-E)

Utility type:

ELC       GAS  
 PLC       HEAT       WATER

Contact Person: James Yee

Phone #: (626) 302-2509

E-mail: [James.Yee@sce.com](mailto:James.Yee@sce.com)

E-mail Disposition Notice to: [AdviceTariffManager@sce.com](mailto:AdviceTariffManager@sce.com)

EXPLANATION OF UTILITY TYPE

ELC = Electric      GAS = Gas  
 PLC = Pipeline      HEAT = Heat      WATER = Water

(Date Filed/ Received Stamp by CPUC)

Advice Letter (AL) #: 2334-E-A

Tier Designation: 3

Subject of AL: Rule Modifications to Accommodate Southern California Edison Company's Initiative to Install Above-Ground Equipment in SCE's Underground Distribution Systems Whenever Feasible

Keywords (choose from CPUC listing): Compliance

AL filing type:  Monthly  Quarterly  Annual  One-Time  Other \_\_\_\_\_

If AL filed in compliance with a Commission order, indicate relevant Decision/Resolution #:

Does AL replace a withdrawn or rejected AL? If so, identify the prior AL: \_\_\_\_\_

Summarize differences between the AL and the prior withdrawn or rejected AL<sup>1</sup>: \_\_\_\_\_

Confidential treatment requested?  Yes  No

If yes, specification of confidential information:

Confidential information will be made available to appropriate parties who execute a nondisclosure agreement.

Name and contact information to request nondisclosure agreement/access to confidential information:

Resolution Required?  Yes  No

Requested effective date: Upon Commission Approval

No. of tariff sheets: -23-

Estimated system annual revenue effect (%): \_\_\_\_\_

Estimated system average rate effect (%): \_\_\_\_\_

When rates are affected by AL, include attachment in AL showing average rate effects on customer classes (residential, small commercial, large C/I, agricultural, lighting).

Tariff schedules affected: Rule 2, Rule 15, Rule 16, and Table of Contents

Service affected and changes proposed<sup>1</sup>: \_\_\_\_\_

Pending advice letters that revise the same tariff sheets: \_\_\_\_\_

<sup>1</sup> Discuss in AL if more space is needed.

**Protests and all other correspondence regarding this AL are due no later than 20 days after the date of this filing, unless otherwise authorized by the Commission, and shall be sent to:**

CPUC, Energy Division  
Attention: Tariff Unit  
505 Van Ness Ave.,  
San Francisco, CA 94102  
[inj@cpuc.ca.gov](mailto:inj@cpuc.ca.gov) and [mas@cpuc.ca.gov](mailto:mas@cpuc.ca.gov)

Akbar Jazayeri  
Vice President of Regulatory Operations  
Southern California Edison Company  
2244 Walnut Grove Avenue  
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Bruce Foster  
Senior Vice President, Regulatory Affairs  
c/o Karyn Gansecki  
Southern California Edison Company  
601 Van Ness Avenue, Suite 2040  
San Francisco, California 94102  
Facsimile: (415) 673-1116  
E-mail: [Karyn.Gansecki@sce.com](mailto:Karyn.Gansecki@sce.com)

Cal. P.U.C. Sheet No.	Title of Sheet	Cancelling Cal. P.U.C. Sheet No.
Revised 44895-E Revised 44896-E	Rules 2 Rules 2	Revised 22937-E Revised 22937-E Revised 22938-E
Revised 44897-E Original 44898-E Revised 44899-E Revised 44900-E Revised 44901-E Revised 44902-E Revised 44903-E Revised 44904-E Revised 44905-E Revised 44906-E Revised 44907-E Revised 44908-E Revised 44909-E Revised 44910-E Revised 44911-E Revised 44912-E Revised 44913-E	Rules 15 Rules 15 Rules 15 Rules 15 Rules 15 Rules 15 Rules 15 Rules 15 Rules 15 Rules 15 Rules 15 Rules 15 Rules 15 Rules 15 Rules 15 Rules 15 Rules 15	Revised 24685-E* Revised 24685-E* Revised 24686-E Revised 45094-E Revised 27026-E Revised 27027-E Revised 27028-E Revised 45095-E Revised 28091-E Revised 33598-E Revised 33599-E Revised 33600-E Revised 33601-E Revised 45096-E Revised 43170-E* Revised 37283-E Revised 33605-E
Revised 44914-E Revised 44915-E	Rules 16 Rules 16	Revised 24705-E Revised 27144-E* Revised 24705-E
Revised 44916-E Revised 44917-E	Table of Contents Table of Contents	Revised 46706-E Revised 46713-E

Rule 2  
DESCRIPTION OF SERVICE

Sheet 12

(Continued)

H. Added Facilities. (Continued)

2. (Continued)

- d. Where SCE determines the collection of continuing monthly ownership charges is not practicable, the applicant will be required to make an equivalent one-time payment in lieu of the monthly ownership charges. The applicable payment options, if any, will be selected solely by SCE.
- e. All monthly ownership charges shall be reviewed and refiled with the Commission when changes occur in SCE's costs for providing such service. However, SCE will not refile if SCE's cost change is less than 10 basis points.

3. SCE shall not be liable for any loss, damage, or injury arising from SCE's installation, operation, maintenance, or control of the Added Facilities, unless such loss, damage, or injury results from SCE's sole negligence, and, in no event, shall SCE be liable for loss of profits, revenues, or other consequential damages. No adjustment shall be made to reduce the billings if damage to, or malfunction of the Added Facilities results from any cause other than the negligence or willful act of SCE.

4. Following a Transitional Grace Period of 90 Days after the date SCE receives Commission approval of AL 2334-E-A, SCE will no longer accept requests under the Added Facilities provision of Rule 2, Section H, for underground distribution systems that call for specified pieces of electrical equipment to be installed in below-ground structures in circumstances where it is technically feasible to install the equipment above ground. For purposes of this provision, specified pieces of equipment include all primary voltage from 4 kV to 35 kV electrical distribution system equipment, including, but not limited to, transformers, switches and fuses, capacitors, and junction bars.

Where SCE has existing primary voltage distribution equipment installed in below-ground structures, the equipment will continue to be operated and maintained below ground. Should the existing below-ground equipment fail and result in an unplanned outage, service will be restored using below-ground equipment when replacement equipment is available. Where, however, existing below-ground equipment is installed on a customer's premises and is scheduled or required to be replaced in a planned process, such as a maintenance program or capacity upgrade, the replacement will be made on the customer's premises with similar, above-ground equipment, to the extent technically feasible.

"Technically feasible" refers to the availability of the required physical space, either readily available or through architectural design, that can be set aside to accommodate the required electrical distribution equipment necessary for SCE to serve the customer. The required space is defined by existing design standards within the operation and maintenance requirements that are in compliance with applicable safety codes and regulations such as CPUC General Order 128.

(N)  
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Rule 2  
DESCRIPTION OF SERVICE

Sheet 13

(Continued)

- I. Welder Service. (L)
1. Rating of Welders. Electric welders will be rated for billing purposes as follows:
- a. Motor Generator Arc Welders. The horsepower rating of the motor driving a motor generator type arc welder will be taken as the horsepower rating of the welder.
  - b. Transformer Arc Welders. Nameplate maximum kVA input (at rated output amperes) will be taken as the rating of transformer type arc welders.
  - c. Resistance Welders. Resistance welder ratings will be determined by multiplying the welder transformer nameplate rating (at 50% duty cycle) by the appropriate factor listed below: (L)

<u>Type of Welder</u>	<u>Transformer Nameplate Rating @ 50% Duty Cycle</u>	<u>Factor</u>	
		<u>SCE-Owned Distrib. Transf.</u>	<u>Customer-Owned Distrib. Transf.</u>
Rocker Arm, Press or Projection Spot	20 kVA or less	.60	.50
Rocker Arm or Press Spot	Over 20 Kva		
Projection Spot	21 to 75 kVA, incl.	.80	.60
Flash or Butt	100 kVA or over		
Seam or Portable Gun	All sizes		
Flash or Butt	67 to 100 kVA, incl.	**	
Projection Spot	Over 75 kVA		
Flash or Butt	66 kVA or less	1.20	.90

\* Each flash or butt welder in this group will be rated at 80 kVA where distribution transformer is owned by SCE or 60 kVA where distribution transformer is owned by the customer.

- d. Ratings prescribed by a., b., and c., above, normally will be determined from nameplate data or from data supplied by the manufacturer. If such data are not available or are believed by either SCE or customer to be unreliable, the rating will be determined by test.
- e. If established by seals approved by SCE, the welder rating may be limited by the sealing of taps which provide capacity greater than the selected tap and/or by the interlocking lockout of one or more welders with other welders.
- f. When conversion of units is required for tariff application, 1 welder kVA will be taken as 1 horsepower for tariffs stated on a horsepower basis and 1 welder kVA will be taken as 1 kilowatt for tariffs stated on a kilowatt basis.

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Rule 15  
DISTRIBUTION LINE EXTENSIONS

Sheet 2

(Continued)

A. GENERAL. (Continued)

3. UNDERGROUND DISTRIBUTION LINE EXTENSIONS

a. UNDERGROUND REQUIRED. Underground Distribution Line Extensions shall be installed where required to comply with applicable laws and ordinances or similar requirements of governmental authorities having jurisdiction and where SCE maintains or desires to maintain underground distribution facilities. For example, underground Distribution Line Extensions are required for all new: (1) Residential Subdivisions (except as provided for in Section H), (2) Residential Developments, (3) Commercial Developments, (4) Industrial Developments, and (5) locations that are in proximity to and visible from designated Scenic Areas.

b. UNDERGROUND OPTIONAL. When requested by Applicant and agreed upon by SCE, underground Distribution Line Extensions may be installed in areas where it is not required, and it is technically feasible as provided in Section A.3.a.

c. Following a Transitional Grace Period of 90 Days after the date SCE receives Commission approval of AL 2334-E-A, SCE will no longer accept requests under the Added Facilities provision of Rule 2, Section H, for underground distribution systems that call for specified pieces of electrical equipment to be installed in below-ground structures in circumstances where it is technically feasible to install the equipment above ground. For purposes of this provision, specified pieces of equipment include all primary voltage from 4 kV to 35 kV electrical distribution system equipment, including, but not limited to, transformers, switches and fuses, capacitors, and junction bars.

Where SCE has existing primary voltage distribution equipment installed in below-ground structures, the equipment will continue to be operated and maintained below ground. Should the existing below-ground equipment fail and result in an unplanned outage, service will be restored using below-ground equipment when replacement equipment is available. Where, however, existing below-ground equipment is installed on a customer's premises and is scheduled or required to be replaced in a planned process, such as a maintenance program or capacity upgrade, the replacement will be made on the customer's premises with similar, above-ground equipment, to the extent technically feasible.

"Technically feasible" refers to the availability of the required physical space, either readily available or through architectural design, that can be set aside to accommodate the required electrical distribution equipment necessary for SCE to serve the customer. The required space is defined by existing design standards within the operation and maintenance requirements that are in compliance with applicable safety codes and regulations such as CPUC General Order 128.

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Rule 15  
DISTRIBUTION LINE EXTENSIONS

Sheet 3 (N)

(Continued)

A. GENERAL. (Continued)

(L)

- 4. OVERHEAD DISTRIBUTION LINE EXTENSIONS. Overhead Distribution Line Extensions may be installed only where underground extensions are not required as provided in Section A.3.a.
- 5. SPECIAL OR ADDED FACILITIES. Any special or added facilities SCE agrees to install at the request of Applicant will be installed at Applicant's expense in accordance with Rule 2, Description of Service.
- 6. TEMPORARY SERVICE. Facilities installed for temporary service or for operations of speculative character or questionable permanency shall be made in accordance with the fundamental installation and ownership provisions of this rule, except that all charges and refunds shall be made under the provisions of Rule 13, Temporary Service.
- 7. SERVICES. Service facilities connected to the Distribution Lines to serve an Applicant's premises will be installed, owned and maintained as provided in Rule 16, Service Extensions.
- 8. CONVERSIONS OF OVERHEAD TO UNDERGROUND. The replacement of existing overhead Distribution Lines with underground Distribution Lines will be made in accordance with Rule 20, Replacement of Overhead With Underground Electric Facilities.
- 9. STREET LIGHTS. Street lights and appurtenant facilities shall be installed in accordance with the service provisions of the applicable street light schedule.

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Rule 15  
DISTRIBUTION LINE EXTENSIONS

Sheet 4 (T)

(Continued)

A. GENERAL. (Continued)

10. **CONTRACTS.** Each Applicant requesting a Distribution Line Extension may be required to execute a written contract(s), prior to SCE performing its work on the Distribution Line Extension. Such contracts shall be in the form on file with the California Public Utilities Commission (Commission).

B. INSTALLATION RESPONSIBILITIES

1. UNDERGROUND DISTRIBUTION LINE EXTENSIONS

- a. **APPLICANT RESPONSIBILITY.** In accordance with SCE's design, specifications, and requirements, Applicant is responsible for:

- (1) **EXCAVATION.** All necessary trenching, backfilling, and other digging as required;
- (2) **SUBSTRUCTURES AND CONDUITS.** Furnishing, installing, and upon acceptance by SCE, conveying to SCE ownership of all necessary installed Substructures and Conduits, including Feeder Conduits and related Substructures required to extend to and within subdivisions and developments; and
- (3) **PROTECTIVE STRUCTURES.** Furnishing, installing, and upon acceptance by SCE, conveying to SCE ownership of all necessary Protective Structures.

- b. **SCE RESPONSIBILITY.** SCE is responsible for furnishing and installing cables, switches, transformers, and other distribution facilities required to complete the Distribution Line Extension.

2. **OVERHEAD DISTRIBUTION LINE EXTENSIONS.** SCE is responsible for furnishing and installing all facilities required for the Distribution Pole Line Extension.

3. INSTALLATION OPTIONS

- a. **SCE-PERFORMED WORK.** Where requested by Applicant and mutually agreed upon, SCE may perform that portion of the new Distribution Line Extension work normally installed by Applicant according to Section B.1.a., provided Applicant pays SCE its total estimated installed cost.
- b. **APPLICANT-PERFORMED WORK.** Applicant may elect to install that portion of the new Distribution Line Extension normally installed by SCE in accordance with SCE design and specifications, using qualified contractors. (See Section G, Applicant-Installation Options).

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Rule 15  
DISTRIBUTION LINE EXTENSIONS

Sheet 5 (T)

(Continued)

C. DISTRIBUTION LINE EXTENSION ALLOWANCES

1. GENERAL. SCE will complete a Distribution Line Extension without charge provided SCE's total estimated installed cost does not exceed the allowances from permanent, bona-fide loads to be served by the Distribution Line Extension within a reasonable time, as determined by SCE. The allowance will first be applied to the Service Extension in accordance with Rule 16. Any excess allowance will be applied to the Distribution Line Extension to which the Service Extension is connected.
  
2. BASIS OF ALLOWANCES. Allowances shall be granted to an Applicant for Permanent Service, or to an Applicant for a subdivision or development under the following conditions:
  - a. SCE is provided evidence that construction will proceed promptly and financing is adequate, and
  - b. Applicant has submitted evidence of building permit(s) or fully-executed home purchase contract(s) or lease agreement(s), or
  - c. Where there is equivalent evidence of occupancy or electric usage satisfactory to SCE.

The allowances in Sections C.3 and C.4 are based on a revenue-supported methodology using the following formula:

$$\text{ALLOWANCE} = \frac{\text{NET REVENUE}}{\text{COST OF SERVICE FACTOR}}$$

3. RESIDENTIAL ALLOWANCES. The allowance for Distribution Line Extensions, Service Extensions, or a combination thereof, for Permanent Residential Service is \$2,322 per meter or residential dwelling unit.
  
4. NON-RESIDENTIAL ALLOWANCES. The allowance for Distribution Line Extensions, or a combination thereof, for Permanent Non-Residential Service is determined by SCE using the formula in Section C.2.

Where the Distribution Line Extension will serve a combination of residential and non-residential meters, residential allowances will be added to non-residential allowances.

5. SEASONAL, INTERMITTENT, AND INSIGNIFICANT LOADS. When an Applicant requests service that requires a Distribution Line Extension to serve loads that are Seasonal or Intermittent, the allowance for such loads shall be determined using the formula in Section C.2. No allowance will be provided where service is used only for emergency purposes, or for Insignificant Loads.

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DISTRIBUTION LINE EXTENSIONS

Sheet 6 (T)

(Continued)

D. CONTRIBUTIONS OR ADVANCES BY APPLICANT

1. GENERAL. Contributions or Advances by an Applicant to SCE for the installation of a Distribution Line Extension to receive SCE service consists of such things as cash payments, the value of facilities deeded to SCE, and the value of Excavation performed by Applicant.
2. PROJECT-SPECIFIC COST ESTIMATES. SCE's total estimated installed cost will be based on a project-specific estimated cost.
3. CASH ADVANCE. A cash Advance will be required only if Applicant's excess allowance is less than SCE's total estimated installed cost to complete a Distribution Line Extension.
4. TAX. All contributions and Advances by Applicant are taxable and shall include an Income Tax Component of Contribution (ITCC) at the rate provided in the SCE's Preliminary Statement. ITCC will be either refundable or non-refundable in accordance with the corresponding contribution.
5. REFUNDABLE AND NON-REFUNDABLE AMOUNTS. Applicant shall contribute or Advance, before the start of SCE's construction, the following:
  - a. UNDERGROUND REFUNDABLE AMOUNT. Applicant's refundable amount is the portion of the SCE's total estimated installed cost, including ITCC, to complete the underground Distribution Line Extension (including transformers, and excluding Betterments) that exceeds the amount of Distribution Line Extension allowance determined in Section C for:

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DISTRIBUTION LINE EXTENSIONS

Sheet 7 (T)

(Continued)

D. CONTRIBUTIONS OR ADVANCES BY APPLICANT. (Continued)

5. REFUNDABLE AND NON-REFUNDABLE AMOUNTS. (Continued)

a. UNDERGROUND REFUNDABLE AMOUNT. (Continued)

(1) CABLING. The estimated installed cost of any necessary Cabling (including distribution transformers) installed by SCE to complete the underground Distribution Line Extension. This includes the cost of conversion of existing single-phase lines to three-phase lines, if required; plus

(2) SUBSTRUCTURES. SCE's estimated value of Substructures installed by Applicant and deeded to SCE as required.

b. OVERHEAD REFUNDABLE AMOUNT. Applicant's refundable amount is the portion of the SCE's total estimated installed cost, including ITCC, to complete the overhead Distribution Line Extension (including distribution transformers and excluding Betterments) that exceeds the amount of Distribution Line Extension allowance determined in Section C for:

(1) POLE LINE. All necessary facilities required for an overhead Distribution Pole Line Extension and, if required, the conversion of existing single-phase lines to three-phase lines; plus

(2) TRANSMISSION UNDERBUILDS. SCE's total estimated installed cost of the underbuild, where all or a portion of an overhead Distribution Line Extension is to be constructed on existing transmission poles of SCE.

c. NON-REFUNDABLE DISCOUNT OPTION. In lieu of contributing the refundable amount determined in Section D.5.a or D.5.b, Applicant has the option of contributing, on a non-refundable basis, fifty percent (50%) of such refundable amount; plus

d. OTHER NON-REFUNDABLE AMOUNTS. Applicant's non-refundable amount is SCE's estimated value of Excavation, Conduits, and Protective Structures required by SCE for the Distribution Line Extension under Section B.1.a.

6. JOINT APPLICANTS. The total contribution or Advance from a group of Applicants will be apportioned among the members of the group in such manner as they may mutually agree.

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DISTRIBUTION LINE EXTENSIONS

Sheet 8 (T)

(Continued)

D. CONTRIBUTIONS OR ADVANCES BY APPLICANT. (Continued)

7. PAYMENT ADJUSTMENTS

- a. **CONTRACT COMPLIANCE.** If, after six (6) months following the date SCE is first ready to serve residential loads for which allowances were granted, one (1) year for non-residential loads, Applicant fails to take service, or fails to use the service contracted for, Applicant shall pay to SCE an additional contribution or Advance, based on the allowances for the revenue actually generated.
- b. **EXCESS FACILITIES.** If the loads provided by Applicant(s) results in SCE having installed facilities which are in excess of those needed to serve the actual loads, and SCE elects to reduce such excess facilities, Applicant shall pay SCE its estimated total costs to remove, abandon, or replace the excess facilities, less the estimated salvage of any removed facilities.

E. REFUNDS

- 1. **GENERAL.** Refunds are based on the allowances and conditions in effect at the time the contract is signed. The allowance in excess of that needed for the Service Extension in accordance with Rule 16, will be refunded to the Distribution Line Extension to which the Service Extension is connected.
- 2. **TOTAL REFUNDABLE AMOUNT.** The total amount subject to refund is the sum of the refundable amounts made under Section D.5.
- 3. **REFUND PERIOD.** The total refundable amount is subject to refund for a period of ten (10) years after the Distribution Line Extension is first ready for service.
- 4. **RESIDENTIAL.** Refunds will be made on the basis of a new customer's Permanent Load which produces additional revenues to SCE. The refund will be deducted from the total refundable amount, and the remaining amount subject to refund represents that portion of the Distribution Line Extension cost not supported by revenues. (See Section E.11 for Series Refunding Provisions.)
- 5. **NON-RESIDENTIAL.** SCE shall be responsible to review Applicant's actual base annual revenue for the first three years from the date SCE is first ready to serve. Applicant shall be responsible for notifying SCE if new, permanent load is added the fourth through tenth year from the date SCE is first ready to serve. Such review shall determine if additional revenue supports any refunds to Applicant. (See Section E.11 for Series Refunding Provisions.)

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Rule 15  
DISTRIBUTION LINE EXTENSIONS

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(Continued)

E. REFUNDS. (Continued)

6. UNSUPPORTED DISTRIBUTION LINE EXTENSION COST. When any portion of a refundable amount has not qualified for a refund at the end of twelve (12) months from the date SCE is first ready to serve, Applicant will pay to SCE a Monthly Ownership Charge of 0.4% for administrative and general (A&G) expense, Franchise Fees and Uncollectibles (FF&U), ad valorem tax, insurance, and operations and maintenance (O&M) expense on the remaining refundable balance. Monthly ownership costs are in addition to the refundable amount and will normally be accumulated and deducted from refunds due to Applicant. This provision does not apply to individual residential Applicants. The Monthly Ownership Charge includes replacement for 60 years at no additional cost and is derived from the Customer-Financed With Replacement at Additional Cost Added Facilities rates determined in SCE's general rate case proceeding and/or periodic annual review.
7. REFUND TIMING. Refunds will be made without interest within ninety (90) days after the date of first service to new permanent loads, except that refunds may be accumulated to a \$50 minimum or the total refundable balance, if less than fifty dollars (\$50).
8. MAXIMUM REFUND. No refund shall be made in excess of the refundable amount nor after a period of ten (10) years from the date SCE is first ready to serve. Any unrefunded amount remaining at the end of the ten-year period shall become property of SCE.
9. PREVIOUS RULES. Refundable amounts contributed or Advanced under conditions of a rule previously in effect will be refunded in accordance with the provisions of such earlier rule.
10. JOINT APPLICANTS. When two (2) or more parties make joint contributions or Advances on the same Distribution Line Extension, refunds will be distributed to these parties in the same proportion as their individual contributions or Advances bear to the total refundable amount, or as they mutually agree.
11. SERIES OF DISTRIBUTION LINE EXTENSIONS. Where there is a series of Distribution Line Extensions, commencing with a Distribution Line Extension having an outstanding amount subject to refund, and each Distribution Line Extension is dependent on the previous Distribution Line Extension as a direct source of supply, a series refund will be made as follows:
  - a. Additional service connections supplied from a Distribution Line Extension on which there is a refundable amount will provide refunds first to the Distribution Line Extension to which they are connected; and
  - b. When the amount subject to refund on a Distribution Line Extension in a series is fully refunded, the excess refundable amount will provide refunds to the Distribution Line Extension having the oldest outstanding amount subject to refund in the series.

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DISTRIBUTION LINE EXTENSIONS

Sheet 10 (T)

(Continued)

F. APPLICANT DESIGN OPTION FOR NEW INSTALLATIONS.

COMPETITIVE BIDDING. When Applicant selects competitive bidding, the Distribution Line Extension may be designed by Applicant's qualified contractor or sub-contractor in accordance with SCE's design and construction standards. All Applicant Design work of electric facilities must be performed by or under the direction of a licensed professional engineer and all design work submitted to the utility must be certified by an appropriately licensed professional engineer, consistent with the applicable federal, state, and local codes and ordinances. The applicant design option is available to Applicant for new service and is not available for replacement, reinforcement, or relocation of existing systems, where there is no applicant for new line or service extension work. Under this option, the following applies:

1. Applicant shall notify SCE, in a manner acceptable to SCE.
2. Applicant designs shall conform to all applicable federal, state and local codes and ordinances for SCE installations design (such as, but not limited to the California Business and Professions Code).
3. SCE may require applicant designers to meet SCE's prequalification requirements prior to participating in applicant design.
4. Applicant designers shall obtain SCE design and construction standards and specifications prior to performing applicant design. SCE may charge for any of these services.
5. SCE will perform one plan check on each applicant design project at no expense to Applicant. SCE will perform all subsequent plan checks at Applicant's expense.
6. For designs performed by a non-SCE designer, SCE will credit Applicant with the amount of SCE's design bid less any appropriate charges such as for plan checking, changes, or revisions.
7. In the case of Applicant designed projects requiring an advance, SCE will apply the design credit to the Applicant's advance.
8. If no advance is required, SCE will refund/reimburse the Applicant for the cost of design after the Distribution Line Extension is first ready to serve.
9. SCE shall perform all SCE's project accounting and cost estimating.

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Rule 15  
DISTRIBUTION LINE EXTENSIONS

Sheet 11 (T)

(Continued)

G. APPLICANT INSTALLATION OPTIONS

1. COMPETITIVE BIDDING. Under Competitive Bidding, the Distribution Line Extension, that SCE would normally install, as stated in Section B.1.b, may be installed by the Applicant's qualified contractor or sub-contractor in accordance with SCE's design and specifications. Under this option, the following applies:
  - a. Upon completion of Applicant's installation, and acceptance by SCE, ownership of all such facilities will transfer to SCE.
  - b. Applicant shall provide to SCE, prior to SCE preparing the line extension contract, the Applicant's Contract Anticipated Costs, which are subject to refund, to perform the work normally provided by SCE. The Applicant shall submit, on a form provided by SCE (Form 14-754), a statement of such costs. If the Applicant elects not to provide such costs to SCE, the Applicant shall acknowledge its election on the form and SCE will use its estimated costs.
  - c. Applicant shall pay to SCE, subject to the refund and allowance provisions of Rules 15 and 16, SCE's estimated costs of work performed by SCE for the Distribution Line Extension, including the estimated costs of design, administration, and the installation of any additional facilities.
  - d. The lower of SCE's estimated refundable costs or the Applicant's Contract Anticipated Costs, as reported in G.1.b, for the work normally performed by SCE, shall be subject to the refund and allowance provisions of Rules 15 and 16.
  - e. Applicant shall pay to SCE the estimated cost of SCE's inspection which shall be a fixed amount, not subject to reconciliation. Such inspection costs may be subject to otherwise available allowances up to the difference between the Applicant's Contract Anticipated Costs, as reported in G.1.b, and SCE's estimated costs for performing the same work, but not to exceed SCE's estimated costs.

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DISTRIBUTION LINE EXTENSIONS

Sheet 12 (T)

(Continued)

G. APPLICANT INSTALLATION OPTIONS. (Continued)

1. COMPETITIVE BIDDING. (Continued)

f. Only duly authorized employees of SCE are allowed to connect to, disconnect from, or perform any work upon SCE's facilities.

2. MINIMUM CONTRACTOR QUALIFICATIONS. Applicant's contractor or subcontractor (QC/S) shall:

a. Be licensed in California for the appropriate type of work (electrical and general, etc.).

b. Employ workmen properly qualified for specific skills required (Qualified Electrical Worker, Qualified Person, etc.) as defined in State of California High Voltage Safety Orders (Title 8, Chapter 4, Subchapter 5, Group 2).

c. Comply with applicable laws (Equal Opportunity Regulations, OSHA, EPA, etc.)

3. OTHER CONTRACTOR QUALIFICATIONS. An Applicant for service who intends to employ a QC/S also should consider whether the QC/S:

a. Is technically competent.

b. Has access to proper equipment.

c. Demonstrates financial responsibility commensurate with the scope of the contract.

d. Has adequate insurance coverage (worker's compensation, liability, property damage, etc).

e. Is able to furnish a surety bond for performance of the contract, if required.

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DISTRIBUTION LINE EXTENSIONS

Sheet 13 (T)

(Continued)

H. OVERHEAD DISTRIBUTION LINE EXTENSIONS FOR SUBDIVISIONS OR DEVELOPMENTS

1. Overhead Distribution Line Extensions may be constructed in Residential Subdivisions or Developments only where either a. or b. below are found to exist:
  - a. The lots within the Residential Subdivision or Development existed as legally described parcels prior to May 5, 1970, and significant overhead lines exist within the subdivision or development.
  - b. The minimum parcel size within the new Residential Subdivision or real estate development, identifiable by a map filed with the local government authority, is three (3) acres and Applicant for the Distribution Line Extension shows that all of the following conditions exist:
    - (1) Local ordinances do not require underground construction;
    - (2) Local ordinances or land use policies do not permit further division of the parcels involved such that parcel sizes less than three (3) acres could be formed;
    - (3) Local ordinances or deed restrictions do not allow more than one single-family dwelling or accommodation on a parcel of less than three (3) acres, or any portion of a parcel of less than three (3) acres;
    - (4) Exceptional circumstances do not exist which, in SCE's opinion, warrant the installation of underground distribution facilities. Whenever SCE invokes this provision, the circumstances shall be described promptly in a letter to the Commission, with a copy to Applicant for the Distribution Line Extension; and
    - (5) SCE does not elect to install the Distribution Line Extension underground for its operating convenience. Whenever SCE elects to install the Distribution Line Extension underground for its operating convenience, the extra cost compared with overhead shall be borne by SCE.

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Rule 15  
DISTRIBUTION LINE EXTENSIONS

Sheet 14 (T)

(Continued)

I. SPECIAL CONDITIONS

1. FACILITY RELOCATION OR REARRANGEMENT. Any relocation or rearrangement of SCE's existing facilities, at the request of, or to meet the convenience of an Applicant or customer, and agreed upon by SCE, normally shall be performed by SCE. Where new facilities can be constructed in a separate location, before abandonment or removal of any existing facilities, and Applicant requests to perform the new construction work, it can be performed under the applicable provisions of Section G, Applicant Installation Options.

In all instances, SCE shall abandon or remove its existing facilities at the option of SCE. Applicant or customer shall be responsible for the costs of all related relocation, rearrangement and removal work.

2. PERIODIC REVIEW. SCE will periodically review the factors it uses to determine its residential allowances, non-refundable discount option percentage rate, and Cost of Service Factor stated in this rule. If such review results in a change of more than five percent (5%), SCE will submit a tariff revision proposal to the Commission for review and approval. Such proposed changes shall be submitted no sooner than six (6) months after the last revision.

Additionally, SCE shall review and submit proposed tariff revisions to implement relevant Commission decisions from other proceedings that affect this rule.

3. EXCEPTIONAL CASES. When the application of this rule appears impractical or unjust to either party or the ratepayers, SCE or Applicant may refer the matter to the Commission for a special ruling or for special condition(s), which may be mutually agreed upon.

(Continued)

(To be inserted by utility)

Advice 2334-E-A  
Decision \_\_\_\_\_

Issued by  
Akbar Jazayeri  
Vice President

(To be inserted by Cal. PUC)

Date Filed Mar 12, 2010  
Effective \_\_\_\_\_  
Resolution \_\_\_\_\_



Rule 15  
DISTRIBUTION LINE EXTENSIONS

Sheet 15 (T)

(Continued)

J. DEFINITIONS FOR RULE 15

**Advance:** Cash payment made to SCE prior to the initiation of any work done by SCE which is not covered by allowances.

**Applicant:** A person or agency requesting SCE to deliver/supply electric service.

**Applicant's Contract Anticipated Cost:** The cost estimate provided by the Applicant's contractor to the Applicant for performing the applicable refundable work, as stated on the Applicant's cost statement (Form 14-754), or in the case where the work is performed by the Applicant, the Applicant's own cost estimate on the signed form.

**Betterment:** Facilities installed by Applicant at the request of SCE in addition to those required under Section B.1.a.

**Cabling:** Conductors (including existing cable-in-conduit, connectors, switches, as required by SCE for primary, secondary, and service installations.

**Commercial Development:** Two (2) or more enterprises engaged in trade or the furnishing of services, (e.g., shopping centers, sales enterprises, business offices, professional offices, and educational or governmental complexes) and located on a single parcel or on two (2) or more contiguous parcels of land.

**Conduit:** Ducts, pipes or tubes of certain metals, plastics and other materials acceptable to SCE (including pull wires and concrete encasement where required) for the installation and protection of electric wires or cables.

**Contribution:** In-kind services and the value of all property conveyed to SCE at any time during SCE's work on an extension which is part of SCE's total estimated installed cost of its facilities, or cash payments not covered by Applicant's allowances.

**Cost of Service Factor:** The 16.68% Cost of Service Factor is comprised of capital and operations and maintenance (O&M) cost components including: rate of return, depreciation rates, administrative and general (A&G) expense, Franchise Fees and Uncollectibles (FF&U), ad valorem tax, insurance, Federal income tax, State income tax, operations and maintenance (O&M) expense and replacement for 60 years at no additional cost. The Factor is applied to the Net Revenue to determine SCE's investment in distribution facilities, and is derived from the SCE-Financed with Replacement at Additional Cost Added Facilities rates determined in SCE's general rate case proceeding and/or periodic annual review.

**Distribution Line Extension:** New distribution facilities of SCE that is a continuation of, or branch from, the nearest available existing permanent Distribution Line (including any facility rearrangements and relocations necessary to accommodate the Distribution Line Extension) to the point of connection of the last service. SCE's Distribution Line Extension includes transmission underbuilds and converting an existing single-phase line to three-phase in order to furnish three-phase service to an Applicant, but excludes service transformers, meters and services.

**Distribution Lines:** Overhead and underground facilities which are operated at distribution voltages, and which are designed to supply two (2) or more services.

**Distribution Trench Footage:** The total trench footage used for calculating cabling costs. It is determined by adding the total length of all new and existing trench for the installation of underground primary and secondary Distribution Lines designed to supply two (2) or more services (excluding service trench footage under Rule 16).

(Continued)

(To be inserted by utility)  
Advice 2334-E-A  
Decision \_\_\_\_\_

Issued by  
Akbar Jazayeri  
Vice President

(To be inserted by Cal. PUC)  
Date Filed Mar 12, 2010  
Effective \_\_\_\_\_  
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Rule 15  
DISTRIBUTION LINE EXTENSIONS

Sheet 16 (T)

(Continued)

J. DEFINITIONS FOR RULE 15 (Continued)

**Excavation:** All necessary trenching, backfilling, and other digging to install Distribution Line Extension facilities, including furnishing of any imported backfill material and disposal of spoil as required, surface repair and replacement, landscape repair and replacement.

**Feeder Conduit:** Conduit for such uses as part of a backbone system to provide for future anticipated load growth outside the subdivision involved, to provide for future anticipated load growth in the existing subdivision and the existing subdivisions in close proximity, to balance loads between substations, to interconnect the service to the subdivision with service to subsequent developments outside the subdivision, and to provide the flexibility and versatility of modifying or supplying emergency backup power to the area involved.

**Franchise Area:** Public streets, roads, highways, and other public ways and places where SCE has a legal right to occupy under franchise agreements with governmental bodies having jurisdiction.

**Industrial Development:** Two (2) or more enterprises engaged in a process which creates a product or changes material into another form or product and located on a single parcel or on two (2) or more contiguous parcels of land.

**Insignificant Loads:** Small operating loads such as gate openers, valve controls, clocks, timing devices, fire protection equipment, alarm devices, etc.

**Intermittent Loads:** Loads which, in the opinion of SCE, are subject to discontinuance for a time or at intervals.

**Monthly Ownership Charge:** The Monthly Ownership Charge as a percentage rate, is applied against the remaining refundable balance after twelve (12) months from the date SCE is first ready to serve. This charge recovers the cost of operating and maintaining customer-financed facilities that are not fully utilized. The applicable percentage is shown in this Rule, Section E.6. and includes administrative and general (A&G) expense, Franchise Fees and Uncollectibles (FF&U), ad valorem tax, insurance, operations and maintenance (O&M) expense, and replacement for 60 years at no additional cost.

**Net Revenue:** That portion of the total annual Distribution rate revenues that support SCE's Distribution Line and Service Extension costs for applicants requesting line and/or service extensions and excludes such items as Energy, Independent System Operator (ISO)-Controlled transmission, public purpose programs, revenue cycle services (RCS) costs, prorated baseline credit, and generation-related administrative and general (A&G) costs. For residential line extensions, the Net Revenue is calculated based on average residential distribution revenue per customer, calculated as the total residential distribution revenue divided by the total number of residential customers.

(Continued)

(To be inserted by utility)  
Advice 2334-E-A  
Decision \_\_\_\_\_

Issued by  
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Vice President

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Effective \_\_\_\_\_  
Resolution \_\_\_\_\_



Rule 15  
DISTRIBUTION LINE EXTENSIONS

(Continued)

J. DEFINITIONS FOR RULE 15 (Continued)

**Permanent Service:** Service which, in the opinion of SCE, is of a permanent and established character. This may be continuous, intermittent, or seasonal in nature.

**Pole Line:** Poles, cross-arms, insulators, conductors, switches, guy-wires, and other related equipment used in the construction of an electric overhead line.

**Protective Structures:** Fences, retaining walls (in lieu of grading), sound barriers, posts, or barricades and other structures as required by SCE to protect distribution equipment.

**Residential Development:** Five (5) or more dwelling units in two (2) or more buildings located on a single parcel of land.

**Residential Subdivision:** An area of five (5) or more lots for residential dwelling units which may be identified by filed subdivision plans or an area in which a group of dwellings may be constructed about the same time, either by a builder or several builders working on a coordinated basis.

**Seasonal Service:** Electric service to establishments which are occupied seasonally or intermittently, such as seasonal resorts, cottages, or other part-time establishments.

**Scenic Areas:** An area such as a scenic highway, a state or national park or other area determined by a governmental agency to be of unusual scenic interest to the general public. Scenic highways are officially designated under the California Scenic Highway Program established pursuant to Paragraph 320 of the Public Utilities Code and applicable sections of the Streets and Highway Code. State or national parks or other areas of unusual scenic interest to the general public are determined by the appropriate governmental agency. "In proximity to" shall mean within 1,000 feet from each edge of the right-of-way of designated scenic highways and from the boundaries of designated parks and scenic areas. "Visible from" shall mean that overhead distribution facilities could be seen by motorists or pedestrians traveling along scenic highways or visiting parks or scenic areas.

(Continued)

(To be inserted by utility)  
Advice 2334-E-A  
Decision \_\_\_\_\_

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Rule 15  
DISTRIBUTION LINE EXTENSIONS

Sheet 18 (T)

(Continued)

J. DEFINITIONS FOR RULE 15. (Continued)

**Substructures:** The surface and subsurface structures which are necessary to contain or support SCE's electric facilities. This includes, but is not limited to, such things as splice boxes, pull boxes, equipment vaults and enclosures, foundations or pads for surface-mounted equipment.

**Trenching:** See Excavation.

(To be inserted by utility)  
Advice 2334-E-A  
Decision \_\_\_\_\_

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Vice President

(To be inserted by Cal. PUC)  
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Resolution \_\_\_\_\_

Rule 16  
SERVICE EXTENSIONS

Sheet 6

(Continued)

C. Service Extensions. (Continued)

3. Underground Installations. (Continued)

b. Underground Optional. An underground Service Extension may be installed in an area where it is not otherwise required and when requested by Applicant and agreed upon by SCE.

c. Following a Transitional Grace Period of 90 Days after the date SCE receives Commission approval of AL 2334-E-A, SCE will no longer accept requests under the Added Facilities provision of Rule 2, Section H, for underground distribution systems that call for specified pieces of electrical equipment to be installed in below-ground structures in circumstances where it is technically feasible to install the equipment above ground. For purposes of this provision, specified pieces of equipment include all primary voltage from 4 kV to 35 kV electrical distribution system equipment, including, but not limited to, transformers, switches and fuses, capacitors, and junction bars.

(N)

Where SCE has existing primary voltage distribution equipment installed in below-ground structures, the equipment will continue to be operated and maintained below ground. Should the existing below-ground equipment fail and result in an unplanned outage, service will be restored using below-ground equipment when replacement equipment is available. Where, however, existing below-ground equipment is installed on a customer's premises and is scheduled or required to be replaced in a planned process, such as a maintenance program or capacity upgrade, the replacement will be made on the customer's premises with similar, above-ground equipment, to the extent technically feasible.

"Technically feasible" refers to the availability of the required physical space, either readily available or through architectural design, that can be set aside to accommodate the required electrical distribution equipment necessary for SCE to serve the customer. The required space is defined by existing design standards within the operation and maintenance requirements that are in compliance with applicable safety codes and regulations such as CPUC General Order 128.

(N)

4. Overhead Installations. Overhead Service Extensions are permitted except under the circumstances specified in section C.3.a above.

5. Unusual Site Conditions. In cases where Applicant's building is located a considerable distance from the available Distribution Line or where there is an obstruction or other deterrent obstacle or hazard such as plowed land, ditches, or inaccessible security areas between SCE's Distribution Line and Applicant's building or facility to be served that would prevent SCE from prudently installing, owning, and maintaining its Service Facilities, SCE may at its discretion, waive the normal Service Delivery Point location. In such cases, the Service Delivery Point will be at such other location on Applicant's property as may be mutually agreed upon; or, alternatively, the Service Delivery Point may be located at or near Applicant's property line as close as practical to the available Distribution Line.

(L)

(Continued)

(To be inserted by utility)

Advice 2334-E-A  
Decision \_\_\_\_\_

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Resolution \_\_\_\_\_



Southern California Edison  
 Rosemead, California (U 338-E)

Revised Cal. PUC Sheet No. 44915-E  
 Cancelling Revised Cal. PUC Sheet No. 27144-E\*  
 24705-E

Rule 16  
SERVICE EXTENSIONS

Sheet 7

(Continued)

(Continued)

(To be inserted by utility)  
 Advice 2334-E-A  
 Decision \_\_\_\_\_

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(To be inserted by utility)

Advice 2334-E-A  
 Decision \_\_\_\_\_

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Vice President

(To be inserted by Cal. PUC)

Date Filed Mar 12, 2010  
 Effective \_\_\_\_\_  
 Resolution \_\_\_\_\_

Sheehan, Lari

7 of  
1/12/10

Final report

**From:** Lichtenberg, Karen [Klichtenberg@counsel.lacounty.gov]  
**Sent:** Monday, March 15, 2010 10:55 AM  
**To:** 'Saltsman, Ben'; Cruz, Rosa L.; 'Takiguchi, Ron'  
**Cc:** Sheehan, Lari; Novak, Paul  
**Subject:** RE: AGE - Revision to our redline  
**Attachments:** SCE Letter.pdf

The changes made by SCE were not substantive. In the attachment I have identified where the new wording is located and a couple of minor typo errors.

Karen A. Lichtenberg  
Assistant County Counsel  
500 West Temple Street  
Room 651  
Los Angeles, California 90012  
PH: 213.974.1881  
FAX: 213.687.7337  
klichtenberg@counsel.lacounty.gov

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-----Original Message-----

**From:** Saltsman, Ben [mailto:BSaltsman@bos.lacounty.gov]  
**Sent:** Wednesday, March 10, 2010 10:16 AM  
**To:** Lichtenberg, Karen; Cruz, Rosa L.; 'Takiguchi, Ron'  
**Cc:** Lari Sheehan; Novak, Paul  
**Subject:** FW: AGE - Revision to our redline

All,

Attached is revised language relating to the PUC's proposed rule change regarding Edison's request to ban the installation of most new underground electrical equipment. After receiving the County's communication, as well as receiving Edison's modified proposal (which was modified in accordance with the changes the Board requested), PUC staff sent out a revised draft of their resolution that largely ignored the changes the County and Edison had requested. Fortunately, in response to follow-up discussions from Edison, the Supervisor's office, and other local governments, the PUC withdrew that first unacceptable draft and invited Edison to re-file an Advice Letter which (in theory) would reflect the changes agreed upon with the county.

The attached document is Edison's revised draft. I would appreciate it if you would review this document within the next couple of days to ensure that it truly does match the substance of the language that the County sent to the PUC in January. If it does not, I can communicate

our requested changes to Edison in an effort to avoid having the County oppose the revised Edison Advice Letter / PUC rule change.

Thanks and let me know if you have any questions.

Ben

-----Original Message-----

From: David.Vaniderstine@sce.com [mailto:David.Vaniderstine@sce.com]

Sent: Tuesday, March 09, 2010 5:05 PM

To: Saltsman, Ben; Laurie Newman, WSCCOG

Subject: AGE - Revision to our redline

Ben & Laurie,

Good afternoon. Further to our phone call of last week, SCE is expected to file a Supplemental Advice Letter, one that essentially redlines out of the request that which we are redlining out of the Findings/Conclusions and Ordering Paragraphs. That we can do, no problem. As you know, we received from Werner Blumer of the Energy Division some feedback and a red-redline of what we had agreed to back in January. We have had conversations with the Energy Division staff since then, in order to understand their thinking and concerns, and, we hope, putting at least some of those concerns to rest.

The conversations, though, did suggest to us that staff's focus was somewhat different from ours. For one thing, they thought the explanation we offered in the old Finding 10 as to why the scope of the Resolution was being cut back should be replaced with something more direct.

Therefore, attached for your consideration is a revision to our January redline. In it, we try to address staff's concerns while remaining true to the spirit of what we agreed to back in January. (I also took the opportunity to resequence some of the CPUC's paragraphs to provide for what I hope is a more logical flow, at least more logical given the reduced scope.) We will not send this to the CPUC until we have the chance to speak with you.

What I would appreciate knowing, certainly from Ben, is if this revision is viewed by the County as sufficiently consistent with the settled January language that the County's position would not change, and that another Board vote is not needed until the CPUC formally issues a revised Draft Resolution, at which time the County would vote a position on it. If you think more or different is needed, please let me know. I would like to be able to represent to the greatest extent possible what your thinking is before we send anything up.

Laurie, I understand the WSCCOG will not be able to take action on any new language until it meets on March 18. I think we have to get something to the CPUC before then, however, so any kind of preliminary feedback would be appreciated.

In any event, please call me with your thoughts and feedback once you've had a chance to review this. I will be out of the office through lunch tomorrow, but can be reached by email or on my cell (310) 904-9233. Since I will actually be on the Westside, I may end up not making the schlep back to Rosemead, in which case I will continue to be reachable by cell and email for the rest of the day.

Thank you for your patience on this.

(See attached file: AGE-Redline of Findings and Ordering Paragraph\_3-9-10.DOC)

David E. Van Iderstine  
Director of Local Governmental Affairs  
Local Public Affairs  
Southern California Edison Company  
(626) 302-3121 or PAX 23121



## FINDINGS AND CONCLUSIONS

1. SCE's standard Equipment installations that are paid for in rates are above ground.
2. Currently, when applicants request new service, SCE's installs installation for the distribution system Equipment needed, such as transformers, switches, capacitors, and junction bars (Equipment), is above-ground, not underground.
3. Rules 2, 15 and 16 allow applicants the option, at extra cost, to have distribution Equipment installed underground.
4. Over the last two years less than 20% of new SCE distribution system Equipment was requested installed underground, and other California utilities have already discontinued the Applicant option of installing Equipment underground.
5. *New* In AL 2334, SCE seeks approval to delete the Applicant underground option, where above-ground installation is technically feasible, in order to make its Equipment more accessible for installation, maintenance and repair, and safer for employees.
6. SCE proposes that, when its existing underground Equipment is part of a planned maintenance program or capacity upgrade it would be relocated on pads above ground to the extent technically feasible.
7. "Technically feasible" means that enough space is, or can be made, available above ground for the electrical distribution Equipment needed for SCE to serve customers.
- 8.6. Whether to allow for below-ground Equipment designs or above-ground Equipment designs is within the Commission's exclusive jurisdiction.
9. When relocating existing Equipment, SCE states it would comply with city mandates in matters of health, public safety, and convenience and with any state law of "equal dignity" to the PU Code, and federal laws, e.g. ADA.
7. Following the Commission's issuance of the first Draft Resolution on AL 2334, the Commission received comments thereon, as well as other communications from interested parties. The Commission encouraged SCE to address those comments and concerns, and sponsored a workshop at its Los Angeles offices on November 13, 2009 for this purpose. Following that workshop and additional communications among interested parties that followed it, SCE has submitted Supplemental Advice Letter 2334-x-x (Supplemental Filing). That Supplemental filing reduces the scope of the approval SCE requests. Therefore, the Commission will only address in this Resolution: (1) new construction situations, (2) circumstances in which capacity upgrades, conversions, and relocations are required due to customer-driven renovations of existing structures, or other building activities resulting in a change of use or occupancy as defined in state or local law, and (3) situations in which above-ground retrofit into the public right-of-way of equipment previously installed underground is technically feasible and is agreed to by the local authority and SCE on a case-by-case basis. *New*
8. "Technically feasible" means that enough space is, or can be made, available above or below ground (as the circumstance suggests) for the electrical distribution Equipment needed for SCE to serve customers, and that other factors such as the obtaining of required permits are met. The required space *New*

*word inadvertently deleted*

is defined by existing design standards within the operation and maintenance requirements that are in compliance with applicable safety codes and regulations such as the Commission's General Orders 95 and 128.

10. Equipment installed above ground will be either a new connection at customer request, or existing underground Equipment being moved above ground by SCE for better accessibility and employee safety.

11.9. For a new connection or a capacity upgrade such as described in Finding 7, the customer must provide a private easement for the Equipment above ground at no cost to SCE, ratepayers, or taxpayers, in accordance with SCE's Commission-approved tariffs (e.g., Rule 15 or Rule 16), unless the local authority authorizes placement of the Equipment in the above-ground public right-of-way. Where the existing or required new facilities would primarily serve a single Applicant or developer as defined in SCE's tariff Rules 2, 15 or 16, the Applicant or customer must provide a private easement on its property, unless the local authority authorizes placement of the Equipment in the above-ground public right-of-way.

*New*

12. For existing underground Equipment being moved by SCE can obtain the easement at a reasonable cost using ratepayer funds.

13. "Reasonable cost" should mean that the total cost of above-ground Equipment, including easement acquisition and aesthetic surface improvement and maintenance costs, is not to exceed the total cost of accommodating the new or larger Equipment underground.

14.10. The party responsible for the cost of Equipment or its relocation will also be responsible for SCE shall be responsible for the mitigation of graffiti on equipment installed in the above-ground public right-of-way, but not for the cost of such abatement or the maintenance of customer-requested aesthetic mitigation measures. SCE shall, absent inclement weather or other exigent circumstances, respond within 48 hours (two business days) to graffiti abatement requests relating to equipment installed in the above-ground public right-of-way or the cost of ongoing maintenance of aesthetic surface improvements.

*New here but previously in "Order"*

11. When relocating existing Equipment to above ground, SCE states it would comply with local jurisdictional mandates in matters of health, public safety, welfare and convenience if those regulations do not directly or effectively require the Equipment to be located underground or otherwise conflict with the design standards contained in SCE's Distribution Design Manual and similar documents, and also would comply with any state law of "equal dignity" to the PU Code, and federal laws, e.g., the Americans with Disabilities Act (ADA).

12. Local laws and ordinances may apply similar aesthetic conditions, maintenance and location requirements (e.g., setbacks, screening requirements, etc.) to Equipment on private property if those conditions and requirements do not directly or effectively prevent Equipment from being located above-ground or otherwise conflict with design standards contained in SCE's Distribution Design Manual or similar documents.

13. The options made available by SCE to customers for aesthetic surface improvements to Equipment are subject to local laws and ordinances for

similarly sized equipment serving public convenience and necessity in the public ROW.

- ~~14.~~ Local laws and ordinances may apply similar conditions to Equipment on private property.
- ~~15.~~ When the reasonable cost test cannot be met, Equipment relocated by SCE from underground to above ground pad mount should be installed in the public ROW per franchise agreements.
- ~~18-13.~~ It is not useful or practical to conclusively define all Equipment because the future needs of the distribution system require flexibility.
- ~~19-14.~~ This AL was initially suspended for 150 days after filing and a transition period of at least 90 days will follow approval.
- ~~20-15.~~ Current undergrounding conversion projects Developers and others have had over 6 months' notice of the possible need to accommodate new above-ground requirements.
- ~~21-16.~~ Individual undergrounding conversion projects under Rule 20-C have a clear effective start date to establish whether they were signed before or after the date barring underground Equipment.
- ~~22-17.~~ Larger ratepayer-funded or supported undergrounding conversion projects under Rule 20-A or 20-B may have more complex schedules making it unclear when the changes adopted in this Resolution apply to them.
- ~~23-18.~~ SCE should define the triggering event within the schedule of undergrounding conversion projects after which Equipment may no longer be installed underground.
19. Nothing in this Resolution is intended to alter the balance of jurisdiction as between the Commission and other governing authorities, or the terms of any franchise agreement, with respect to the matters dealt with herein.
20. Local governments have a unique obligation as stewards of the public right-of-way, both above- and below-ground, and unique responsibilities and prerogatives in matters of land use planning. SCE states that it will continue to respect those roles as it cooperates with local governments, as it does with customers, in providing electric service to public projects.

#### **THEREFORE IT IS ORDERED THAT:**

1. This Resolution is effective solely as to SCE and solely as to the circumstances identified in Finding and Conclusion 7 of this Resolution.
- ~~2.~~ SCE shall file a supplemental Advice Letter AL 2334-E-A within 45 days to modify ~~r~~Rules 2, 15, and 16, where applicable, to comply with Ordering Paragraphs ~~23~~ through ~~68~~.
- ~~2.~~ SCE shall define in its tariffs that the total project cost of moving existing underground Equipment above ground, including easement and aesthetic surface improvement costs, is reasonable if it does not exceed the cost of safely maintaining or upgrading the Equipment underground.
3. SCE shall amend Rules 2, 15, and 16, where applicable to state:  
In plans for service submitted to SCE on or after SCE's aesthetic surface improvement options for above ground Equipment will not override local laws and ordinances applicable to similarly sized facilities of public convenience and necessity (e.g. traffic controls, telecommunication

equipment, mail boxes, hydrants, waste receptacles. [a date 90 days after the effective date of this Resolution], it shall be the responsibility of the Applicant to provide for the above-ground installation of Equipment that will serve the Applicant. The installation of new Equipment shall comply with local laws and ordinances to the extent the same do not directly or effectively require the Equipment to be located underground or otherwise conflict with design standards contained in SCE's Distribution Design Manual or similar documents.]

4. The Applicant's design and installation of such above-ground Equipment shall comply with the typical installations depicted in SCE's Above-Ground Equipment Aesthetics Improvement Manual and SCE's Distribution Design Manual, as well as other local agency land use law to the extent the same would not directly or effectively require the Equipment to be located underground.

5. When modifying existing Equipment installed in the above-ground public right-of-way (ROW), SCE shall comply with local ordinances respecting matters of public health and safety, welfare and convenience, to the extent the same are of general applicability to other utility or public works structures or equipment, regardless of ownership, installed in the public right-of-way, do not directly or effectively require the Equipment to be located underground or otherwise conflict with the design standards contained in SCE's Distribution Design Manual and similar documents.

4.SCE shall include in Rules 2, 15 and 16, where applicable:

6. The party responsible for the cost of Equipment or its relocation will also be responsible for the cost of aesthetic surface improvements of above ground Equipment and its ongoing maintenance abating graffiti on equipment.

Installed in the above-ground public right-of-way but not for the cost of maintenance of customer-selected aesthetic mitigation options. SCE will respond within 48 hours (two business days) to requests for graffiti abatement maintenance of such surface improvements in the public ROW, absent inclement weather or other exigent circumstances.

5-7. SCE shall define in its tariffs and forms the triggering event within ongoing undergrounding project schedules that starts the transition period of 90 days, after which Equipment may no longer be installed underground.

6-8. Using consistent terminology, SCE shall also define when inactive projects will be terminated.

7-9. SCE shall incorporate OP 5-7 and 6-8 after consultation with the BIA.

This resolution is effective today.

**Sheehan, Lari**

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**From:** Jack Brumfield [jackb@pinnacleadvisors.net]  
**Sent:** Tuesday, January 19, 2010 4:37 PM  
**To:** 'Novak, Paul'; 'Villegas, Teresa'; 'Katona, Karly'; 'Rosenfeld, Dan'; 'Ben Saltsman'; 'Pedersen, Curt'; 'Moore, Julie'; Fujioka, William T; Sheehan, Lari; 'Weiss, Richard'; 'Hickling, Norm'  
**Cc:** 'Jack Brumfield'; David.A.Ford@sce.com; Catherine.Hart@sce.com  
**Subject:** Edison/TRTP Advice Letter Filed with CPUC  
**Attachments:** Advice Letter-2424-E (Part 1 of 1).pdf

**Importance:** High

Edison filed the attached Advice Letter with the CPUC this afternoon, per our discussion/commitment to do so last Friday afternoon. As you will note, the Advice Letter also includes Edison's Letter of Commitment to the County. Formal hard copies are also being sent to the County and Acton Town Council.

Please feel free to contact me if you have any questions. Thank you.

Jack

---

January 19, 2010

**ADVICE 2424-E  
(U 338-E)**

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA  
ENERGY DIVISION

**SUBJECT:** Submission of Information in Accordance With Ordering  
Paragraph 7 of Decision 09-12-044

**PURPOSE**

The purpose of this advice letter filing is to provide information to the California Public Utilities Commission (Commission), pursuant to Ordering Paragraph (OP) 7 of Decision (D.) 09-12-044.

**BACKGROUND**

Southern California Edison Company (SCE) filed Application (A.) 07-06-031 on June 29, 2007 requesting a Certificate of Public Convenience and Necessity (CPCN) for authority to construct segments 4 through 11 of the Tehachapi Renewable Transmission Project (Tehachapi Project). In D.09-12-044 SCE was granted a CPCN to construct the Tehachapi Project. The Project is designed to provide access to up to 4,500 megawatts (MW) of renewable generation, primarily wind energy, and deliver it to load in Los Angeles and San Bernardino counties. SCE is committing to work with the County of Los Angeles and appropriate County officials, the Acton Town Council, and other community organizations in the construction of the approved Tehachapi Project. OP 7 of D.09-12-044 directs SCE to meet with the Acton Town Council to identify reasonable measures consistent with state law and the Commission orders addressing issues of residential access, equestrian trails and improper structures on existing right of way, and file an advice letter setting forth the measures taken to address these issues

On January 15, 2010, SCE sent a letter to the 5<sup>th</sup> District Los Angeles County Supervisor (Attachment A) describing in detail the key commitments made between SCE, the County and Acton Town Council. The key commitments are as follows:

- Resident Access at Vincent Substation Site
- Equestrian Trail at Vincent Substation Site
- Edison Tower Designs/Construction
- Vincent Substation Area Right-of-Way/Segment 6 and 11
- Billboard on Edison Right-of-Way
- Vincent Substation Work
- Project-Related Helicopter Construction Activities
- Angeles National Forest Geotech/Preliminary Project Engineering Work
- Regular Project Update Meetings between Edison, the County and Acton Town Council

SCE is providing this letter to the Commission pursuant to the requirements set forth in OP 7 of D.09-12-044. As other measures are taken, SCE will file additional advice letters to inform the Commission of those measures in compliance with D.09-12-044.

No cost information is required for this advice filing.

This advice filing will not increase any rate or charge, cause the withdrawal of service, or conflict with any other schedule or rule.

#### **TIER DESIGNATION**

Pursuant to General Order (GO) 96-B, Energy Industry Rule 5.1, this advice letter is submitted with a Tier 1 designation.

#### **EFFECTIVE DATE**

This advice filing will become effective on January 19, 2010, the same day as filed.

#### **NOTICE**

Anyone wishing to protest this advice filing may do so by letter via U.S. Mail, facsimile, or electronically, any of which must be received no later than 20 days after the date of this advice filing. Protests should be mailed to:

CPUC, Energy Division  
Attention: Tariff Unit  
505 Van Ness Avenue  
San Francisco, California 94102  
E-mail: [inj@cpuc.ca.gov](mailto:inj@cpuc.ca.gov) and [mas@cpuc.ca.gov](mailto:mas@cpuc.ca.gov)

Copies should also be mailed to the attention of the Director, Energy Division, Room 4004 (same address above).

In addition, protests and all other correspondence regarding this advice letter should also be sent by letter and transmitted via facsimile or electronically to the attention of:

Akbar Jazayeri  
Vice President of Regulatory Operations  
Southern California Edison Company  
2244 Walnut Grove Avenue  
Rosemead, California 91770  
Facsimile: (626) 302-4829  
E-mail: [AdviceTariffManager@sce.com](mailto:AdviceTariffManager@sce.com)

Bruce Foster  
Senior Vice President, Regulatory Affairs  
c/o Karyn Gansecki  
Southern California Edison Company  
601 Van Ness Avenue, Suite 2040  
San Francisco, California 94102  
Facsimile: (415) 929-5540  
E-mail: [Karyn.Gansecki@sce.com](mailto:Karyn.Gansecki@sce.com)

There are no restrictions on who may file a protest, but the protest shall set forth specifically the grounds upon which it is based and shall be submitted expeditiously.

In accordance with Section 4 of GO 96-B, SCE is serving copies of this advice filing to the interested parties shown on the attached GO 96-B service list and A.07-06-031 service lists. Address change requests to the GO 96-B service list should be directed by electronic mail to [AdviceTariffManager@sce.com](mailto:AdviceTariffManager@sce.com) or at (626) 302-4039. For changes to all other service lists, please contact the Commission's Process Office at (415) 703-2021 or by electronic mail at [Process\\_Office@cpuc.ca.gov](mailto:Process_Office@cpuc.ca.gov).

Further, in accordance with Public Utilities Code Section 491, notice to the public is hereby given by filing and keeping the advice filing at SCE's corporate headquarters. To view other SCE advice letters filed with the Commission, log on to SCE's web site at <http://www.sce.com/AboutSCE/Regulatory/adviceletters>.



For questions, please contact Susan Nelson at (626) 302-8128 or by electronic mail at [susan.nelson@sce.com](mailto:susan.nelson@sce.com).

**Southern California Edison Company**

Akbar Jazayeri

AJ:sn:jm  
Enclosures

January 15, 2010

Honorable Michael D. Antonovich  
County Supervisor, 5<sup>th</sup> District  
Room 869, Hahn Hall of Administration  
500 W. Temple Street  
Los Angeles, CA 90012

Subject: Edison Letter of Commitment – Update

Dear Supervisor Antonovich:

On behalf of Southern California Edison Company (Edison), I am writing to express our continued commitment to working with the County of Los Angeles, including your office and other appropriate County officials and departments, as well as with the Acton Town Council and other community organizations and local residents as we move forward with construction of the approved Tehachapi Renewable Transmission Project (Tehachapi Project).

We appreciate the wide recognition of the Tehachapi Project's importance to meeting the state's renewable energy goals and enhancing the reliability of our operating system to serve the growing needs of our customers. Given the Project's large scale, Edison also recognizes the importance of on-going communication, coordination and working closely together with the County, Acton Town Council and other community organizations and local residents.

As you likely know, Edison participated in meetings last week with representatives from your office, County CEO, and County Counsel, along with representatives from the Acton Town Council, Leona Valley Town Council and others, to address Project-related items of interest and concern. Based on these discussions, there are a number of project-related activities that Edison is committed to working on with your office and County Departments, Acton Town Council and local residents. The key commitment items are described below.

In addition, in the spirit of providing an additional level of assurance as we work together to address these key commitment items, Edison will submit an Advice Letter to the CPUC outlining its commitment to work with the County and Town Council on the items below, and attaching a copy of this letter to that filing. Such a filing, along with subsequent update reports on our progress as appropriate, is consistent with the CPUC's Ordering Paragraph 7 in its project approval, which directed Edison to work with the Town Council on such matters. We will provide you with a copy of the Advice Letter being filed.

#### **Key Items of Commitment between Edison, the County and Acton Town Council**

##### **Resident Access at Vincent Substation Site:**

- Edison commits to continued road access for local residents on the portion of Rockyford Road on Edison property; Edison, County and Acton Town Council representatives will confer to identify acceptable/appropriate/applicable road standard.
- Edison commits to continued road access for local residents from Angeles Forest Hwy west along Rockyford Road to Foreston Drive during Substation and related road construction.

- Edison commits to provide individual easement documents to each of the affected residents within 45 days; Edison will notify the County and Acton Town Council when easement documents are ready for mailing; timing for execution of easements will be dependent upon response from residents.
- Edison will research easement(s) on south side of Substation site and provide appropriate information to the County and Acton Town Council.

**Equestrian Trail at Vincent Substation Site:**

- Edison commits to provide an equestrian/multi-purpose trail on Edison property in the Vincent Substation area where feasible, taking into account Edison's operating/facility needs, along with County and local plans/needs/physical limitations/other related factors.
- Edison, the County and Acton/Agua Dulce trails organization representatives will meet within 45 days to begin discussions on trail options/feasibility.

**Edison Tower Designs/Construction:**

- Edison tower designs and construction standards adhere to, and in most cases exceed established standards and address unique local conditions as prescribed in the CPUC's General Order 95. Regular inspections of transmission towers are performed in accordance with the CPUC's General Order 165.
- Edison commits to advanced notification to the County and Acton Town Council if Edison modifies tower design/construction for the Tehachapi Project and the modifications require Edison to submit such modifications to the CPUC for approval.

**Vincent Substation Area Right-of-Way/Segments 6 and 11:**

- Edison does not believe any additional physical right-of-way (ROW) will be required for Project Segments 6 and 11 south of Vincent Substation on private property in the Acton area. If small portions of additional ROW are needed to meet localized needs, Edison will communicate that information to the County and Acton Town Council.

**Billboard on Edison Right-of-Way:**

- Edison commits to continue proceedings for removal of the billboard located on Edison ROW on west side of SR 14 across from Vincent Substation.

**Vincent Substation Work:**

- Edison is proceeding with grading work at Vincent Substation as early as late-February 2010, pending receipt of CPUC Notice to Proceed and County Grading Permit.
- Edison commits to notify the County, Acton Town Council and Vincent Substation area residents in advance of commencement of project grading and construction work.
- Edison commits to share information with and seek input from the County and Acton Town Council on landscaping plans for the expansion areas of the Vincent Substation pursuant to approved visual resource mitigation measures approved as part of the Project approval.

**Project-Related Helicopter Construction Activities**

- Edison commits to advanced notification to the County, Acton Town Council and area residents of project-related work involving helicopter activities.

**Angeles National Forest Geotech/Preliminary Project Engineering Work:**

- Edison will begin Geotech work in the Angeles National Forest (ANF) as part of its project's preliminary and investigatory engineering work under a separate Special Use Permit (SUP) granted by the U.S. Forest Service; this work will require truck and helicopter activity in the Vincent Substation area and in the ANF beginning mid-January 2010. This is not project construction work.

- Edison commits to notify the County, Acton Town Council and area residents in advance of the commencement of work.

**Regular Project Update Meetings between Edison, the County and Acton Town Council:**

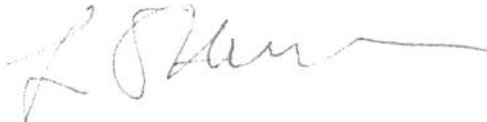
- Edison commits to regular meetings and information updates on Project status and related Project activities with the County and Acton Town Council; Edison and the County will arrange a regular schedule for these meetings.

During our meeting with the County, Town Council and local community representatives, there were some other Project-related operational and technical issues discussed that were part of the Project EIR and evidentiary hearing process conducted by the California Public Utilities Commission (CPUC). We addressed those items and the reasons why they were proposed and approved in the manner they were. This information may not completely satisfy some local residents, but their concerns and arguments were heard. We hope that we can move beyond these items and focus on the areas where we can work together in a productive manner.

In addition, some County Departments raised some items of interest in their comments to the Project's proposed final EIR. We have been in contact with these Departments and are working closely with them to address these key items and coordinate Project-related activities, and we will continue to do so during Project construction.

In conclusion, I want to assure you that Southern California Edison takes its responsibility to work closely with the County and local community organizations and residents very seriously, whether related to major projects like the Tehachapi Project or on-going electric service matters. Moving forward, we are committed to working even more closely with your office and the community. Please feel free to contact me at any time if you have any questions. Thank you.

Sincerely,



Leslie E. Starck  
Vice President

cc: Honorable Gloria Molina, Chair, Board of Supervisors  
Honorable Mark Ridley-Thomas, Supervisor, 2<sup>nd</sup> District  
Honorable Zev Yaroslavsky, Supervisor, 3<sup>rd</sup> District  
Honorable Don Knabe, Supervisor, 4<sup>th</sup> District  
William T. Fujioka, County CEO  
Lari Sheehan, Assistant County CEO  
Richard Weiss, Assistant County Counsel  
Paul Novak, Supervisor Antonovich's Office  
Norm Hickling, Supervisor Antonovich's Office  
Michael Hughes, President, Acton Town Council  
Byron Betts, Acton Town Council  
Charles Adamson, Edison Project Licensing  
Raymond Paz, Edison Project Management  
Richard Tom, Edison Law Department  
Susan Nelson, Edison Regulatory Policy & Affairs  
Cathy Hart, Edison Local Public Affairs

Honorable Michael D. Antonovich  
January 15, 2010  
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David Ford, Edison Local Public Affairs  
Jack R. Brumfield, Pinnacle Advisors (Edison Consultant)

# CALIFORNIA PUBLIC UTILITIES COMMISSION

## ADVICE LETTER FILING SUMMARY ENERGY UTILITY

MUST BE COMPLETED BY UTILITY (Attach additional pages as needed)	
Company name/CPUC Utility No.: Southern California Edison Company (U 338-E)	
Utility type: <input checked="" type="checkbox"/> ELC <input type="checkbox"/> GAS <input type="checkbox"/> PLC <input type="checkbox"/> HEAT <input type="checkbox"/> WATER	Contact Person: James Yee Phone #: (626) 302-2509 E-mail: <a href="mailto:James.Yee@sce.com">James.Yee@sce.com</a> E-mail Disposition Notice to: <a href="mailto:AdviceTariffManager@sce.com">AdviceTariffManager@sce.com</a>
EXPLANATION OF UTILITY TYPE ELC = Electric      GAS = Gas PLC = Pipeline      HEAT = Heat      WATER = Water	(Date Filed/ Received Stamp by CPUC)
Advice Letter (AL) #: <u>2424-E</u> Tier Designation: <u>1</u>	
Subject of AL: <u>Submission of Information in Accordance With Ordering Paragraph 7 of Decision 09-12-044</u>	
Keywords (choose from CPUC listing): <u>Compliance</u>	
AL filing type: <input type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Annual <input checked="" type="checkbox"/> One-Time <input type="checkbox"/> Other _____	
If AL filed in compliance with a Commission order, indicate relevant Decision/Resolution #: <u>D.09-12-044</u>	
Does AL replace a withdrawn or rejected AL? If so, identify the prior AL: _____	
Summarize differences between the AL and the prior withdrawn or rejected AL <sup>1</sup> : _____	
Confidential treatment requested? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, specification of confidential information: Confidential information will be made available to appropriate parties who execute a nondisclosure agreement. Name and contact information to request nondisclosure agreement/access to confidential information: _____	
Resolution Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Requested effective date: <u>1/19/10</u> No. of tariff sheets: <u>-0-</u>	
Estimated system annual revenue effect (%): _____	
Estimated system average rate effect (%): _____	
When rates are affected by AL, include attachment in AL showing average rate effects on customer classes (residential, small commercial, large C/I, agricultural, lighting).	
Tariff schedules affected: <u>None</u>	
Service affected and changes proposed <sup>1</sup> : _____	
Pending advice letters that revise the same tariff sheets: _____	

<sup>1</sup> Discuss in AL if more space is needed.

**Protests and all other correspondence regarding this AL are due no later than 20 days after the date of this filing, unless otherwise authorized by the Commission, and shall be sent to:**

CPUC, Energy Division  
Attention: Tariff Unit  
505 Van Ness Ave.,  
San Francisco, CA 94102  
[inj@cpuc.ca.gov](mailto:inj@cpuc.ca.gov) and [mas@cpuc.ca.gov](mailto:mas@cpuc.ca.gov)

Akbar Jazayeri  
Vice President of Regulatory Operations  
Southern California Edison Company  
2244 Walnut Grove Avenue  
Rosemead, California 91770  
Facsimile: (626) 302-4829  
E-mail: [AdviceTariffManager@sce.com](mailto:AdviceTariffManager@sce.com)

Bruce Foster  
Senior Vice President, Regulatory Affairs  
c/o Karyn Gansecki  
Southern California Edison Company  
601 Van Ness Avenue, Suite 2040  
San Francisco, California 94102  
Facsimile: (415) 673-1116  
E-mail: [Karyn.Gansecki@sce.com](mailto:Karyn.Gansecki@sce.com)



# COUNTY OF LOS ANGELES BOARD OF SUPERVISORS

KENNETH HAHN HALL OF ADMINISTRATION  
500 WEST TEMPLE STREET, ROOM 383  
LOS ANGELES, CALIFORNIA 90012  
(213) 974-1411 • FAX (213) 620-0636

SACHI A. HAMAI  
EXECUTIVE OFFICER

MEMBERS OF THE BOARD

GLORIA MOLINA

MARK RIDLEY-THOMAS

ZEV YAROSLAVSKY

DON KNABE

MICHAEL D. ANTONOVICH

January 15, 2010

California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102

Dear Commissioners:

The Los Angeles County Board of Supervisors strongly opposes Southern California Edison's (Edison) proposed rule change as originally described in Advice Letter 2334-E dated March 27, 2009 (Advice Letter), which the California Public Utilities Commission (PUC) is set to consider for adoption on January 21, 2010. The Advice Letter requests the PUC to eliminate the long-standing customer option of placing certain types of electrical distribution system equipment underground and would allow facilities that are already located underground to be unilaterally moved aboveground during planned maintenance or capacity upgrades.

Los Angeles County has serious concerns about this proposal. In addition to violating the PUC's stated requirement that Edison must work cooperatively with local governments, Edison's Advice Letter could cause new or relocated facilities to be placed in public rights of way or on private property without sufficient regard for the negative impacts those facilities may have on existing neighborhoods.

In addition, the Advice Letter and its implementing draft resolution would not provide for reasonable local control by the County or other local jurisdictions over aesthetic improvements or other critical time, place, and manner considerations. The PUC's action could, therefore, result in negative aesthetic impacts and impede the County's ability to create attractive pedestrian and bicycle-friendly streets.

Finally, the County of Los Angeles' legal Counsel has advised the Board of Supervisors that the proposed rule change fails to comply with the PUC's own regulations and the California Environmental Quality Act. County Counsel's comments on these significant issues are attached (Attachment I). It is important to note that we believe these flaws are serious enough to provide a basis upon which the rule change might be successfully challenged in future litigation.

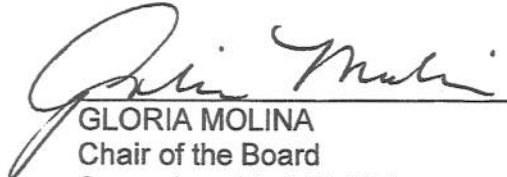



California Public Utilities Commission  
January 15, 2010  
Page 2

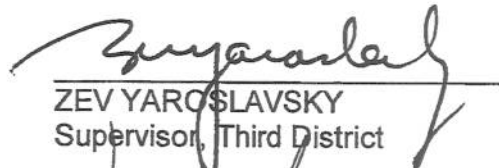
For these reasons, we applauded the PUC's direction that Edison work cooperatively with the County, and other local agencies, to resolve these significant concerns. As a result of these negotiations, Edison recently proposed new language (Attachment II) that would result in two major improvements to their initial request. First, Edison's revised proposal no longer calls for the relocation of existing underground equipment to aboveground locations--with the sole exception of when that relocation is the direct result of customer-driven construction work that is significant enough to cause a change of use or occupancy pursuant to state or local law. Second, Edison's revised proposal recognizes that equipment installed aboveground must comply with all local zoning ordinances unless those zoning ordinances would require that the equipment be located underground. In recognition of these changes, if your Commission adopts Edison's revised proposal, the County will withdraw our opposition to the rule change and not take action to further challenge the PUC's action.

Thank you in advance for your consideration of our comments and we look forward to working with you on these critical issues.

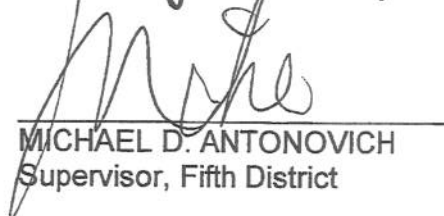
Sincerely,

  
GLORIA MOLINA  
Chair of the Board  
Supervisor, First District

  
MARK RIDLEY-THOMAS  
Supervisor, Second District

  
ZEV YAROSLAVSKY  
Supervisor, Third District

  
DON KNABE  
Supervisor, Fourth District

  
MICHAEL D. ANTONOVICH  
Supervisor, Fifth District

# **ATTACHMENT I**



COUNTY OF LOS ANGELES  
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION  
500 WEST TEMPLE STREET  
LOS ANGELES, CALIFORNIA 90012-2713

TELEPHONE  
(213) 974-1801  
FACSIMILE  
(213) 626-7446  
TDD  
(213) 633-0901

ROBERT E. KALUNIAN  
Acting County Counsel

January 20, 2010

TO: SUPERVISOR GLORIA MOLINA, Chair  
SUPERVISOR MARK RIDLEY-THOMAS  
SUPERVISOR ZEV YAROSLAVSKY  
SUPERVISOR DON KNABE  
SUPERVISOR MICHAEL D. ANTONOVICH

FROM: ROBERT E. KALUNIAN *RK*  
Acting County Counsel

RE: **Southern California Edison's Rule Change Request to Delete  
the Option to Place Electrical Equipment Underground**

FACTS

Southern California Edison ("SCE") is requesting approval, via Advice Letter 2334, of a rule change by the California Public Utilities Commission ("PUC"). If the rule change is approved, the existing customer option to place certain electrical distribution equipment underground would be eliminated, and existing underground facilities would be unilaterally moved above ground by SCE during planned maintenance or capacity upgrades.

SUMMARY

**An Advice Letter is not the appropriate procedure for seeking a change to the PUC's General Orders regarding the placement of electrical distribution equipment above ground rather than below ground.** The proposed change eliminating the customer option to place electrical distribution equipment below ground modifies PUC Order 131-D ("the Order") which permits the placement of such equipment below ground and requires utilities to consult with local agencies regarding placement of equipment. Modifications of PUC orders must be made through an application and hearing procedure rather than through the more informal Advice Letter procedure applicable to changes in tariffs.

**The PUC's consideration of the proposed rule change regarding the placement of electrical distribution equipment is subject to the requirements of the California Environmental Quality Act ("CEQA").** The proposed rule change is a discretionary approval of a rule that has the potential to have a significant cumulative impact under the California Code of Regulations, Title 14, section 15300.2. Before the PUC may approve the requested rule change, the PUC must comply with CEQA.

## DISCUSSION

### Changes to PUC Orders must be made via application and hearing, not via Advice Letters.

Advice Letter 2334 applies to "distribution systems with primary voltages of 4 kV (Kilovolt) through 35 kV" and, thus, overlaps with part of the equipment range covered by the Order.

The Order also requires utilities constructing electric distribution facilities to consult with local governments on land use issues "to ensure safety and compliance with local building standards." Order, section III.C. The regulation of aesthetics by local governments is a constitutionally-derived power. In *Sprint PCS v. City of Palos Verdes Estates* (9th Cir. 2009) 583 F.3d 716, the Ninth Circuit recognized that California cities can regulate aesthetics of wireless communications facilities through their powers under California Constitution Article XI, Section 7.

For a variety of reasons, including preserving the aesthetics of the environment, many local governments have required the below ground placement of utilities, including electric distribution equipment.

Because the Advice Letter applies to the same distribution equipment identified in the Order, the summary elimination of undergrounding as an option appears to violate the Order's requirement that local authorities have "input" regarding land use matters in the construction of electric distribution equipment. Accordingly, the proposed rule change should be processed by the PUC as an amendment of the Order, not via the Advice Letter process.

Public Utilities Code section 1708 requires the PUC to provide interested parties with notice and the opportunity to be heard prior to modification of a PUC order. In contrast, the Advice Letter procedure SCE has opted to pursue under PUC sections 454 and 455 is a streamlined procedure for tariff changes that does not require notice to affected entities, and provides no more than the opportunity to protest via letter rather than the evidentiary hearing and an opportunity to be heard required under section 1708.

SCE's proposed change is widely disputed, addresses a complex issue, and needs broad and open public discussion before the PUC considers adoption. SCE has chosen the expedited and summary Advice Letter procedure used for tariff changes that minimizes discussion and challenges to proposed actions rather than the noticed and evidentiary hearing required by PUC Section 1708 for the amendment of PUC orders.

PUC Rulemaking that has significant cumulative impacts is subject to CEQA:

Under CEQA and the regulations issued by the State Resources Agency to implement CEQA (California Code of Regulations, Title 14, sections 15000 et seq., referred to herein as "Guidelines"), whenever the discretionary approval of a project with potential environmental impact is at issue, a public agency must conduct a preliminary review in order to determine whether CEQA applies to a proposed activity. Pub. Resources Code, section 21080, subd. (a); Guidelines, sections 15060, 15061.

A discretionary project is defined as:

"a project which requires the exercise of judgment or deliberation when the public agency or body decides to approve or disapprove a particular activity, as distinguished from situations where the public agency or body merely has to determine whether there has been conformity with applicable statutes, ordinances, or regulations." Guidelines at section 15357.

Here, the Advice Letter seeks an order that will require the exercise of judgment by the PUC—whether to eliminate the option of placing certain electrical distribution equipment underground—that could have a significant and adverse cumulative impact on the environment. The placement of multiple electric distribution systems above ground and in public rights of way will be unsightly and impede the flow of sidewalk traffic.

Indeed, the Order recognizes that the construction of electric distribution facilities, even if such construction may fall within a category that is exempt from CEQA, may nonetheless be subject to CEQA if "the cumulative impact of successive projects of the same type in the same place, over time, is significant." Order, Section III.B (2)(b).

The potential cumulative environmental impact of the order SCE seeks must be evaluated under CEQA. SCE has failed to quantify the number of facilities that will be moved from below ground to above ground facilities and the number of new facilities that will be placed above ground.

### CONCLUSION

The Advice Letter procedure is not appropriate for the modification of a PUC General Order such as Order 131-D. In addition, the PUC must address the application of CEQA to this proposed order prior to taking action on SCE's request.

If you have questions concerning this matter, please contact me, Assistant County Counsel Karen A. Lichtenberg at (213) 974-1881, or Senior Deputy County Counsel Rosa Linda Cruz at (213) 974-7680.

REK:RLC:lm

c: William T Fujioka  
Chief Executive Officer

Sachi A. Hamai, Executive Officer  
Board of Supervisors

# **ATTACHMENT II**

**FINDINGS AND CONCLUSIONS**

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1. SCE's standard Equipment installations that are paid for in rates are above ground.
2. Currently, when applicants request new service, SCE's installation for the distribution system Equipment needed, such as transformers, switches, capacitors, and junction bars (Equipment), is above-ground, not underground.
3. Rules 2, 15 and 16 allow applicants the option, at extra cost, to have distribution Equipment installed underground.
4. Over the last two years less than 20% of new SCE distribution system Equipment was requested installed underground, and other California utilities have already discontinued the Applicant option of installing Equipment underground.
5. In AL 2334, SCE seeks approval to delete the Applicant underground option in order to make its Equipment more accessible for installation, maintenance and repair, and safer for employees.
6. SCE proposes that, when its existing underground Equipment is part of a planned maintenance program or capacity upgrade it would be relocated on pads above ground to the extent technically feasible.
7. "Technically feasible" means that enough space is, or can be made, available above or below ground (as the circumstance suggests) for the electrical distribution Equipment needed for SCE to serve customers, and that other factors such as the obtaining of required permits are met. The required space is defined by existing design standards within the operation and maintenance requirements that are in compliance with applicable safety codes and regulations such as the Commission's General Orders 95 and 128.
8. Whether to allow for below-ground Equipment designs or above-ground Equipment designs is within the Commission's exclusive jurisdiction.
9. When relocating existing Equipment, SCE states it would comply with local jurisdictional mandates in matters of health, public safety, welfare and convenience if those regulations do not directly or effectively require the Equipment to be located underground or otherwise conflict with the design standards contained in SCE's Distribution Design Manual and similar documents, and also would comply with any state law of "equal dignity" to the PU Code, and federal laws, e.g., the Americans with Disabilities Act (ADA).
10. Because of the present lack of clarity regarding certain issues raised when conversion of existing underground equipment to above-ground is contemplated, the Commission will only address in this Resolution: (1) new construction situations, (2) circumstances in which capacity upgrades, conversions, and relocations are required due to customer-driven renovations of existing structures or other building activities resulting in a change of use or occupancy as defined in state or local law, and (3) situations in which above-ground retrofit into the public right-of-way is agreed to by the local authority and SCE on a case-by-case basis.
11. For a new connection or a capacity upgrade such as described in Finding 10, the customer must provide a private easement for the Equipment above ground at no cost to SCE, ratepayers or taxpayers in accordance with SCE's Commission-approved tariffs (e.g., Rule 15 or Rule 16), unless the local authority authorizes placement of the Equipment in the above-ground public right-of-way. Where the existing or required new facilities would primarily serve a single Applicant or developer as defined in SCE's tariff Rules 2, 15 or 16, the Applicant or customer must provide a private easement on its property, or the installation will be as otherwise agreed to by the local authority.
12. The party responsible for the cost of new Equipment installed in the above-ground public right-of-way, or its relocation into the above-ground public right-of-way, will also be responsible for the cost of ongoing mitigation of graffiti thereon.
13. Local laws and ordinances may apply aesthetic conditions, maintenance and location requirements (e.g., setbacks, screening requirements, etc.) to Equipment on private property if

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"Reasonable cost" should mean that the total cost of above-ground Equipment, including easement acquisition and aesthetic surface improvement and maintenance costs, is not to exceed the total cost of accommodating the new or larger Equipment underground.

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those conditions and requirements do not directly or effectively prevent Equipment from being located above-ground or otherwise conflict with design standards contained in SCE's Distribution Design Manual or similar documents.

14. It is not useful or practical to conclusively define all Equipment because the future needs of the distribution system require flexibility.
15. This AL was initially suspended for 150 days after filing and a transition period of at least 90 days will follow approval.
16. Developers and others have had over 6 months' notice of the possible need to accommodate new above-ground requirements.
17. Individual undergrounding conversion projects under Rule 20-C have a clear effective start date to establish whether they were signed before or after the date barring underground Equipment.
18. Larger ratepayer-funded or supported undergrounding conversion projects under Rule 20-A or 20-B may have more complex schedules making it unclear when the changes adopted in this Resolution apply to them.
19. SCE should define the triggering event within the schedule of undergrounding conversion projects after which Equipment may no longer be installed underground.
20. Nothing in this Resolution is intended to alter the balance of jurisdiction as between the Commission and other governing authorities, or the terms of any franchise agreement, with respect to the matters dealt with herein.
21. Local governments have a unique obligation as stewards of the public right-of-way, both above- and below-ground, and unique responsibilities and prerogatives in matters of land use planning. SCE states that it will continue to respect those roles as it cooperates with local governments, as it does with customers, in providing electric service to public projects.

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~~Local laws and ordinances may apply similar conditions to Equipment on private property.~~  
~~When the reasonable cost test cannot be met, Equipment relocated by SCE from underground to above ground pad-mount should be installed in the public ROW per franchise agreements.~~

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#### **THEREFORE IT IS ORDERED THAT:**

1. This Resolution is effective solely as to SCE and solely as to the circumstances identified in Finding and Conclusion 10 of this Resolution.
2. SCE shall file a supplemental Advice Letter AL 2334-E-A within 45 days to modify Rules 2, 15, and 16, where applicable, to comply with Ordering Paragraphs 3 through 8.
3. SCE shall amend Rules 2, 15, and 16, where applicable to state:  
In plans for service submitted to SCE on or after [a date 90 days after the effective date of this Resolution], it shall be the responsibility of the Applicant to provide for the above-ground installation of Equipment that will serve the Applicant. The installation of new Equipment shall comply with local laws and ordinances to the extent the same do not directly or effectively require the Equipment to be located underground or otherwise conflict with design standards contained in SCE's Distribution Design Manual or similar documents.
4. The Applicant's design and installation of such above-ground Equipment shall comply with the typical installations depicted in SCE's Above-Ground Equipment Aesthetics Improvement Manual and SCE's Distribution Design Manual, as well as other local agency land use law to the extent the same would not directly or effectively require the Equipment to be located underground.
5. When modifying existing Equipment installed in the above-ground public right-of-way, SCE shall comply with local ordinances respecting matters of public health and safety, welfare and convenience to the extent the same are of general applicability to other structures or equipment, regardless of ownership, installed in the public right-of-way, do not directly or effectively require the Equipment to be located underground or otherwise conflict with the design standards contained in SCE's Distribution Design Manual and similar documents.
6. SCE shall include in Rules 2, 15 and 16, where applicable:  
The party responsible for the cost of new Equipment installed in the above-ground public right-of-way, or the relocation of Equipment into the above-ground public right-of-way, will also be responsible for the cost of abating graffiti on such equipment. SCE will respond

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**Deleted:** ~~SCE shall define in its tariffs that the total project cost of moving existing underground Equipment above ground, including easement and aesthetic surface improvement costs, is reasonable if it does not exceed the cost of safely maintaining or upgrading the Equipment underground.~~

**Deleted:** ~~SCE's aesthetic surface improvement options for above-ground Equipment will not override local laws and ordinances applicable to similarly sized facilities of public convenience and necessity (e.g. traffic controls, telecommunication equipment, mail boxes, hydrants, waste receptacles.~~

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**Deleted:** ~~and not installed therein for the benefit of a single Applicant or customer~~

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within 48 hours to requests for such maintenance of such surface improvements in the public ROW.

7. SCE shall define in its tariffs and forms the triggering event within ongoing undergrounding project schedules that starts the transition period of 90 days, after which Equipment may no longer be installed underground.

8. Using consistent terminology, SCE shall also define when inactive projects will be terminated.

9. SCE shall incorporate OP 7 and 8 after consultation with the BIA.

This resolution is effective today.

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