

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

In the Matter of the Application of SOUTHERN)	
CALIFORNIA EDISON COMPANY (U 338-E))	Application No. _____
for a Permit to Construct Electrical Facilities)	
With Voltages Between 50 kV and 200 kV:)	
Moorpark-Newbury 66 kV Subtransmission Line)	
Project)	

**APPLICATION OF SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) FOR A
PERMIT TO CONSTRUCT ELECTRICAL FACILITIES WITH VOLTAGES
BETWEEN 50 KV AND 200 KV: MOORPARK-NEWBURY 66 KV
SUBTRANSMISSION LINE PROJECT**

**(PUBLIC VERSION)
(PORTIONS OF APPENDIX G.3 ARE CONFIDENTIAL)**

The PEA prepared as an Attachment to this Application is
being filed separately as an Archival DVD and CD-Rom

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**APPLICATION OF SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) FOR A
PERMIT TO CONSTRUCT ELECTRICAL FACILITIES WITH VOLTAGES BETWEEN 50
KV AND 200 KV: MOORPARK-NEWBURY 66 KV SUBTRANSMISSION LINE PROJECT**

TABLE OF CONTENTS

<u>Section</u>	<u>Title</u>	<u>Page</u>
I.	INTRODUCTION	1
II.	BACKGROUND AND SUMMARY OF REQUEST	3
III.	STATUTORY AND PROCEDURAL REQUIREMENTS.....	10
A.	Applicant.....	10
B.	Articles Of Incorporation.....	10
C.	Balance Sheet And Statement Of Income.....	11
D.	Description of Southern California Edison Company	11
E.	Service Territory	12
F.	Location Of Items Required In A Permit To Construct Pursuant To GO 131-D, Section IX.B	12
G.	Compliance With GO 131-D, Section X	19
H.	Compliance With Rule 2.1(c)	19
I.	Statutory Authority	20
J.	Public Notice.....	20
K.	Supporting Appendices And Attachment	21
L.	Compliance With Rule 2.5.....	21
M.	Request For Ex Parte Relief.....	21
N.	Request For Timely Relief.....	22
IV.	CONCLUSION.....	23

**APPLICATION OF SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) FOR A
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KV AND 200 KV: MOORPARK-NEWBURY 66 KV SUBTRANSMISSION LINE PROJECT**

TABLE OF CONTENTS (CONT'D)

Appendix A: Balance Sheet and Statement of Income as of June 30, 2013

Appendix B: List of Counties and Municipalities Served by SCE

Appendix C: Moorpark-Newbury 66 kV Subtransmission Line Project Schedules

Appendix D: Notice of Application for a Permit to Construct

Appendix E: Certificate of Service of Notice of Application for a Permit to Construct

Appendix F: Field Management Plan

Appendix G: Additional Materials Provided for a Complete Record of Proceedings

ATTACHMENT: Proponent's Environmental Assessment

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I. INTRODUCTION

Pursuant to Decision (D.) 11-11-019 and California Public Utilities Commission (Commission or CPUC), General Order 131-D (GO 131-D), Southern California Edison Company (SCE) respectfully submits this application (Application) for a permit to construct (PTC) authorizing SCE to construct the proposed project known as the Moorpark-Newbury 66 kV Subtransmission Line Project (Project).

The Project consists of the following major components: (1) construction of approximately 1,200 feet of new underground 66 kilovolt (kV) subtransmission line entirely within Moorpark Substation; (2) construction of approximately 5 miles of the new Moorpark-Newbury 66 kV Subtransmission Line on the south and east sides of SCE's existing Moorpark-Ormond Beach 220 kV Right-of-Way (ROW); (3) construction of approximately 3 miles of the

new Moorpark-Newbury 66 kV Subtransmission Line within the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line ROW (the existing single-circuit Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line in this section would be reconstructed and reconducted in a double circuit configuration to accommodate the reconducted Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line and the new Moorpark-Newbury 66 kV Subtransmission Line); (4) construction of approximately 1 mile of the new Moorpark-Newbury 66 kV Subtransmission Line within the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line ROW into Newbury Substation (the existing single circuit Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line would be reconstructed in a double circuit configuration to accommodate the reconducted Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line and the new Moorpark-Newbury 66 kV Subtransmission Line); (5) construction of new 66 kV subtransmission line positions and associated infrastructure within Moorpark Substation and Newbury Substation to facilitate the termination of the new Moorpark-Newbury 66 kV Subtransmission Line; and (6) transfer of existing distribution circuitry and telecommunication facilities to new subtransmission poles as necessary.

As discussed in greater detail in Section II below, SCE originally commenced construction of the Project in October 2010 under the assumption that the Project was exempt from CPUC permitting pursuant to GO 131-D Section III.B.1.g. (“Exemption G”). SCE commenced construction after undergoing an 18-month process at the CPUC initiated by SCE’s Advice Letter filing, subsequent protests, CPUC review of the protests, including a public participation hearing, and ultimately the CPUC’s issuance of multiple resolutions confirming that the Project qualified for the exemption. From October 2010 through November 2011, approximately 60% of the Project was constructed. However, in response to an Application for

Rehearing of its decisions regarding the exemption, the CPUC in November 2011 ordered SCE to cease construction activity, provide certain additional information and file an application for a PTC if it wished to complete the Project. In order to comply with the CPUC's direction, SCE has prepared this application for a PTC to complete construction of the Project.

II. BACKGROUND AND SUMMARY OF REQUEST

The purpose of the Project is to ensure the availability of safe and reliable electric service to meet customer demand in the area served by Newbury Substation and Pharmacy Substation within the Moorpark 66 kV Subtransmission System (Electrical Needs Area, or ENA).

The substations serving the ENA have historically received electricity from a variety of different transmission sources in and around Ventura County. Among these sources was a third-party generator (Camgen), located on the California State University Channel Islands campus in Camarillo. Energy from that generator was transmitted to the ENA along a portion of SCE's Camgen-Colonia-Newbury-Thousand Oaks 66 kV Subtransmission Line. However, in 2005, SCE was required to remove a portion of SCE's Camgen-Colonia-Newbury-Thousand Oaks 66 kV Subtransmission Line due to loss of property rights. The removal of this interconnection resulted in a loss of approximately 28 megawatts (MW) of generation that previously had served the Moorpark 66 kV Subtransmission System. This loss of generation resulted in a situation where a larger portion of the electricity serving the ENA would have to be served from other sources within the Moorpark System, including the Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line.

The additional burden on the Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line was projected to cause an overload in 2005 (and several subsequent years) on the Moorpark-Newbury tap of the Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line under normal

operating system conditions. Accordingly, SCE began the process of designing the Project to remedy the projected overload conditions, and on October 2, 2008, SCE filed Advice Letter 2272-E, notifying the CPUC of the proposed construction of Project and explaining that the Project was exempt from CPUC PTC requirements pursuant to Exemption g. During the 20-day protest period associated with SCE's Advice Letter, numerous protests to the Advice Letter were filed. Both in response to the initial protests, and thereafter in response to ongoing concerns raised by the protesters, staff from the CPUC Energy and Legal divisions requested additional information and documentation regarding the Project from SCE, including biological surveys and alternatives. In February 2009, the CPUC issued Executive Director's Action Resolution E-4225, finding that the Project qualified for Exemption g and dismissed the protests.

Thereafter, the Executive Director's issuance of Resolution E-4225 was appealed and the CPUC prepared Commission Resolution E-4243 for consideration at the June 18, 2009 Commission Business Meeting. As originally drafted, Resolution E-4243 would have affirmed Resolution E-4225. However, in response to a subsequent request from a local official, the CPUC removed Resolution E-4243 from the June 18, 2009 Commission Business Meeting agenda, and in September 2009, held a public participation hearing where comments from the public were received. In addition, SCE participated in a series of meetings with interested stakeholders and a local official during late 2009 and early 2010. Following these additional meetings, Resolution E-4243 (updated to reflect the meetings and hearing which took place during 2009 and 2010) was heard and approved by the Commission at a Business Meeting in March 2010. As approved, Resolution E-4243 affirmed the findings of the previously issued Resolution E-4225, found that SCE's Moorpark-Newbury 66 kV Subtransmission Line Project qualified for Exemption g, and dismissed the protests. In dismissing the protests, Resolution E-

4243 stated that the protests “...did not allege facts that would trigger the Exception Criteria contained within GO 131-D, Section III, Subsection B.2.a.-c.” By its own terms, Resolution E-4243 went into effect on the day it was approved.

In April 2010, three parties filed a joint Application for a Rehearing of the Commission’s approval of Resolution E-4243. SCE filed a Response to the Application for Rehearing (the “Rehearing Response”) on April 29, 2010, providing answers to claims raised by the individuals seeking rehearing and referencing specific documentary materials. In addition, because the Application for Rehearing did not request a stay of construction, and because the CPUC did not issue a stay of construction, SCE informed the CPUC Energy Division that it planned to start construction of the Project in fall 2010. Consistent with that communication, SCE commenced construction of the Project in October 2010, with a planned operational date of June 2012.

However, in November 2011, all construction activity was halted due to the issuance of CPUC D.11-11-019. D.11-11-019 granted rehearing of Resolution E-4243, stating that the administrative record developed pursuant to Advice Letter 2272-E did not allow the CPUC to decide if SCE correctly applied Exemption g to the Project. Accordingly, D.11-11-019 ordered SCE to cease all construction activity, provide certain specified information and file a PTC application if it wished to build the Project.¹

¹Although D.11-11-019 specifically required the filing of an application, it also maintained the possibility that the CPUC may still decide that the Project qualifies for Exemption g, if the information submitted by SCE so demonstrates:

“We do not believe we are now in a position to consider whether Exemption G applies to this proposed power line, or whether CEQA review should be conducted, given the type of information we have before us. That means we are not now deciding that this power line is required to undergo CEQA review. If the material SCE formally submits, when it applies for a PTC, shows that the Moorpark-Newberry [*sic*] Line is exempt from CEQA, then the PTC will be granted without further review.”

SCE still wishes to build the Project, particularly because electrical system forecasts developed for each of the years since construction commenced have continued to demonstrate that the Project is needed. Originally, because construction of the Project had already commenced, SCE's 2011 and 2012 peak demand forecasts assumed that the Project would be operational for years 2011 and beyond, and therefore neither the 2011 nor the 2012 forecast identified an overload on the Moorpark-Newbury tap. However, as discussed above, because the Project was not completed due to the issuance of D.11-11-019, the benefits of the Project were not realized. Therefore, SCE remodeled its 2011 and 2012 forecasts with the assumption that the Project had not been operational since 2011. In each of those remodeled forecasts, data showed projected overloads on the Moorpark-Newbury tap beginning in 2014.

In addition, SCE's current 2013-2022 forecast also assumes no benefits from the yet-to-be-completed Project. That forecast determined that the Project is still needed to address: 1) a projected voltage drop that would exceed the acceptable 5% limit on the 66 kV bus at Newbury Substation under abnormal system conditions in 2020; and 2) a projected overload on the Moorpark-Newbury tap of the Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line under a normal system configuration in 2021.

Accordingly, because SCE has determined that the Project is still needed to address a projected voltage drop and a projected overload condition (either of which would trigger the need for the Project), SCE has prepared this application consistent with D.11-11-019.

A Proponent's Environmental Assessment (PEA) prepared for the Project is attached to this Application. The PEA will be referenced in this Application, where appropriate, as the

Continued from the previous page
(D.11-11-019, at p. 20.)

source of the information required in an Application for a PTC pursuant to GO 131-D, Section IX.B.² A complete project description is located in Chapter 3 of the PEA. A statement of purpose and need is located in Chapter 2 of the PEA.

In addition to the information normally required to be included in PTC applications pursuant to GO 131-D, this application also includes information specifically requested by the CPUC in D.11-11-019, as well as other information and documentary evidence that SCE believes would be helpful to the CPUC in compiling a comprehensive record of this proceeding. The materials and documents submitted with this application in Appendix G (Additional Materials Provided for a Complete Record of Proceedings) include:

- **Appendix G.1: Documents related to the history of the Advice Letter process and the CPUC's determinations regarding Exemption g for the Project:**
 - SCE Advice Letter 2272-E
 - CPUC Resolution E-4225
 - CPUC Resolution E-4243
 - CPUC D.11-11-019
- **Appendix G.2: Materials provided by SCE in response to questions from CPUC staff regarding additional information to support the Project's qualification for Exemption g:**
 - November 2008 email from SCE to CPUC staff responding to questions regarding biological resources, potential alternatives and outreach to local agencies, as well as attaching an August 2008 PowerPoint presentation confirming negative results of biological surveys along the Project route, copies of actual 2008 biological survey data and a report prepared by Bonterra Consulting and maps and pictures of the Project route.

² Other required information for a PTC application (e.g. Balance Sheet, Articles of Incorporation, etc.) is contained in this Application or its appendices.

- September 2009 e-mail from SCE in response to questions from CPUC staff inquiring about protesters' concerns regarding applicability of a certain brush clearance requirements, including a summary memorandum of brush clearance information relating to fire hazards and attaching a copy of relevant State laws regarding brush clearance.
- **Appendix G.3: Documents demonstrating that the Project has independent utility, separate from SCE's Presidential Substation Project which is under separate CPUC review:**
 - Submittals of electric system load flow information provided by SCE to CPUC staff during late June 2009 and early July 2009 as requested by CPUC staff.³
 - June 2009 memorandum from Environmental Science Associates (ESA, the CPUC's environmental consultant for the Presidential Substation Project) to CPUC staff confirming that ESA agrees with SCE's assessment of the independent electrical system utility between the Project and the Presidential Substation Project.
- **Appendix G.4: Documents containing additional information in response to issues raised by protesting parties:**
 - SCE's October 31, 2008 letter from Mr. Akbar Jazayeri to Mr. Honesto Gatchalian, regarding Response to Protests to Advice Letter No. 2272-E (responding to protest issues regarding the applicability of Exemption g).
 - SCE's April 29, 2010 Response of Southern California Edison Company (U 338-E) to Application Of Alan and Peggy Ludington, Danalynn Pritz, and David J. Tanner for Rehearing of Resolution E-4243 (responding to concerns regarding potential impacts to cultural resources, property rights and compliance with CPUC regulations governing advice letter proceedings).
 - SCE's June 16, 2010 Response of Southern California Edison Company (U 338-E) to Motion Of Alan and Peggy Ludington, Danalynn Pritz, and David J. Tanner for Permission to File Appellants' Reply Brief to Southern California Edison Company's Response for Rehearing of Resolution E-4243 (addressing similar

³ Some of the information provided related to load flows contains Critical Energy Infrastructure Information (CEII) and is therefore being separately provided under confidential cover.

issues addressed in the April 29, 2010 Response, as well as procedural and CEQA-related matters).⁴

The estimated cost of construction of the Project is approximately \$23 million in 2013 nominal dollars. Construction of the remaining portions of the Project is expected to take approximately eight months. SCE anticipates that construction activities would resume within approximately three months after a PTC is issued, meaning that if the CPUC determines that the Project does not qualify for Exemption g (and a full CEQA process is required), construction would likely begin in or around November 2015 and the entire Project would be completed by mid 2016. Schedules for each of these potential processes for the Project are included in this Application as Appendix C.

Based on the foregoing, SCE respectfully requests that upon completion of its review of this Application, the CPUC confirm its prior determination that the Project qualifies for Exemption g and issue a PTC without further proceedings. Should the CPUC instead assume that Exemption g does not apply, SCE requests that the CPUC proceed with the preparation of an Initial Study and appropriate environmental document pursuant to CEQA, certify that document and issue a PTC authorizing SCE to construct the Project described in this Application and the attached PEA within the timelines set forth in Section III.H. of this Application.

⁴ Where related to the Project's potential environmental impacts, some of the evidence identified by the CPUC in D.11-11-019 has been included in Appendices F.1-F.3 to the Proponent's Environmental Assessment attached to this Application. Those PEA appendices include documents discussing potential impacts to biological resources, including sensitive species, such as the 2008 biological survey memoranda and reports prepared by Bonterra Consulting and referenced in D.11-11-019, as well as updated biological impact surveys and monitoring reports from 2011. In addition, the cultural resources report referenced in the Rehearing Response and D.11-11-019 also has been submitted to CPUC staff under separate confidential cover.

III. STATUTORY AND PROCEDURAL REQUIREMENTS

A. Applicant

The applicant is Southern California Edison Company, an electric public utility company organized and existing under the laws of the State of California. SCE's principal place of business is 2244 Walnut Grove Avenue, Post Office Box 800, Rosemead, California 91770.

Please address correspondence or communications in regard to this Application to:

Tammy Jones
Attorney
Southern California Edison Company
2244 Walnut Grove Avenue
Post Office Box 800
Rosemead, California 91770
Phone: (626) 302-6634
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With a copy to:

Case Administration
Southern California Edison Company
2244 Walnut Grove Avenue
Post Office Box 800
Rosemead, California 91770
Phone: (626) 302-3101
Fax: (626) 302-3119

B. Articles Of Incorporation

A copy of SCE's Restated Articles of Incorporation, as amended through June 1, 1993, and as presently in effect, certified by the California Secretary of State, was filed with the Commission on June 15, 1993, in connection with Application No. 93-06-022⁵ and is incorporated herein by reference; pursuant to Rule 2.2 of the Commission's Rules of Practice and Procedure.

⁵ Application No. 93-06-22, filed June 15, 1993, regarding approval of a Self-Generation Deferral Agreement between Mobile Oil Corporation Torrance Refinery and Southern California Edison Company.

C. Balance Sheet And Statement Of Income

Appendix A to this Application contains copies of SCE's balance sheet and statement of income as of June 30, 2013. The balance sheet reflects SCE's utility plant at original cost, less accumulated depreciation.

Since 1954, pursuant to Commission Decision No. 49665 dated February 16, 1954, in Application No. 33952, as modified by Decision No. 91799 in 1980, SCE has utilized straightline remaining life depreciation for computing depreciation expense for accounting and ratemaking purposes in connection with its operations.

Pursuant to Commission Decision No. 59926, dated April 12, 1960, SCE uses accelerated depreciation for income tax purposes and "flows through" reductions in income tax to customers within the Commission's jurisdiction for property placed in service prior to 1981. Pursuant to Decision No. 93848 in OII-24, SCE uses the Accelerated Cost Recovery System (ACRS) for federal income tax purposes and "normalizes" reductions in income tax to customers for property placed in service after 1980 in compliance with the Economic Recovery Tax Act of 1981, and also in compliance with the Tax Reform Act of 1986. Pursuant to Decision No. 88-01-061, dated January 28, 1988, SCE uses a gross of tax interest rate in calculating the AFUDC Rate, and income tax normalization to account for the increased income tax expense occasioned by the Tax Relief Act of 1986 provisions requiring capitalization of interest during construction for income tax purposes.

D. Description of Southern California Edison Company

SCE is an investor-owned public utility engaged in the business of generating, transmitting, and distributing electric energy in portions of central and southern California. In addition to its properties in California, it owns, in some cases jointly with others, facilities in

Nevada, Arizona, and New Mexico, its share of which produces power and energy for the use of its customers in California. In conducting such business, SCE operates an interconnected and integrated electric utility system.

E. Service Territory

SCE's service territory is located in 15 counties in central and southern California, consisting of Fresno, Imperial, Inyo, Kern, Kings, Los Angeles, Madera, Mono, Orange, Riverside, Santa Barbara, San Bernardino, Tulare, Tuolumne,⁶ and Ventura Counties, and includes approximately 188 incorporated communities as well as outlying rural territories. A list of the counties and municipalities served by SCE is attached hereto as Appendix B. SCE also supplies electricity to certain customers for resale under tariffs filed with the Federal Energy Regulatory Commission.

F. Location Of Items Required In A Permit To Construct Pursuant To GO 131-D, Section IX.B

Much of the information required to be included in a PTC application pursuant to GO 131-D, Section IX.B is found in the PEA.

Required PTC application information has been cross-referenced to the PEA in the following text. The PTC application requirements of GO 131-D, Section IX.B are in ***bold italics***, and the PEA references follow in plain text.

- a. A description of the proposed power line or substation facilities, including the proposed power line route; proposed power line equipment, such as tower design and appearance, heights, conductor sizes, voltages, capacities, substations, switchyards, etc., and a proposed schedule for authorization, construction, and commencement of operation of the facilities.***

⁶ SCE provides electric service to a small number of customer accounts in Tuolumne County and is not subject to franchise requirements.

- Descriptions of the Project are found throughout the PEA in Chapter 1, Chapter 2, Chapter 3, Chapter 4 and Chapter 5.
- The proposed power line route is described in Sections 3.0 (“Project Description”); 3.1 (“Project Location”); 3.4 (“Proposed Project”) [including Subsections 3.4.1 (“Summary of Project Components by Project Section”), 3.4.1.1 (“Project Section 1”), 3.4.1.2 (“Project Section 2”), 3.4.1.3 (“Project Section 3”) and 3.4.1.4 (“Project Section 4”)]; and illustrated in Figures 3.1-1 (“Project Sections and Substations”); 3.2-1b (“Proposed Future Moorpark 66 kV Subtransmission System”); 3.4-1a (“Past Activities”); 3.4-1b (“Future Activities”); 3.4-2a (“Transmission and Subtransmission Lines in the Vicinity of the Project: Index”); 3.4-2b (“Transmission And Subtransmission Lines in the Vicinity Of The Project: Sections 1 and 2”); 3.4-2c (“Transmission and Subtransmission Lines in the Vicinity of the Project: Sections 2 and 3”); 3.4-2d (“Transmission and Subtransmission Lines in the Vicinity of the Project: Sections 3 and 4”); 4.2-1a (“Important Farmlands and Williamson Act Lands (North)”); 4.2-1b (“Important Farmlands and Williamson Act Lands (South)”); and 4.4-2 (“Critical Habitat Areas”). The locations where work would be done at substations are described in Sections 3.0 (“Project Description”) and 3.5 (“Project Components”) [including Subsections 3.5.4 (“Substations”), 3.5.4.1 (“Modifications to Existing Substations”), 3.5.4.1.1 (“Moorpark Substation”) and 3.5.4.1.2 (“Newbury Substation”)], and illustrated in Figures 3.1-1 (“Project Sections and Substations”); 3.4-1a (“Past Activities”); 3.4-1b (“Future Activities”); 3.5-3a (“Existing Moorpark Substation Area”); 3.5-3b (“Existing Newbury Substation Area”).
- The physical characteristics of the Project’s components are described in Sections 3.0 (“Project Description”); 3.1 (“Project Location”); 3.4 (“Proposed Project”) [including Subsections 3.4.1 (“Summary of Project Components by Project Section”), 3.4.1.1 (“Project Section 1”), 3.4.1.2 (“Project Section 2”), 3.4.1.3 (“Project Section 3”) and 3.4.1.4 (“Project Section 4”)]; 3.5 (“Project Components”) [including Subsections 3.5.1 (“66 kV Subtransmission Lines”), 3.5.2 (“66 kV Subtransmission Poles”), 3.5.2.1 (“Lightweight Steel Poles”), 3.5.2.1.1 (“Grounding”), 3.5.2.1.2 (“Guying and Guy Poles”), 3.5.2.2 (“Tubular Steel Poles”), 3.5.3 (“Conductor”), 3.5.3.1 (“Above-Ground Installation”), 3.5.3.2 (“Below-Ground Installation”), 3.5.4 (“Substations”), 3.5.4.1 (“Modifications to Existing Substations”), 3.5.4.1.1 (“Moorpark Substation”), 3.5.4.1.2 (“Newbury Substation”), 3.5.4.1.3 (“Substation Access”), 3.5.4.1.4 (“Substation Parking Area”), 3.5.4.1.5 (“Substation Grading”), 3.5.4.1.6 (“Substation Drainage”), 3.5.4.1.7 (“Ground Surface Improvements”), 3.5.4.1.8 (“Substation Lighting”), 3.5.4.1.9 (“Substation Perimeter”), and illustrated in Figures 3.1-1 (“Project Sections and Substations”); 3.4-1a (“Past Activities”); and 3.4-1b (“Future Activities”); 3.5-1 (“Typical Pole Design”); 3.5-2 (“Subtransmission Duct Bank Detail”); and 3.7-2 (“36: Marker Ball Dimensions”).
- The Project Schedule is discussed in Section 3.7.6 (“Construction Schedule”) and attached to this Application as Appendix C.

b. A map of the proposed power line routing or substation location showing populated areas, parks, recreational areas, scenic areas, and existing electrical transmission or power lines within 300 feet of the proposed route or substation.

- Regional [Figures 1.1-1 (“Regional Map”), 4.1-1 (“Regional Landscape Context”) and 4.1-2 (“Photograph Viewpoint Locations”)] and Project area [Figures 1.1-2 (“Electrical Needs Area”); 3.1-1 (“Project Sections and Substations”); 3.4-1a (“Past Activities”); 3.4-1b (“Future Activities”); 4.2-1a (“Important Farmlands and Williamson Act Lands (North)”); 4.2-1b (“Important Farmlands and Williamson Act Lands (South)”); 4.4-2 (“Critical Habitat Areas”); 4.3-1a (“Potentially Sensitive Receptor Locations (North)”); 4.3-1b (“Potentially Sensitive Receptor Locations (South)”); 4.10-1a (“Moorpark Substation, Land Use Designations”); 4.10-1b (“Moorpark Substation, Zoning”); 4.10-2a (“Project Sections 2 & 3, Land Use Designations”); 4.10-2b (“Project Sections 2 & 3, Zoning”); 4.10-3a (“Newbury Substation, Land Use Designations”); 4.10-3b (“Newbury Substation, Zoning”); 4.14-1a (“Public Services and Schools (North)”); 4.14-1b (“Public Services and Schools (South)”); 4.15-1a (“Local Parks (North)”); and 4.15-1b (“Local Parks (South)”)] maps and aerial photographs showing existing features, including land uses and populated areas, are provided in the PEA.
- Maps and aerial photographs designating and showing current land uses, including parks, recreational, and scenic areas, are provided as Figures 3.5-3a (“Existing Moorpark Substation Area”); 3.5-3b (“Existing Newbury Substation Area”); 3.7-1a (“Access Roads And Control Features (North)”); 3.7-1b (“Access Roads And Control Features (South)”); 4.1-1 (“Regional Landscape Context”); 4.2-1a (“Important Farmlands and Williamson Act Lands (North)”); 4.2-1b (“Important Farmlands and Williamson Act Lands (South)”); 4.10-1a (“Moorpark Substation, Land Use Designations”); 4.10-1b (“Moorpark Substation, Zoning”); 4.10-2a (“Project Sections 2 & 3, Land Use Designations”); 4.10-2b (“Project Sections 2 & 3, Zoning”); 4.10-3a (“Newbury Substation, Land Use Designations”); 4.10-3b (“Newbury Substation, Zoning”); 4.14-1a (“Public Services and Schools (North)”); 4.14-1b (“Public Services and Schools (South)”); 4.15-1a (“Local Parks (North)”); 4.15-1b (“Local Parks (South)”); and 4.15-2 (“Existing And Proposed Trails Near Newbury Substation”).
- Maps and aerial photographs showing the locations of the existing substations where work was and would be done as part of the Project, as well as the location of the 66 kV subtransmission line route, and proximity to existing electrical transmission and power lines, are provided as Figures 3.1-1 (“Project Sections and Substations”); 3.2-1a (“Existing Moorpark 66 kV Subtransmission System”); 3.2-1b (“Proposed Future Moorpark 66 kV Subtransmission System”); 3.4-1a (“Past Activities”); and 3.4-1b (“Future Activities”); 3.4-2a (“Transmission and Subtransmission Lines in the Vicinity of The Project: Index”); 3.4-2b (“Transmission and Subtransmission Lines in the Vicinity of the Project: Sections 1 and 2”); 3.4-2c (“Transmission and Subtransmission Lines in the Vicinity of the Project: Sections 2 and 3”); and 3.4-2d (“Transmission and Subtransmission Lines in the Vicinity of the Project: Sections 3 and 4”); 3.5-3a (“Existing Moorpark Substation Area”); and 3.5-3b (“Existing Newbury Substation Area”).

c. Reasons for adoption of the power line route or substation location selected, including comparison with alternative routes or locations, including the advantages and disadvantages of each.

- Reasons for the adoption of the route for the 66 kV subtransmission line work and substation modifications, including the challenges and additional environmental impacts associated with alternative routes and sites, are discussed in PEA Sections 2.2 (“Project Objectives”) [including Subsections 2.2.1 (“Add 66 kV Subtransmission Line Capacity to Meet Forecasted Electrical Demand While Providing Long-Term, Safe and Reliable Electrical Service in the ENA”), 2.2.2 (“Maintain Sufficient Voltage at the 66 kV Substation Buses During Normal and Abnormal System Conditions”), 2.2.3 (“Provide Greater Operational Flexibility to Transfer Load Between 66 kV Subtransmission Lines and Substations Serving the ENA”), 2.2.4 (“Maintain and Improve System Reliability Within the ENA”), 2.2.5 (“Utilize Existing Facilities Constructed to Date for the Project to Minimize Environmental Impacts and Reduce Construction Schedule”), 2.2.6 (“Utilize Existing ROW and Manage Existing ROW in a Prudent Manner in Expectation of Possible Future Needs”), and 2.2.7 (“Design and Construct the Project in Conformance with SCE’s Applicable Engineering, Design, and Construction Standards for Substation, Transmission, Subtransmission, and Distribution System Projects”)]; 5.2 (“Description of Project Alternatives and Impact Analysis”); 5.2.1 (“System Alternatives Screening Methodology”); 5.2.2.1 (“System Alternative 1 Benefits”); 5.2.5 (“System Alternatives Analysis and Rationale for Evaluation or Elimination of Alternatives”) [including subsections 5.2.5.1 (“System Alternative 1”), 5.2.5.2 (“System Alternative 2”), and 5.2.5.3 (“No Project Alternative”); 5.2.6 (“Subtransmission Line Route Alternatives”) [including Subsections 5.2.6.1 (“Subtransmission Line Route Alternative 1, Construct New and Reconstruct Existing 66 kV Facilities Within Existing Utility ROW on the South and East Sides of Moorpark-Ormond Beach 220 kV Corridor”), 5.2.6.2 (“Subtransmission Line Route Alternative 2, Locate Portion of New 66 kV Subtransmission Line on the West Side of Moorpark-Ormond Beach 220 kV Corridor”) and 5.2.6.3 (“Subtransmission Line Route Alternative 3, Construct New 66 kV Subtransmission Line In Existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line ROW and in New ROW”)]; 5.2.7 (“Subtransmission Line Route Alternatives Analysis and Rationale for Evaluation or Elimination of Alternatives”); and 5.2.8 (“Alternatives Analysis Conclusion”). As discussed therein, no alternative subtransmission routings could reasonably be expected to allow for development of the Project as feasibly as the proposed route, while also reducing environmental impacts. In addition, the Project would be generally consistent with the policy of the CPUC, as reflected in the Garamendi Principles (SB 2431, Chapter 1457, Statutes of 1988, Garamendi), to encourage the use of existing utility ROWs. Locating electric facilities in the same ROW maximizes the use of property already used for utility purposes and minimizes the potential environmental impacts.

d. A listing of the governmental agencies with which proposed power line route or substation location reviews have been undertaken, including a written agency response to applicant’s

written request for a brief position statement by that agency. (Such listing shall include The Native American Heritage Commission, which shall constitute notice on California Indian Reservation Tribal governments.) In the absence of a written agency position statement, the utility may submit a statement of its understanding of the position of such agencies.

In addition to the public meetings and hearings between SCE and members of the public and certain elected officials during the Advice Letter process, SCE separately met and/or had conversations with representatives from the City of Thousand Oaks; the Conejo Open Space Conservation Agency (COSCA), a joint powers agency established by the City of Thousand Oaks and the Conejo Recreation and Parks District; the City of Moorpark; and the County of Ventura on several occasions over the past several years. Communications with these agencies (and others) occurred prior to SCE's filing of Advice Letter 2272-E in 2008, between the filing of Advice Letter 2272-E and the commencement of construction in 2010 and since the issuance of D.11-11-019. In addition, SCE also had communications with the Native American Heritage Commission (NAHC) and individual Native Americans. Summaries of all of these communications follow:

- **City of Thousand Oaks:** As discussed in PEA Sections 1.5 ("Agency Coordination") and 1.5.8 ("City of Thousand Oaks"), prior to filing Advice Letter 2272-E, SCE provided an information briefing about the Project to city planner Kristen Foord (who as discussed below is also the COSCA Manager) in August 2008. As required by GO 131-D, when SCE filed the Advice Letter, notice was provided to the City of Thousand Oaks via a letter along with the Notice of Proposed Construction to Community Development Director John Prescott. Thereafter, following the filing of Advice Letter 2272-E and prior to the CPUC issuance of Resolution E-4243, SCE held multiple meetings with representatives of the City of Thousand Oaks between October 2008 and September 2009. Meetings were held with several individual City Councilmembers, the full City Council, and City staff members including City Manager Scott Mitnick and Community Development Director John Prescott. Following the issuance of CPUC Resolution E-4243 and prior to the start of construction on the Project, SCE provided additional updates to representatives of the City of Thousand Oaks during the second and third quarters of 2010. Following the CPUC's issuance of D.11-11-019 and the cessation of construction activities, SCE provided additional updates to representatives of the City of Thousand Oaks during the second and third quarters of 2013. SCE believes the position of the City of Thousand Oaks to be neutral towards the Project.

- COSCA:** As discussed in PEA Sections 1.5 (“Agency Coordination”) and 1.5.6 (“COSCA”), prior to filing Advice Letter 2272-E, SCE provided an information briefing about the Project to COSCA Manager Kristen Foord in August 2008. Thereafter, following the filing of Advice Letter 2272-E and prior to the CPUC issuance of Resolution E-4243, SCE held multiple meetings with COSCA staff between October 2008 and September 2009, including a site visit with COSCA Manager Kristin Foord and Associate Planner Shelly Austin. Details from the site visit were shared with Thousand Oaks Community Development Director John Prescott. Mr. Prescott communicated to SCE that based on staff reports, he felt the Project would have minimal environmental impacts to COSCA property. Following the issuance of CPUC Resolution E-4243 and prior to the start of construction on the Project, SCE provided regular updates to COSCA staff. In addition, following SCE’s commencement of construction, SCE on September 23, 2011 conducted another site visit with COSCA representatives in furtherance of determining appropriate mitigation fees payable to COSCA by SCE to fund restoration, enhancement, or preservation activities in conjunction with SCE’s execution of a Streambed Alteration Agreement with the then-titled California Department of Fish and Game. Further consultation and coordination with COSCA representatives resulted in the development of an In-Lieu-Fee Mitigation Memorandum of Agreement (MOA) for off-site mitigation fees dated October 2011 and ratified by the COSCA Board of Directors at a March 14, 2012 meeting. Following the CPUC’s issuance of D.11-11-019 and the cessation of construction activities, SCE continued to provide additional updates to COSCA staff. The most recent Project update was provided during the third quarter of 2013. SCE believes the position of COSCA to be neutral towards the Project.
- City of Moorpark:** As discussed in PEA Sections 1.5 (“Agency Coordination”) and 1.5.7 (“City of Moorpark”), as required by GO 131-D, when SCE filed Advice Letter 2272-E, notice was provided to the City of Moorpark via a letter along with the Notice of Proposed Construction to City of Moorpark Community Development Director Dave Bobart. Thereafter, following the filing of Advice Letter 2272-E and prior to the CPUC issuance of Resolution E-4243, SCE held multiple meetings with representatives of the City of Moorpark between October 2008 and October 2009. Meetings were held with several individual City Councilmembers; the full City Council; and City staff members, including City Mayor Janice Parvin, Assistant City Manager Hugh Riley and Community Development Director Dave Bobart. Following the issuance of CPUC Resolution E-4243 and prior to the start of construction on the Project, SCE provided additional updates to representatives of the City of Moorpark during the second and third quarters of 2010. Following the CPUC’s issuance of D.11-11-019 and the cessation of construction activities, SCE provided additional updates to representatives of the City of Moorpark during the second and third quarters of 2013. SCE believes the position of the City of Moorpark to be neutral towards the Project.
- County of Ventura:** As discussed in PEA Sections 1.5 (“Agency Coordination”) and 1.5.5 (“County of Ventura”), prior to filing Advice Letter 2272-E, SCE provided an information briefing about the project to Steve Williams, Real Estate Services Manager, in August 2008. As required by GO 131-D, when SCE filed the Advice Letter, notice was

provided to the County of Ventura via a letter along with the Notice of Proposed Construction to Kim Prillhart, Planning Director for the County. Thereafter, following the filing of Advice Letter 2272-E and prior to the CPUC issuance of Resolution E-4243, SCE held multiple meetings with individual members of the Board of Supervisors as well as the entire Board of Supervisors of the County of Ventura between October 2008 and September 2009. Following the issuance of CPUC Resolution E-4243 and prior to the start of construction on the Project, SCE provided additional updates to representatives of the County of Ventura during the second and third quarters of 2010. Following the CPUC's issuance of D.11-11-019 and the cessation of construction activities, SCE provided additional updates to representatives of the County of Ventura during the second and third quarters of 2013. Representatives from the County of Ventura previously expressed opposition to any exemption of the Project from environmental review; however, the County's official position is not currently known.

- **Native American Heritage Commission:** As discussed in PEA Sections 1.5 (“Agency Coordination”) and 1.5.4 (“Native American Heritage Commission and Tribal Coordination”), at the request of SCE, the NAHC conducted a search in late 2007 of the Sacred Lands File to identify cultural resources or areas of concern to Native Americans within the vicinity of the Project Area. (A copy of SCE’s December 11, 2007 letter from Koral Ahmet to Ms. Carol Gaubatz regarding “Lands File Search Request for the Moorpark-Newbury 66 kV New Source Line Project, Ventura County, California” is attached to the PEA in Appendix C.) The NAHC’s search “failed to indicate the presence of Native American cultural resources in the immediate project area”, and provided a list of 11 Native American individuals/organizations that may have knowledge of cultural resources in the Project Area. (See December 13, 2007 letter from Katy Sanchez, NAHC to Koral Ahmet, SCE, re: “Proposed Moorpark-Newbury [*sic*] 66 kV New Source Like [*sic*] Project, Ventura County.” attached to the PEA in Appendix C.) SCE sent letters to all recommended contacts on December 11, 2007. To date, a response noting interest has been received from the Owl Clan, Qun-tan Shup. Mrs. A-lul’Koy Lotah expressed concern for Chumash cultural sites “located in the New Source Line proposed project site and up to a 5 mile radius around the proposed project areas.” A second NAHC inquiry was made in November 2012. (A copy of SCE’s November 13, 2012 letter from Christopher Doolittle to Mr. David Singleton regarding “Lands File Search Request for the Moorpark-Newbury 66 kV New Source Line Project, Ventura County, California” is attached to the PEA in Appendix C.) In response, NAHC provided a list of 22 Native American individuals/organizations that may have knowledge of cultural resources in the Project Area. (See November 20, 2012 letter from Dave Singleton, NAHC to Christopher Doolittle, SCE re: Sacred Lands File Search and Native American Contacts list for the proposed Sacred Lands File Search and Native American Contacts list of the proposed “Moorpark-Newbury 66 kV New Source Line Project;” located in Ventura County, California, attached to the PEA in Appendix C attached to the PEA in Appendix C.) Ten of these individuals/organizations were on the list received in 2007, and 12 are new. SCE has sent letters to all 22 individuals/organizations; one response has been received to date. (A copy of the form letter sent to these recipients is also included in PEA Appendix C.) Ms. Isabella Ayala, the Ventura County Regional Representative, Coastal Band of

the Chumash Nation, requested that she be contacted if the Project will impact Native American cultural resources.

e. A PEA or equivalent information on the environmental impact of the project in accordance with the provisions of CEQA and this Commission's Rules of Practice and Procedure Rule 2.4 [formerly 17.1 and 17.3]. If a PEA is filed, it may include the data described in Items a. through d. above.

A PEA is attached to this Application.

G. Compliance With GO 131-D, Section X

GO 131-D, Section X, requires applications for a PTC to describe measures taken to reduce potential exposure to electric and magnetic fields (EMF) generated by the proposed facilities. A complete description of EMF-related issues is contained in SCE's EMF Field Management Plan for the Project, which is attached as Appendix F to this Application.

H. Compliance With Rule 2.1(c)

In compliance with Rule 2.1(c) of the Commission's Rules of Practice and Procedure (California Code of Regulations, Title 20), SCE is required to state in this Application "[t]he proposed category for the proceeding, the need for hearing, the issues to be considered, and a proposed schedule." SCE proposes to categorize this Application as a rate-setting proceeding. SCE anticipates that a hearing will not be necessary. This proceeding involves the Commission's: (1) environmental review of the Project in compliance with the California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000 *et seq.*) and the Commission's GO 131-D; and (2) issuance of a PTC authorizing SCE to construct the Project.

Should the CPUC determine that the Project qualifies for Exemption g, SCE suggests the following proposed schedule for this Application:

- October 2013 Application filed

- November 2013 Application accepted as complete
- February 2014 Final Decision issued

In the event that the CPUC determines that the Project does not qualify for Exemption g, SCE suggests the following proposed schedule for this Application:

- October 2013 Application filed
- November 2013 Application accepted as complete
- January 2014 Initial Study issued
- October 2014 Draft CEQA document issued
- April 2015 Final CEQA document issued
- July 2015 Proposed Decision issued
- August 2015 Final Decision issued

I. Statutory Authority

This Application is made pursuant to the provisions of CEQA, GO 131-D, the Commission's Rules of Practice and Procedure, and prior orders and resolutions of the Commission.

J. Public Notice

Pursuant to GO 131-D, Section XI.A, notice of this Application shall be given: (1) to certain public agencies and legislative bodies; (2) to owners of property located on or within 300 feet of the project area; (3) by advertisement in a newspaper or newspapers of general circulation; and (4) by posting a notice on-site and off-site at the project location. SCE has

given, or will give, proper notice within the time limits prescribed in GO 131- D.⁷ A copy of the Notice of Application for a Permit to Construct and list of newspapers which will publish the notice are contained in Appendix D. A copy of the Certificate of Service of Notice of Application for a Permit to Construct and a service list are contained in Appendix E.

K. Supporting Appendices And Attachment

Appendices A through G and the attached PEA listed below are made a part of this Application:

- Appendix A: Balance Sheet and Statement of Income as of June 30, 2013.
- Appendix B: List of Counties and Municipalities Served by SCE
- Appendix C: Moorpark-Newbury 66 kV Subtransmission Line Project Schedules
- Appendix D: Notice of Application for a Permit to Construct
- Appendix E: Certificate of Service of Notice of Application for a Permit to Construct
- Appendix F: Field Management Plan
- Appendix G: Additional Materials Provided for a Complete Record of Proceedings
- Attachment: Proponent's Environmental Assessment

L. Compliance With Rule 2.5

In accordance with Rule 2.5 of the Commission's Rules of Practice and Procedure, SCE is enclosing a deposit to be applied to the costs the Commission incurs to prepare a negative declaration or an environmental impact report for the Project.

M. Request For Ex Parte Relief

SCE requests that the relief requested in this Application be provided *ex parte* as provided for in GO 131-D, Section IX.B.6.

⁷ In addition to providing notice to the owners of property located on or within 300 feet of the project area, because the Project involved prior proceedings on SCE's Advice Letter 2272-E, SCE is also providing notice to those persons who were involved in those proceedings.

N. Request For Timely Relief

SCE requests the Commission issue a decision within the time limits prescribed by Government Code Section 65920 *et seq.* (the Permit Streamlining Act) as provided for in GO 131-D, Section IX.B.6.

Moreover, as addressed in the same subsection of GO 131-D, SCE requests that the Commission refrain from assigning an ALJ to this proceeding, unless a valid protest is received by the Commission, and in the absence of any valid protest allow the Energy Division to process this Application.⁸

⁸ D.95-08-038, Appendix A, p. 25.

IV. CONCLUSION

SCE respectfully requests the Commission to issue a PTC authorizing SCE to construct the Project described in this Application and the attached PEA. SCE further requests that the relief be provided *ex parte* and within the time limits prescribed by the Permit Streamlining Act.

Respectfully submitted,

SOUTHERN CALIFORNIA EDISON COMPANY

/s/Kevin R. Cini

By: Kevin R. Cini
Vice President

/s/Tammy Jones

By: Tammy Jones
Attorney for

SOUTHERN CALIFORNIA EDISON COMPANY
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VERIFICATION

I am an officer of the applicant corporation herein, and am authorized to make this verification on its behalf. I am informed and believe that the matters stated in the foregoing document are true.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28th day of October, 2013, at Brea, California.

/s/Kevin R. Cini

By: Kevin R. Cini

Vice President

SOUTHERN CALIFORNIA EDISON COMPANY

Telephone: (714) 255-4894

October 28, 2013

APPENDIX A

Balance Sheet and Statement of Income as of June 2013

SOUTHERN CALIFORNIA EDISON COMPANY

STATEMENT OF INCOME
SIX MONTHS ENDED JUNE 30, 2013

(In millions)

OPERATING REVENUE	<u>\$ 5,674</u>
OPERATING EXPENSES:	
Fuel	154
Purchased power	1,855
Other operation and maintenance	1,665
Depreciation, decommissioning and amortization	832
Property and other taxes	151
Disallowances and other	0
Asset impairment and others	575
Total operating expenses	<u>5,232</u>
OPERATING INCOME	442
Interest income	6
Other income	55
Interest expense	(253)
Other expenses	<u>(21)</u>
INCOME BEFORE INCOME TAX	229
INCOME TAX EXPENSE	<u>13</u>
NET INCOME	216
Less: Dividends on preferred and preference stock	<u>51</u>
NET INCOME AVAILABLE FOR COMMON STOCK	<u><u>\$ 165</u></u>

SOUTHERN CALIFORNIA EDISON COMPANY

BALANCE SHEET
JUNE 30, 2013
ASSETS
(in millions)

UTILITY PLANT:

Utility plant, at original cost *	\$ 33,419
Less- accumulated provision for depreciation and decommissioning *	<u>7,578</u>
	25,841
Construction work in progress	3,321
Nuclear fuel, at amortized cost	<u>139</u>
	<u>29,301</u>

OTHER PROPERTY AND INVESTMENTS:

Nonutility property - less accumulated depreciation of \$117	73
Nuclear decommissioning trusts	4,181
Other investments	<u>127</u>
	<u>4,381</u>

CURRENT ASSETS:

Cash and equivalents	49
Receivables, less allowances of \$75 for uncollectible accounts	768
Accrued unbilled revenue	741
Inventory	267
Prepaid taxes	22
Derivative assets	91
Regulatory assets	803
Other current assets	<u>129</u>
	<u>2,870</u>

DEFERRED CHARGES:

Regulatory assets	7,494
Derivative assets	73
Other long-term assets	<u>531</u>
	<u>8,098</u>
	<u>\$ 44,650</u>

* Detailed by class on following pages.

SOUTHERN CALIFORNIA EDISON COMPANY

BALANCE SHEET
JUNE 30, 2013
CAPITALIZATION AND LIABILITIES
(in millions)

CAPITALIZATION:

Common stock	\$ 2,168
Additional paid-in capital	584
Accumulated other comprehensive loss	(30)
Retained earnings	7,115
Common shareholder's equity	<u>9,837</u>
Preferred and preference stock	1,795
Long-term debt	<u>8,427</u>
Total capitalization	<u>20,059</u>

CURRENT LIABILITIES:

Short-term debt	828
Current portion of long-term debt	800
Accounts payable	1,264
Accrued taxes	36
Accrued interest	194
Customer deposits	199
Derivative liabilities	140
Regulatory liabilities	493
Deferred income taxes	79
Other current liabilities	663
	<u>4,696</u>

DEFERRED CREDITS:

Deferred income taxes	6,819
Deferred investment tax credits	102
Customer advances	134
Derivative liabilities	1,027
Pensions and benefits	1,727
Asset retirement obligations	3,322
Regulatory liabilities	4,836
Other deferred credits and other long-term liabilities	1,928
	<u>19,895</u>

\$ 44,650

APPENDIX B

List of Counties and Municipalities



SOUTHERN CALIFORNIA
EDISON

An EDISON INTERNATIONAL Company

Incorporated Cities and Counties Served by SCE

COUNTIES

Fresno	Kern	Madera	Riverside	Tulame
Imperial	Kings	Mono	San Bernardino	Tulare
Inyo	Los Angeles	Orange	Santa Barbara	Ventura

CITIES

Adelanto	Commerce	Hesperia	Los Alamitos	Port Hueneme	Simi Valley
Agoura Hills	Compton	Hidden Hills	Lynwood	Porterville	South El Monte
Alhambra	Corona	Highland	Malibu	Rancho Cucamonga	South Gate
Aliso Viejo	Costa Mesa	Huntington Beach	Mammoth Lakes	Rancho Mirage	South Pasadena
Apple Valley	Covina	Huntington Park	Manhattan Beach	Rancho Palos Verdes	Stanton
Arcadia	Cudahy	Indian Wells	Maywood	Rancho Santa Margarita	Tehachapi
Artesia	Culver City	Industry	McFarland	Redlands	Temecula
Avalon	Cypress	Inglewood	Menifee	Redondo Beach	Temple City
Baldwin Park	Delano	Irvine	Mission Viejo	Rialto	Thousand Oaks
Barstow	Desert Hot Springs	Irwindale	Monrovia	Ridgecrest	Torrance
Beaumont	Diamond Bar	Jurupa Valley	Montclair	Rolling Hills	Tulare
Bell	Downey	La Canada Flintridge	Montebello	Rolling Hills Estates	Tustin
Bell Gardens	Duarte	La Habra	Monterey Park	Rosemead	Twentynine Palms
Bellflower	Eastvale	La Habra Heights	Moorpark	San Bernardino	Upland
Beverly Hills	El Monte	La Mirada	Moreno Valley	San Gabriel	Valencia
Big Bear Lake	El Segundo	La Palma	Murrieta	San Jacinto	Victorville
Bishop	Exeter	La Puente	Newport Beach	San Marino	Villa Park
Blythe	Farmersville	La Verne	Norco	Santa Ana	Visalia
Bradbury	Fillmore	Laguna Beach	Norwalk	Santa Barbara	Walnut
Brea	Fontana	Laguna Hills	Ojai	Santa Clarita	West Covina
Buena Park	Fountain Valley	Laguna Niguel	Ontario	Santa Fe Springs	West Hollywood
Calabasas	Fullerton	Laguna Woods	Orange	Sierra Madre	Westlake Village
California City	Garden Grove	Lake Elsinore	Oxnard	Signal Hill	Westminster
Calimesa	Gardena	Lake Forest	Palm Desert		Whittier
Camarillo	Glendora	Lakewood	Palm Springs		Wildomar
Canyon Lake	Goleta	Lancaster	Palmdale		Woodlake (Three Rivers)
Carpinteria	Grand Terrace	Lawndale	Palos Verdes		Yorba Linda
Carson	Hanford	Lindsay	Paramount		Yucaipa
Cathedral City	Hawaiian Gardens	Loma Linda	Perris		Yucca Valley
Cerritos	Hawthorne	Lomita	Pico Rivera		
Chino	Hemet	Long Beach	Placentia		
Chino Hills	Hermosa Beach		Pomona		
Claremont					

APPENDIX C

Moorpark-Newbury 66 kV Subtransmission Line Project Schedule

Proposed Moorpark-Newbury 66 kV Subtransmission Line Project Schedule

Should the CPUC determine that the Project qualifies for Exemption g, SCE suggests the following proposed schedule for this Application:

<u>Date</u>	<u>Event</u>
October 2013	Application filed
November 2013	Application accepted as complete
February 2014	Final Decision issued
March 2014	Commence construction
December 2014	Operating date

In the event that the CPUC determines that the Project does not qualify for Exemption g, SCE suggests the following proposed schedule for this Application:

<u>Date</u>	<u>Event</u>
October 2013	Application filed
November 2013	Application accepted as complete
January 2014	Initial Study issued
October 2014	Draft CEQA document issued
April 2015	Final CEQA document issued
July 2015	Proposed Decision issued
August 2015	Final Decision issued
September 2015	Commence construction
June 2016	Operating date

APPENDIX D

Notice of Application For A Permit To Construct

NOTICE OF APPLICATION FOR A PERMIT TO CONSTRUCT

MOORPARK-NEWBURY 66 KILOVOLT (KV) SUBTRANSMISSION PROJECT

Date: October 28, 2013

Project: In 2008, Southern California Edison Company (SCE) filed an Advice Letter with the California Public Utilities Commission (CPUC) proposing to construct the Moorpark-Newbury 66 kV Subtransmission Project (Project) under an exemption from the CPUC's Permit to Construct (PTC) Application requirements. Construction commenced in fall 2010, but later was suspended in November 2011 at the request of the CPUC in Decision (D.) 11-11-019. CPUC D. 11-11-019 also directed SCE to file a PTC Application if it wishes to build the Project. Accordingly, SCE has filed an application with the CPUC for a PTC for the Project.¹

The purpose of the Project is to ensure the availability of safe and reliable electric service to meet customer demand in the Electrical Needs Area (ENA) served by Newbury Substation and Pharmacy Substation within the Moorpark 66 kV Subtransmission System. The Project is needed to address: 1) a projected voltage drop that would exceed the acceptable 5% limit on the 66 kV bus at Newbury Substation under abnormal system conditions; and 2) a projected overload on the Moorpark-Newbury tap of the Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line under normal system operating conditions.

The Project consists of constructing a new 66 kV subtransmission line between SCE's Moorpark Substation (located at the intersection of Gabbert Road and Los Angeles Avenue in the City of Moorpark) and Newbury Substation (located on Lawrence Drive near Corporate Center Drive in the City of Thousand Oaks). The Project involves both the construction of new facilities and reconstruction and reconductoring of existing facilities. The Project is approximately 9 miles in length and traverses portions of the City of Moorpark, unincorporated areas of Ventura County, and the City of Thousand Oaks.

Prior to the issuance of D. 11-11-019 in November 2011, SCE had constructed approximately 60% of the Project. Specific details regarding what components have already been constructed, along with specific details about the Project components yet to be constructed, are discussed in SCE's PTC Application filed with the CPUC and accompanying PEA.

The Project's 66 kV subtransmission line elements have been subdivided into four geographically-defined Project Sections as follows (to facilitate an understanding of the Project location and routes, a map is provided with this Notice):

- **Project Section 1:** Consists of the construction of approximately 1,200 feet of new underground ducts and structures entirely within Moorpark Substation in which the new Moorpark-Newbury 66 kV Subtransmission Line would be routed. The line begins at the 66 kV switchrack, runs underground through conduit installed in a duct bank to a 93-foot riser tubular steel pole (TSP) above ground, and then exits the substation overhead on the north side of the substation to the adjacent SCE Moorpark-Ormond Beach 220 kV Right-of-Way (ROW).
- **Project Section 2:** Consists of the construction of approximately 5 miles of new overhead 66 kV subtransmission line on the south and east sides of SCE's existing Moorpark-Ormond Beach 220 kV ROW. Project Section 2 originates at the fence line of Moorpark Substation and terminates near the City of Thousand Oaks boundary and is located entirely within SCE's existing Moorpark-Ormond Beach 220 kV ROW. The ROW exits Moorpark Substation at the northwest corner of the substation, proceeds west from the substation for approximately 4,800 feet, assumes a southerly routing near Montair Drive, crosses State Route 118 (SR-118, Los Angeles Avenue) and continues south through the City of Moorpark and the unincorporated Moorpark Home Acres and Santa Rosa Valley areas of Ventura County, ending approximately 0.7 mile south of Santa Rosa Road. When fully constructed, Project Section 2 would result in this portion of the new Moorpark-Newbury 66 kV Subtransmission Line (strung with 954 aluminum conductor steel reinforced (ACSR)) installed on new single-circuit TSPs (ranging in height from approximately 85 to 135 feet above ground) located within the south and east sides of the ROW, adjacent to the existing 220 kV structures.
- **Project Section 3:** Consists of the construction of approximately 3 miles of the new Moorpark-Newbury 66 kV Subtransmission Line within the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line ROW. Project Section 3 extends from the termination of Project Section 2 (south of Santa Rosa Valley Road and north of the boundary of the City of Thousand Oaks) and is routed south and east to its termination approximately 800 feet west of the northern terminus of Rancho Conejo Boulevard in the City of Thousand Oaks. With the exception of approximately 400 feet at its northern end, all of Project Section 3 is located in open space lands managed by the Conejo Open Space Conservation Authority. Existing lattice steel towers (LST) (ranging in height from approximately 65 to 115 feet above ground) would be replaced with new TSPs (ranging in height from approximately 70 to 115 feet above ground). The TSPs would be double-circuited, carrying both the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line and the new Moorpark-Newbury 66 kV Subtransmission Line. The existing single-circuit Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line in this section would be reconstructed and reconductored (removing 653 ACSR and installing 954 ACSR) to accommodate the installation of the new Moorpark-Newbury 66 kV Subtransmission Line, which would also be strung with 954 ACSR.
- **Project Section 4:** Consists of the construction of approximately 1 mile of the new Moorpark-Newbury 66 kV Subtransmission Line within the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line ROW extending from the termination of Project Section 3 (approximately 800 feet west of the northern terminus of Rancho Conejo Boulevard in the City of Thousand Oaks) into Newbury Substation. When fully constructed, existing wood poles (ranging in height from approximately 52 to 79 feet above ground) would be replaced primarily with LWS poles, as well as a few TSPs that would be located only within Newbury Substation. The new poles would range in height from approximately 61 to 85 feet above ground. The existing single circuit Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line would be reconstructed and

¹ Additional details about the procedural history of this Project at the CPUC can be found in SCE's PTC Application and Proponent's Environmental Assessment (PEA).

transferred to the LWS poles in a double circuit configuration to accommodate the new Moorpark-Newbury 66 kV Subtransmission Line. New conductor for the Moorpark-Newbury 66kV Subtransmission Line would be strung with 954 Stranded Aluminum Conductor (SAC).

In addition to the above described subtransmission work, the Project also includes construction of new 66 kV subtransmission line positions and associated infrastructure within Moorpark Substation and Newbury Substation to facilitate the termination of the new Moorpark-Newbury 66 kV Subtransmission Line. The Project also involves the transfer of existing distribution circuitry and telecommunication facilities to new subtransmission poles, as necessary.

Construction is scheduled to begin in late 2015. The Project is planned to be operational by mid-to-late 2016.

EMF Compliance: The CPUC requires utilities to employ "no-cost" and "low-cost" measures to reduce public exposure to electric and magnetic fields (EMF). In accordance with "EMF Design Guidelines" filed with the CPUC in compliance with CPUC Decisions 93-11-013 and 06-01-042, SCE would implement the following measure(s) for the proposed project:

1. Utilizing subtransmission structure heights that meet or exceed SCE's preferred EMF design criteria
2. Arranging conductors of the proposed subtransmission lines for magnetic field reduction
3. Utilizing double-circuit construction that reduces spacing between circuits as compared with single-circuit constructions
4. Placing new substation electrical equipment (such as breakers, switchracks, buses, and underground duct banks) away from the substation property lines closest to populated areas.

Environmental Review: SCE has prepared a PEA which includes analysis of potential environmental impacts that could be created by the construction and operation of the Project. The PEA concludes that with the incorporation of project features to avoid or minimize environmental impacts, all environmental effects associated with the Project would be less than significant.

Should the CPUC determine that the Project should be reviewed pursuant to the California Environmental Quality Act (CEQA), the CPUC's Energy Division would conduct an independent review of the Project's environmental impacts. Depending on the results of its review, the Energy Division would issue a Negative Declaration that the proposed project would not result in any significant environmental impacts, or an Environmental Impact Report (EIR) identifying the potentially significant environmental impacts and mitigation measures and alternatives to avoid or reduce them.

Public Participation:

- If the CPUC determines that CEQA review of the Project is appropriate, the public may participate in the environmental review by submitting comments on the Notice of Intent to Approve a Negative Declaration, or on the Notice of Preparation of EIR and Draft EIR, and by participating in any scoping meetings or public meetings that may be conducted. For information on the environmental review, contact the CPUC's Energy Division at enviro_team@cpuc.ca.gov or (415) 703-2126.
- Persons wishing to present testimony in evidentiary hearings and/or legal briefing on all other issues, including EMF compliance, and, if one is prepared, whether the EIR complies with CEQA, require party status. Persons may obtain party status by filing a protest to the application by November 27, 2013 in compliance with Rule 2.6, or by making a motion for party status at any time in compliance with Rule 1.4 of the CPUC's Rules of Practice and Procedure (posted at www.cpuc.ca.gov).
- The public may communicate their views regarding the application by writing to the CPUC at 505 Van Ness Avenue, San Francisco, CA 94102, or by emailing the Public Advisor at public.advisor@cpuc.ca.gov. In addition, the CPUC may, at its discretion, hold a public participation hearing in order to take oral public comment.

Document Subscription Service: The CPUC's free online subscription service sends subscribers an email notification when any document meeting their subscription criteria is published on the CPUC's website, such as documents filed in a CPUC proceeding (e.g., notices of hearings, rulings, briefs and decisions). To sign up to receive notification of documents filed in this proceeding (or other CPUC matters), visit www.cpuc.ca.gov/subscription.

Contacts: For assistance from the CPUC, please contact the Public Advisor in San Francisco at (415) 703-2074 (public.advisor@cpuc.ca.gov) or in Los Angeles at (213) 567-7055 (Public.Advisor.LA@cpuc.ca.gov).

To obtain a copy of SCE's PTC Application, or to request further information about the Project, please contact:

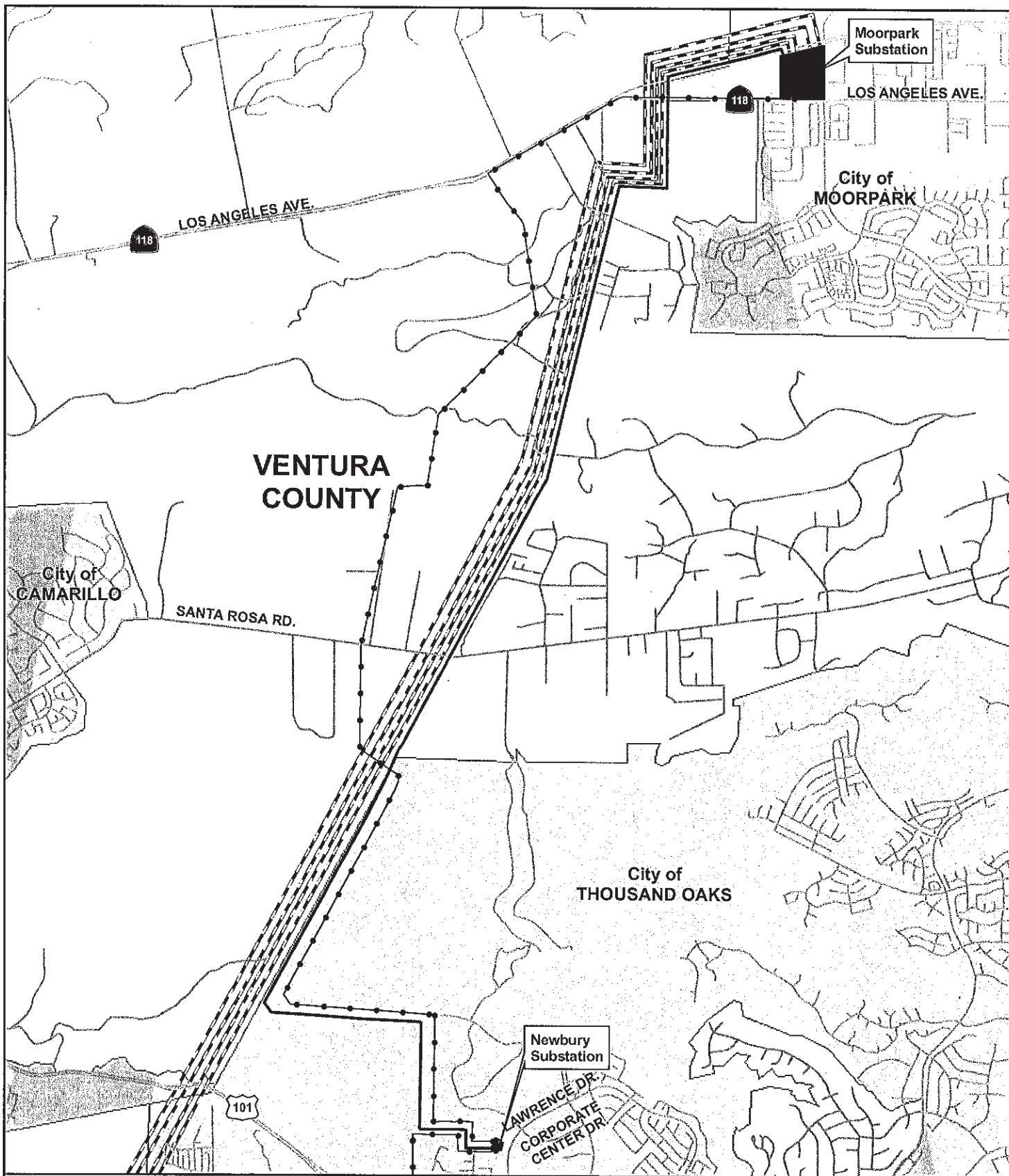
Rudy Gonzales

SCE Region Manager

SCE Thousand Oaks Service Center

3589 Foothill Drive, Thousand Oaks, CA 91361

Phone: 805-497-5616



Moorpark-Newbury 66 kV Subtransmission Line Project

Legend

- Existing Substation Area
- Proposed Moorpark-Newbury 66 kV line
- Existing Moorpark-Newbury-Pharmacy 66 kV Line
- Existing Moorpark-Ormond Beach 220 kV Line



0 0.4 0.8 Miles

Features depicted herein are planning level accuracy, and intended for informational purposes only. Distances and locations may be distorted at this scale. Always consult with the proper legal documents or agencies regarding such features. © Real Properties GIS Mapping.

LIST OF NEWSPAPER(S)
PUBLISHING THE NOTICE OF APPLICATION
FOR A PERMIT TO CONSTRUCT

Ventura County Star
550 Camarillo Center Drive
Camarillo, California 93011

APPENDIX E

Certificate of Service of Notice of Application For A Permit To Construct

CERTIFICATE OF SERVICE

I hereby certify that, pursuant to the Commission's Rules of Practice and Procedure, I have this day served a true copy of ***Southern California Edison Company Notice of Application for a Permit to Construct on the Moorpark-Newbury 66 Kilovolt (kV) Subtransmission Line Project*** on all parties identified on the attached Agency Service list(s) ***A.13-10-XXX Moorpark-Newbury Project***. Service was effected by the means indicated below:

- ☒ Placing copies in properly addressed sealed envelopes and depositing such copies in the United States mail with CERTIFIED postage prepaid to all parties for those listed on the attached non-email list.

Moorpark-Newbury 66 kV Subtransmission Line Agency Service List

Executed this 28TH day of October 2013, at Rosemead, California.

/s/ Monica L Romero

Monica L. Romero

Project Analyst

SOUTHERN CALIFORNIA EDISON COMPANY

2244 Walnut Grove Avenue
Post Office Box 800
Rosemead, California 91770

**Moorpark-Newbury 66 kV Subtransmission Line
AGENCY SERVICE LIST**

Supervisor Peter C. Foy, Chair Board of Supervisors, 4 th District County of Ventura 800 S. Victoria Avenue Ventura, CA 93009	Supervisor Linda Parks Board of Supervisors, 2 nd District County of Ventura 800 S. Victoria Avenue Ventura, CA 93009	Kimberly Prillhart, Director County of Ventura Planning Division 800 South Victoria Avenue, L-1740 Ventura, CA 93009
W. Stephen Onstot, Chair County of Ventura Planning Commission Attn: Denise Susi 800 S. Victoria Avenue, Hall of Administration Ventura, CA 93009	Michael Powers, County Executive Officer County of Ventura Hall of Administration 800 S. Victoria Avenue, L#1940 Ventura, CA 93009	Janice S. Parvin, Mayor City of Moorpark 799 Moorpark Avenue Moorpark, CA 93021
Steven Kueny City Manager City of Moorpark 799 Moorpark Avenue Moorpark, CA 93021	David Bobardt Community Development Director City of Moorpark 799 Moorpark Avenue Moorpark, CA 93021	Diana Gould, Chair City of Moorpark, Planning Commission 799 Moorpark Avenue Moorpark, CA 93021
Claudia Bill-de la Peña, Mayor City of Thousand Oaks 2100 Thousand Oaks Blvd. Thousand Oaks, CA 91362	Scott Mitnick, City Manager City of Thousand Oaks 2100 Thousand Oaks Blvd. Thousand Oaks, CA 91362	John Prescott, Director Community Development City of Thousand Oaks 2100 Thousand Oaks Blvd. Thousand Oaks, CA 91362
Peter Turpel, Chair Planning Commission City of Thousand Oaks 2100 Thousand Oaks Blvd. Thousand Oaks, CA 91362	Robert Oglesby, Executive Director California Energy Commission 1516 Ninth Street Sacramento, CA 95814-5512	Karen Miller, CPUC Public Advisor California Public Utilities Commission 505 Van Ness Avenue San Francisco, CA 94102
Edward Randolph, Energy Division Director California Public Utilities Commission 505 Van Ness Avenue San Francisco, CA 94102	Malcolm Dougherty, Director California Department of Transportation PO Box 942873 Sacramento, CA 94273-0001	Toby Douglas, Director California Department of Health Services 1501 Capitol Ave., Suite 6001 Sacramento, CA 94234-7320
John Laird, Secretary Natural Resources Agency 1416 Ninth St., Suite 1311 Sacramento, CA 95814	Charlton H. Bonham, Director California Department of Fish and Game Headquarters 1416 Ninth Street Sacramento, CA 95814	Thomas Howard, Executive Director State Water Resources Control Board 1001 "I" Street Sacramento, CA 95814
Mary D. Nichols, Board Chairman California Air Resources Board 1001 "I" Street PO Box 2815 Sacramento, CA 95812	Gary Cathey, Division of Aeronautics Chief California Department of Transportation Division of Aeronautics, MS # 40 PO Box 942874 Sacramento, CA 94274-0001	Samuel Unger, Executive Director LA Regional Water Quality Control Board 320 West Fourth Street, Suite 200 Los Angeles, CA 90013
Michael J. Villegas, Air Pollution Control Officer Ventura County Air Pollution Control District 669 County Square Drive Second Floor Ventura, CA 93003	Michael Miles, Director California Department of Transportation District 7 100 S. Main Street Los Angeles, CA 90012	Diane Noda, Field Supervisor US Fish and Wildlife Service Ventura Field Office 2493 Portola Road, Suite B Ventura, CA 93003

<p>Jeff Humble - Environmental Scientist CA Department of Fish and Wildlife PO Box 1179 Ventura, CA 93002</p>	<p>Rorie Skei, Chair Conejo Open Space Conservation Agency c/o City of Thousand Oaks 2100 E. Thousand Oaks Blvd. Thousand Oaks, CA 91362</p>	<p>Julie Tumamait-Stenslie, Commissioner Native American Heritage Commission 915 Capitol Mall, Room 364 Sacramento, CA 95814</p>
<p>Dave Singleton, Program Analyst Native American Heritage Commission 915 Capitol Mall, Room 364 Sacramento, CA 95814</p>		

CERTIFICATE OF SERVICE

I hereby certify that, pursuant to the Commission's Rules of Practice and Procedure, I have this day served a true copy of ***Southern California Edison Company Notice of Application for a Permit to Construct on the Moorpark-Newbury 66 Kilovolt (kV) Subtransmission Line Project and Cover Letter*** on all parties identified on the attached **300 Foot Service List(s)** A.13-10-XXX Moorpark-Newbury. Service was effected by one or more means indicated below:

Parcels within a 300-Foot Radius of the Project Moorpark-Newbury 66 kV Subtransmission Line Project

- ☒ Directing Prographics to place the copies in properly addressed sealed envelopes and to deposit such envelopes in the United States mail with first-class postage prepaid to all parties.

Executed this 28th day of October 2013, at Rosemead, California.

/s/ Monica L Romero

Monica L. Romero

Project Analyst

SOUTHERN CALIFORNIA EDISON COMPANY

2244 Walnut Grove Avenue
Post Office Box 800
Rosemead, California 91770

Parcels within a 300-Foot Radius of the Project
Moorpark-Newbury 66 kV Subtransmission Line Project

APN	MAILING ADDRESS	MAILING CITY	MAILING STATE	MAILING ZIP CODE	PROPERTY ADDRESS	PROPERTY CITY	PROPERTY STATE	PROPERTY ZIP CODE
163-0-130-330	PO BOX 1473	CAMARILLO	CA	93011	N/A	N/A	N/A	93012
163-0-130-340	PO BOX 1473	CAMARILLO	CA	93011	N/A	N/A	N/A	93012
163-0-130-360	1492 LA CULEBRA CIR	CAMARILLO	CA	93012	N/A	N/A	N/A	93012
163-0-130-385	PO BOX 800	ROSEMEAD	CA	91770	N/A	N/A	N/A	93012
163-0-130-395	PO BOX 800	ROSEMEAD	CA	91770	N/A	N/A	N/A	93012
163-0-130-540	9415 SANTA ROSA RD	SANTA ROSA VALLEY	CA	93012	N/A	N/A	N/A	N/A
163-0-130-550	9415 SANTA ROSA RD	SANTA ROSA VALLEY	CA	93012	N/A	N/A	N/A	N/A
163-0-130-560	9415 SANTA ROSA RD	SANTA ROSA VALLEY	CA	93012	N/A	N/A	N/A	N/A
163-0-170-115	4279 E HUENEME RD	OXNARD	CA	93033	N/A	CAMARILLO	CA	93012
163-0-170-125	PO BOX 1473	CAMARILLO	CA	93011	N/A	CAMARILLO	CA	93012
163-0-180-060	840 COUNTY SQUARE DR # 3	VENTURA	CA	93003	N/A	CAMARILLO	CA	93012
163-0-180-095	PO BOX 1473	CAMARILLO	CA	93011	202 CAMARILLO GROVE RD	CAMARILLO	CA	93012
163-0-200-010	4287 VENTAVO RD	MOORPARK	CA	93021	4287 VENTAVO RD	MOORPARK	CA	93021
163-0-200-020	104 VENTURA WAY	CHATSWORTH	CA	91311	4260 VENTAVO RD	MOORPARK	CA	93021
163-0-200-030	10300 PRESILLA RD	SANTA ROSA VALLEY	CA	93012	VENTAVO DR	CAMARILLO	CA	93021
163-0-200-100	11505 CHESTNUT RIDGE ST	MOORPARK	CA	93021	4130 VENTAVO RD	MOORPARK	CA	93021
163-0-200-210	4241 BERKSHIRE ST	OXNARD	CA	93033	N/A	N/A	N/A	N/A
163-0-200-220	4057 BLAIRWOOD DR	MOORPARK	CA	93021	4386 HITCH BLVD	MOORPARK	CA	93021
163-0-200-235	23475 LONG VALLEY RD	WOODLAND HILLS	CA	91367	N/A	CAMARILLO	CA	N/A
163-0-200-240	4241 BERKSHIRE ST	OXNARD	CA	93033	N/A	N/A	N/A	N/A
163-0-200-250	800 S VICTORIA AVE	VENTURA	CA	93009	N/A	N/A	N/A	N/A

Parcels within a 300-Foot Radius of the Project
Moorpark-Newbury 66 kV Subtransmission Line Project

APN	MAILING ADDRESS	MAILING CITY	MAILING STATE	MAILING ZIP CODE	PROPERTY ADDRESS	PROPERTY CITY	PROPERTY STATE	PROPERTY ZIP CODE
163-0-210-120	2809 N REDONDO AVE	CAMARILLO	CA	93010	3070 CERZANNE DR	MOORPARK	CA	93021
163-0-210-130	10255 PRESILLA RD	SANTA ROSA VALLEY	CA	93012	CERZANNE DR	CAMARILLO	CA	93021
163-0-210-140	10255 PRESILLA RD	SANTA ROSA VALLEY	CA	93012	N/A	CAMARILLO	CA	93021
163-0-210-260	235 SANDBERG ST	THOUSAND OAKS	CA	91360	N/A	CAMARILLO	CA	93012
163-0-210-270	10255 PRESILLA RD	SANTA ROSA VALLEY	CA	93012	10255 PRESILLA RD	SANTA ROSA VALLEY	CA	93012
163-0-210-280	10275 PRESILLA RD	SANTA ROSA VALLEY	CA	93012	10275 PRESILLA RD	SANTA ROSA VALLEY	CA	93012
163-0-210-295	11648 BARRANCA RD	SANTA ROSA VALLEY	CA	93012	10248 PRESILLA RD	MOORPARK	CA	93012
235-0-280-015	1120 N ST	SACRAMENTO	CA	95814	N/A	N/A	N/A	91320
504-0-010-035	PO BOX 70	MOORPARK	CA	93020	10742 W LOS ANGELES AVE	MOORPARK	CA	93021
504-0-010-055	PO BOX 800	ROSEMEAD	CA	91770	N/A	MOORPARK	CA	93021
504-0-010-085	PO BOX 70	MOORPARK	CA	93020	N/A	MOORPARK	CA	93021
504-0-010-095	PO BOX 800	ROSEMEAD	CA	91770	11960 W LOS ANGELES AVE	MOORPARK	CA	93021
504-0-010-115	PO BOX 800	ROSEMEAD	CA	91770	N/A	N/A	N/A	93021
504-0-010-135	PO BOX 800	ROSEMEAD	CA	91770	N/A	N/A	N/A	93021
504-0-010-145	800 S VICTORIA AVE	VENTURA	CA	93009	N/A	N/A	N/A	93021
504-0-010-175	23475 LONG VALLEY RD	WOODLAND HILLS	CA	91367	N/A	N/A	N/A	93021
504-0-010-190	800 S VICTORIA AVE	VENTURA	CA	93009	N/A	N/A	N/A	93021
504-0-010-205	PO BOX 70	MOORPARK	CA	93020	N/A	N/A	N/A	93021
504-0-010-215	800 S VICTORIA AVE	VENTURA	CA	93009	N/A	N/A	N/A	93021
504-0-010-225	PO BOX 800	ROSEMEAD	CA	91770	N/A	N/A	N/A	93021

Parcels within a 300-Foot Radius of the Project
Moorpark-Newbury 66 kV Subtransmission Line Project

APN	MAILING ADDRESS	MAILING CITY	MAILING STATE	MAILING ZIP CODE	PROPERTY ADDRESS	PROPERTY CITY	PROPERTY STATE	PROPERTY ZIP CODE
504-0-010-235	800 S VICTORIA AVE	VENTURA	CA	93009	N/A	N/A	N/A	93021
504-0-010-245	PO BOX 800	ROSEMEAD	CA	91770	N/A	N/A	N/A	93021
504-0-010-255	800 S VICTORIA AVE	VENTURA	CA	93009	N/A	N/A	N/A	93021
504-0-010-280	PO BOX 70	MOORPARK	CA	93020	N/A	N/A	N/A	93021
504-0-021-115	PO BOX 800	ROSEMEAD	CA	91770	N/A	MOORPARK	CA	93021
504-0-021-165	PO BOX 800	ROSEMEAD	CA	91770	N/A	MOORPARK	CA	93021
504-0-021-245	930 HARRISON ST	MONTEREY	CA	93940	11018 W LOS ANGELES AVE	MOORPARK	CA	93021
504-0-053-395	4942 HOLLYGLEN CT	MOORPARK	CA	93021	4942 HOLLYGLEN CT	MOORPARK	CA	93021
504-0-053-405	4950 HOLLYGLEN CT	MOORPARK	CA	93021	4950 HOLLYGLEN CT	MOORPARK	CA	93021
504-0-053-415	4958 HOLLYGLEN CT	MOORPARK	CA	93021	4958 HOLLYGLEN CT	MOORPARK	CA	93021
504-0-053-425	4970 HOLLYGLEN CT	MOORPARK	CA	93021	4970 HOLLYGLEN CT	MOORPARK	CA	93021
504-0-053-435	4978 HOLLYGLEN CT	MOORPARK	CA	93021	4978 HOLLYGLEN CT	MOORPARK	CA	93021
504-0-053-445	4986 HOLLYGLEN CT	MOORPARK	CA	93021	4986 HOLLYGLEN CT	MOORPARK	CA	93021
504-0-053-455	4998 HOLLYGLEN CT	MOORPARK	CA	93021	4998 HOLLYGLEN CT	MOORPARK	CA	93021
504-0-053-465	4999 HOLLYGLEN CT	MOORPARK	CA	93021	4999 HOLLYGLEN CT	MOORPARK	CA	93021
504-0-053-475	4987 HOLLYGLEN CT	MOORPARK	CA	93021	4987 HOLLYGLEN CT	MOORPARK	CA	93021
504-0-053-485	4979 HOLLYGLEN CT	MOORPARK	CA	93021	4979 HOLLYGLEN CT	MOORPARK	CA	93021
504-0-053-495	4971 HOLLYGLEN CT	MOORPARK	CA	93021	4971 HOLLYGLEN CT	MOORPARK	CA	93021

Parcels within a 300-Foot Radius of the Project
Moorpark-Newbury 66 kV Subtransmission Line Project

APN	MAILING ADDRESS	MAILING CITY	MAILING STATE	MAILING ZIP CODE	PROPERTY ADDRESS	PROPERTY CITY	PROPERTY STATE	PROPERTY ZIP CODE
504-0-053-505	4959 HOLLYGLEN CT	MOORPARK	CA	93021	4959 HOLLYGLEN CT	MOORPARK	CA	93021
504-0-053-515	4391 CLEARWOOD RD	MOORPARK	CA	93021	4951 HOLLYGLEN CT	MOORPARK	CA	93021
504-0-053-525	4943 HOLLYGLEN CT	MOORPARK	CA	93021	4943 HOLLYGLEN CT	MOORPARK	CA	93021
504-0-053-535	4935 HOLLYGLEN CT	MOORPARK	CA	93021	4935 HOLLYGLEN CT	MOORPARK	CA	93021
504-0-060-015	4957 MIRA SOL DR	MOORPARK	CA	93021	4957 MIRA SOL DR	MOORPARK	CA	93021
504-0-060-025	4919 MIRA SOL DR	MOORPARK	CA	93021	4919 MIRA SOL DR	MOORPARK	CA	93021
504-0-060-235	4968 MIRA SOL DR	MOORPARK	CA	93021	4968 MIRA SOL DR	MOORPARK	CA	93021
504-0-060-245	4998 MIRA SOL DR	MOORPARK	CA	93021	4998 MIRA SOL DR	MOORPARK	CA	93021
504-0-060-275	4958 MIRA SOL DR	MOORPARK	CA	93021	4958 MIRA SOL DR	MOORPARK	CA	93021
504-0-071-175	4859 AVEDON RD	MOORPARK	CA	93021	4859 AVEDON RD	MOORPARK	CA	93021
504-0-071-185	4867 AVEDON RD	MOORPARK	CA	93021	4867 AVEDON RD	MOORPARK	CA	93021
504-0-071-195	4873 AVEDON RD	MOORPARK	CA	93021	4873 AVEDON RD	MOORPARK	CA	93021
504-0-071-205	4881 AVEDON RD	MOORPARK	CA	93021	4881 AVEDON RD	MOORPARK	CA	93021
504-0-071-215	4887 AVEDON RD	MOORPARK	CA	93021	4887 AVEDON RD	MOORPARK	CA	93021
504-0-071-225	PO BOX 650043	DALLAS	TX	75265	4893 AVEDON RD	MOORPARK	CA	93021
504-0-071-235	4870 TALMADGE RD	MOORPARK	CA	93021	4870 TALMADGE RD	MOORPARK	CA	93021
504-0-071-245	4862 TALMADGE RD	MOORPARK	CA	93021	4862 TALMADGE RD	MOORPARK	CA	93021
504-0-071-255	2421 LEEWARD CIR	THOUSAND OAKS	CA	91361	4856 TALMADGE RD	MOORPARK	CA	93021
504-0-072-015	4861 TALMADGE RD	MOORPARK	CA	93021	4861 TALMADGE RD	MOORPARK	CA	93021
504-0-072-185	4860 AVEDON RD	MOORPARK	CA	93021	4860 AVEDON RD	MOORPARK	CA	93021
504-0-091-105	4879 PENROSE AVE	MOORPARK	CA	93021	4879 PENROSE AVE	MOORPARK	CA	93021
504-0-091-115	4883 PENROSE AVE	MOORPARK	CA	93021	4883 PENROSE AVE	MOORPARK	CA	93021
504-0-091-125	4891 PENROSE AVE	MOORPARK	CA	93021	4891 PENROSE AVE	MOORPARK	CA	93021

Parcels within a 300-Foot Radius of the Project
Moorpark-Newbury 66 kV Subtransmission Line Project

APN	MAILING ADDRESS	MAILING CITY	MAILING STATE	MAILING ZIP CODE	PROPERTY ADDRESS	PROPERTY CITY	PROPERTY STATE	PROPERTY ZIP CODE
504-0-091-135	4897 PENROSE AVE	MOORPARK	CA	93021	4897 PENROSE AVE	MOORPARK	CA	93021
504-0-091-145	11803 NIGHTINGALE ST	MOORPARK	CA	93021	11803 NIGHTINGALE ST	MOORPARK	CA	93021
504-0-091-155	11807 NIGHTINGALE ST	MOORPARK	CA	93021	11807 NIGHTINGALE ST	MOORPARK	CA	93021
504-0-091-165	11813 NIGHTINGALE ST	MOORPARK	CA	93021	11813 NIGHTINGALE ST	MOORPARK	CA	93021
504-0-091-175	11817 NIGHTINGALE ST	MOORPARK	CA	93021	11817 NIGHTINGALE ST	MOORPARK	CA	93021
505-0-010-010	800 S VICTORIA AVE	VENTURA	CA	93009	N/A	MOORPARK	CA	93021
505-0-010-330	800 S VICTORIA AVE	VENTURA	CA	93009	N/A	N/A	N/A	93021
505-0-010-340	4302 HITCH BLVD	MOORPARK	CA	93021	4302 HITCH BLVD	MOORPARK	CA	93021
505-0-010-350	800 S VICTORIA AVE	VENTURA	CA	93009	N/A	N/A	N/A	93021
505-0-010-385	800 S VICTORIA AVE	VENTURA	CA	93009	N/A	MOORPARK	CA	93021
505-0-010-410	4310 HITCH BLVD	MOORPARK	CA	93021	4310 HITCH BLVD	MOORPARK	CA	93021
505-0-010-420	800 S VICTORIA AVE	VENTURA	CA	93009	N/A	N/A	N/A	93021
505-0-010-470	3303 KIMBER DR STE B	NEWBURY PARK	CA	91320	4298 HITCH BLVD	MOORPARK	CA	93021
505-0-010-480	2890 FELTON ST	NEWBURY PARK	CA	91320	4298 HITCH BLVD	MOORPARK	CA	93021
505-0-030-010	4305 HITCH BLVD	MOORPARK	CA	93021	4305 HITCH BLVD	MOORPARK	CA	93021
505-0-030-020	4295 HITCH BLVD	MOORPARK	CA	93021	4295 HITCH BLVD	MOORPARK	CA	93021
505-0-040-010	PO BOX 43	MOORPARK	CA	93020	10775 CITRUS DR	MOORPARK	CA	93021
505-0-071-010	17825 BAHAMA ST	NORTHBRIDGE	CA	91325	10773 CITRUS DR	MOORPARK	CA	93021
505-0-071-025	5440 RALSTON ST	VENTURA	CA	93003	10771 CITRUS DR	MOORPARK	CA	93021
505-0-071-080	1337 ESTUARY WAY	OXNARD	CA	93035	10641 TERNEZ DR	MOORPARK	CA	93021
505-0-071-100	10761 CITRUS DR	MOORPARK	CA	93021	10761 CITRUS DR	MOORPARK	CA	93021
505-0-071-110	10759 CITRUS DR	MOORPARK	CA	93021	10759 CITRUS DR	MOORPARK	CA	93021

Parcels within a 300-Foot Radius of the Project
Moorpark-Newbury 66 kV Subtransmission Line Project

APN	MAILING ADDRESS	MAILING CITY	MAILING STATE	MAILING ZIP CODE	PROPERTY ADDRESS	PROPERTY CITY	PROPERTY STATE	PROPERTY ZIP CODE
505-0-071-125	10763 CITRUS DR	MOORPARK	CA	93021	10763 CITRUS DR	MOORPARK	CA	93021
505-0-071-135	10767 CITRUS DR	MOORPARK	CA	93021	10767 CITRUS DR	MOORPARK	CA	93021
505-0-071-140	800 S VICTORIA AVE	VENTURA	CA	93009	N/A	N/A	N/A	93021
505-0-071-160	10567 TERNEZ DR	MOORPARK	CA	93021	10567 TERNEZ DR	MOORPARK	CA	93021
505-0-080-015	PO BOX 629	STATHAM	GA	30666	10701 CITRUS DR	MOORPARK	CA	93021
505-0-080-025	10707 CITRUS DR	MOORPARK	CA	93021	10707 CITRUS DR	MOORPARK	CA	93021
505-0-080-030	10713 CITRUS DR	MOORPARK	CA	93021	10713 CITRUS DR	MOORPARK	CA	93021
505-0-080-045	10717 CITRUS DR	MOORPARK	CA	93021	10717 CITRUS DR	MOORPARK	CA	93021
505-0-080-050	10721 CITRUS DR	MOORPARK	CA	93021	10721 CITRUS DR	MOORPARK	CA	93021
505-0-080-065	10725 CITRUS DR	MOORPARK	CA	93021	10725 CITRUS DR	MOORPARK	CA	93021
505-0-080-120	416 CANYON CREST DR	SIMI VALLEY	CA	93065	10735 CITRUS DR	MOORPARK	CA	93021
505-0-080-130	10690 TERNEZ DR	MOORPARK	CA	93021	10690 TERNEZ DR	MOORPARK	CA	93021
505-0-080-150	10727 CITRUS DR	MOORPARK	CA	93021	10727 CITRUS DR	MOORPARK	CA	93021
505-0-080-160	10729 CITRUS DR	MOORPARK	CA	93021	10729 CITRUS DR	MOORPARK	CA	93021
505-0-080-170	10731 CITRUS DR	MOORPARK	CA	93021	10731 CITRUS DR	MOORPARK	CA	93021
511-0-020-195	1000 S SEAWARD AVE	VENTURA	CA	93001	N/A	MOORPARK	CA	93021
511-0-060-030	65 MARKET ST # 846	SAN FRANCISCO	CA	94111	N/A	MOORPARK	CA	93021
511-0-061-075	5449 ENDEAVOUR CT	MOORPARK	CA	93021	5160 GABBERT RD	MOORPARK	CA	93021
511-0-061-085	5777 BALCOM CANYON RD	SOMIS	CA	93066	5220 GABBERT RD	MOORPARK	CA	93021
511-0-061-115	5350 GABBERT RD	MOORPARK	CA	93021	5350 GABBERT RD	MOORPARK	CA	93021
511-0-061-145	5390 GABBERT RD	MOORPARK	CA	93021	5380 GABBERT RD	MOORPARK	CA	93021
511-0-061-155	PO BOX 11210	SANTA ANA	CA	92711	5300 GABBERT RD	MOORPARK	CA	93021
511-0-062-235	828 W HILLCREST BLVD STE A	INGLEWOOD	CA	90301	5100 N COMMERCE AVE	MOORPARK	CA	93021
511-0-062-245	828 W HILLCREST	INGLEWOOD	CA	90301	5100 N COMMERCE	MOORPARK	CA	93021

Parcels within a 300-Foot Radius of the Project
Moorpark-Newbury 66 kV Subtransmission Line Project

APN	MAILING ADDRESS	MAILING CITY	MAILING STATE	MAILING ZIP CODE	PROPERTY ADDRESS	PROPERTY CITY	PROPERTY STATE	PROPERTY ZIP CODE
	BLVD STE A				AVE			
511-0-200-015	PO BOX 65143	LOS ANGELES	CA	90065	N/A	N/A	N/A	93021
511-0-200-020	5100 OLIVAS PARK DR	VENTURA	CA	93003	11015 W LOS ANGELES AVE	MOORPARK	CA	93021
511-0-200-055	PO BOX 800	ROSEMEAD	CA	91770	N/A	MOORPARK	CA	93021
511-0-200-065	PO BOX 800	ROSEMEAD	CA	91770	N/A	MOORPARK	CA	93021
511-0-200-070	65 MARKET ST # 846	SAN FRANCISCO	CA	94111	N/A	N/A	N/A	93021
511-0-200-080	65 MARKET ST # 846	SAN FRANCISCO	CA	94111	N/A	N/A	N/A	93021
511-0-200-090	65 MARKET ST # 846	SAN FRANCISCO	CA	94111	N/A	N/A	N/A	93021
511-0-200-100	65 MARKET ST # 846	SAN FRANCISCO	CA	94111	N/A	N/A	N/A	93021
511-0-200-110	65 MARKET ST # 846	SAN FRANCISCO	CA	94111	N/A	N/A	N/A	93021
511-0-200-120	PO BOX 800	ROSEMEAD	CA	91770	N/A	N/A	N/A	93021
511-0-200-130	270 CONEJO RIDGE AVE STE 200	THOUSAND OAKS	CA	91361	11289 W LOS ANGELES AVE	MOORPARK	CA	93021
511-0-200-145	270 CONEJO RIDGE AVE STE 200	THOUSAND OAKS	CA	91361	LOS ANGELES AVE	MOORPARK	CA	93021
511-0-200-155	9171 WILSHIRE BLVD STE 650	BEVERLY HILLS	CA	90210	LOS ANGELES AVE	MOORPARK	CA	93021
511-0-200-165	270 CONEJO RIDGE AVE STE 200	THOUSAND OAKS	CA	91361	LOS ANGELES AVE	MOORPARK	CA	93021
511-0-200-175	8730 WILSHIRE BLVD STE 300	BEVERLY HILLS	CA	90211	10951 W LOS ANGELES AVE	MOORPARK	CA	93021
511-0-200-185	PO BOX 800	ROSEMEAD	CA	91770	N/A	MOORPARK	CA	93021
511-0-200-195	PO BOX 65143	LOS ANGELES	CA	90065	N/A	MOORPARK	CA	93021
511-0-200-200	PO BOX 800	ROSEMEAD	CA	91770	N/A	MOORPARK	CA	93021

Parcels within a 300-Foot Radius of the Project
Moorpark-Newbury 66 kV Subtransmission Line Project

APN	MAILING ADDRESS	MAILING CITY	MAILING STATE	MAILING ZIP CODE	PROPERTY ADDRESS	PROPERTY CITY	PROPERTY STATE	PROPERTY ZIP CODE
511-0-200-210	PO BOX 800	ROSEMEAD	CA	91770	N/A	MOORPARK	CA	93021
511-0-200-235	PO BOX 800	ROSEMEAD	CA	91770	GABBERT RD	MOORPARK	CA	93021
511-0-200-245	1000 S SEAWARD AVE	VENTURA	CA	93001	GABBERT RD	MOORPARK	CA	93021
511-0-200-255	PO BOX 800	ROSEMEAD	CA	91770	GABBERT RD	MOORPARK	CA	93021
511-0-210-015	505 E THOUSAND OAKS BLVD	THOUSAND OAKS	CA	91360	N/A	MOORPARK	CA	93021
511-0-210-025	505 E THOUSAND OAKS BLVD	THOUSAND OAKS	CA	91360	TRI GEM AVE	MOORPARK	CA	93021
511-0-210-115	505 E THOUSAND OAKS BLVD	THOUSAND OAKS	CA	91360	CASTLEBRITE ST	MOORPARK	CA	93021
511-0-210-145	505 E THOUSAND OAKS BLVD	THOUSAND OAKS	CA	91360	N/A	MOORPARK	CA	93021
511-0-210-155	505 E THOUSAND OAKS BLVD	THOUSAND OAKS	CA	91360	N/A	MOORPARK	CA	93021
511-0-210-165	505 E THOUSAND OAKS BLVD	THOUSAND OAKS	CA	91360	GOLDBAR DR	MOORPARK	CA	93021
511-0-210-175	505 E THOUSAND OAKS BLVD	THOUSAND OAKS	CA	91360	GOLDBAR DR	MOORPARK	CA	93021
511-0-210-185	505 E THOUSAND OAKS BLVD	THOUSAND OAKS	CA	91360	N/A	MOORPARK	CA	93021
511-0-210-195	505 E THOUSAND OAKS BLVD	THOUSAND OAKS	CA	91360	N/A	MOORPARK	CA	93021
516-0-010-045	1397 REDSAIL CIR	WESTLAKE VILLAGE	CA	91361	3387 CHESTNUT LN	SANTA ROSA VALLEY	CA	93012
516-0-010-135	3343 CHESTNUT LN	SANTA ROSA VALLEY	CA	93012	3343 CHESTNUT LN	SANTA ROSA VALLEY	CA	93012
516-0-010-145	3365 CHESTNUT LN	SANTA ROSA VALLEY	CA	93012	3365 CHESTNUT LN	SANTA ROSA VALLEY	CA	93012
516-0-010-155	10401 PRESILLA RD	SANTA ROSA VALLEY	CA	93012	10401 PRESILLA RD	SANTA ROSA VALLEY	CA	93012
516-0-020-175	10300 PRESILLA RD	SANTA ROSA	CA	93012	10300 PRESILLA RD	SANTA ROSA	CA	93012

Parcels within a 300-Foot Radius of the Project
Moorpark-Newbury 66 kV Subtransmission Line Project

APN	MAILING ADDRESS	MAILING CITY	MAILING STATE	MAILING ZIP CODE	PROPERTY ADDRESS	PROPERTY CITY	PROPERTY STATE	PROPERTY ZIP CODE
		VALLEY				VALLEY		
516-0-020-185	10300 PRESILLA RD	SANTA ROSA VALLEY	CA	93012	10300 PRESILLA RD	SANTA ROSA VALLEY	CA	93012
516-0-020-215	10500 PRESILLA RD	SANTA ROSA VALLEY	CA	93012	10500 PRESILLA RD	SANTA ROSA VALLEY	CA	93012
516-0-220-195	1397 REDSAIL CIR	WESTLAKE VILLAGE	CA	91361	N/A	CAMARILLO	CA	93012
516-0-220-225	1310 LOS PRIETOS CT	OXNARD	CA	93035	10680 CITRUS DR	MOORPARK	CA	93021
516-0-220-235	1397 REDSAIL CIR	WESTLAKE VILLAGE	CA	91361	N/A	CAMARILLO	CA	N/A
520-0-180-220	3064 S HIGHLAND DR	SALT LAKE CITY	UT	84106	9630 SANTA ROSA RD	SANTA ROSA VALLEY	CA	93012
550-0-010-010	7385 SANTA ROSA RD	CAMARILLO	CA	93012	N/A	CAMARILLO	CA	N/A
550-0-010-365	6211 AVENIDA GANSO	GOLETA	CA	93117	12754 SANTA ROSA RD	CAMARILLO	CA	93012
550-0-010-445	9715 SANTA ROSA RD	SANTA ROSA VALLEY	CA	93012	N/A	N/A	N/A	93012
550-0-020-015	2345 E YUCCA DR	CAMARILLO	CA	93010	2345 YUCCA DR	SANTA ROSA VALLEY	CA	93012
550-0-020-445	10188 CHURCHMAN LN	SANTA ROSA VALLEY	CA	93012	10188 CHURCHMAN LN	SANTA ROSA VALLEY	CA	93012
550-0-020-565	10183 CHURCHMAN LN	SANTA ROSA VALLEY	CA	93012	10183 CHURCHMAN LN	SANTA ROSA VALLEY	CA	93012
550-0-020-595	10187 CHURCHMAN LN	SANTA ROSA VALLEY	CA	93012	10187 CHURCHMAN LN	SANTA ROSA VALLEY	CA	93012
550-0-020-665	10185 CHURCHMAN LN	SANTA ROSA VALLEY	CA	93012	10185 CHURCHMAN LN	SANTA ROSA VALLEY	CA	93012
550-0-020-685	10181 CHURCHMAN LN	SANTA ROSA VALLEY	CA	93012	10181 CHURCHMAN LN	SANTA ROSA VALLEY	CA	93012
550-0-030-020	2001 PENNSYLVANIA AVE NW STE 1150	WASHINGTON	DC	20006	N/A	N/A	N/A	93012

Parcels within a 300-Foot Radius of the Project
Moorpark-Newbury 66 kV Subtransmission Line Project

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550-0-030-120	1801 AVENUE OF THE STARS	LOS ANGELES	CA	90067	N/A	N/A	N/A	93012
550-0-030-175	PO BOX 1613	THOUSAND OAKS	CA	91358	10244 OATFIELD WAY	SANTA ROSA VALLEY	CA	93012
550-0-030-185	2513 BUGGY LN	SANTA ROSA VALLEY	CA	93012	2513 BUGGY LN	SANTA ROSA VALLEY	CA	93012
550-0-030-195	2539 BUGGY LN	SANTA ROSA VALLEY	CA	93012	2539 BUGGY LN	SANTA ROSA VALLEY	CA	93012
550-0-030-205	2561 BUGGY LN	SANTA ROSA VALLEY	CA	93012	2561 BUGGY LN	SANTA ROSA VALLEY	CA	93012
550-0-030-215	2581 BUGGY LN	SANTA ROSA VALLEY	CA	93012	2581 BUGGY LN	SANTA ROSA VALLEY	CA	93012
550-0-030-225	2609 BUGGY LN	SANTA ROSA VALLEY	CA	93012	2609 BUGGY LN	SANTA ROSA VALLEY	CA	93012
550-0-030-235	2613 BUGGY LN	SANTA ROSA VALLEY	CA	93012	2631 BUGGY LN	SANTA ROSA VALLEY	CA	93012
550-0-030-245	2653 BUGGY LN	SANTA ROSA VALLEY	CA	93012	2653 BUGGY LN	SANTA ROSA VALLEY	CA	93012
550-0-030-255	2669 BUGGY LN	SANTA ROSA VALLEY	CA	93012	2669 BUGGY LN	SANTA ROSA VALLEY	CA	93012
550-0-030-275	2999 YUCCA DR	SANTA ROSA VALLEY	CA	93012	2999 YUCCA DR	SANTA ROSA VALLEY	CA	93012
550-0-030-285	2993 YUCCA DR	SANTA ROSA VALLEY	CA	93012	2993 YUCCA DR	SANTA ROSA VALLEY	CA	93012
550-0-030-295	2985 YUCCA DR	SANTA ROSA VALLEY	CA	93012	2985 YUCCA DR	SANTA ROSA VALLEY	CA	93012
667-0-051-015	201 ROSSMORE DR	OXNARD	CA	93035	3499 GRANDE VISTA DR	THOUSAND OAKS	CA	91320
667-0-051-115	PO BOX 969	GLENDALE	CA	91209	N/A	THOUSAND OAKS	CA	91320
667-0-051-125	PO BOX 969	GLENDALE	CA	91209	134 ACADEMY DR	THOUSAND OAKS	CA	91320

Parcels within a 300-Foot Radius of the Project
Moorpark-Newbury 66 kV Subtransmission Line Project

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667-0-051-130	PO BOX 969	GLENDALE	CA	91209	N/A	THOUSAND OAKS	CA	91320
667-0-080-015	1400 E JANSS RD	THOUSAND OAKS	CA	91362	N/A	N/A	N/A	91320
667-0-080-035	1400 E JANSS RD	THOUSAND OAKS	CA	91362	N/A	N/A	N/A	91320
667-0-080-065	8573 CANOGA AVE	CANOGA PARK	CA	91304	1311 LAWRENCE DR	THOUSAND OAKS	CA	91320
667-0-080-075	2131 WALNUT GROVE AVE # 2	ROSEMEAD	CA	91770	N/A	N/A	N/A	91320
667-0-080-085	PO BOX 800	ROSEMEAD	CA	91770	N/A	N/A	N/A	91320
667-0-080-095	1299 LAWRENCE DR	NEWBURY PARK	CA	91320	1299 LAWRENCE DR	THOUSAND OAKS	CA	91320
667-0-080-105	2100 E THOUSAND OAKS BLVD	THOUSAND OAKS	CA	91362	N/A	N/A	N/A	91320
667-0-120-100	2100 E THOUSAND OAKS BLVD	THOUSAND OAKS	CA	91362	N/A	N/A	N/A	N/A
667-0-120-270	2100 E THOUSAND OAKS BLVD	THOUSAND OAKS	CA	91362	N/A	N/A	N/A	N/A
667-0-120-280	2100 E THOUSAND OAKS BLVD	THOUSAND OAKS	CA	91362	N/A	N/A	N/A	N/A
667-0-120-310	2100 E THOUSAND OAKS BLVD	THOUSAND OAKS	CA	91362	N/A	N/A	N/A	N/A
667-0-130-545	201 ISABELLA ST	PITTSBURGH	PA	15212	2517 AZURITE CIR	THOUSAND OAKS	CA	91320
667-0-130-555	201 ISABELLA ST	PITTSBURGH	PA	15212	2551 AZURITE CIR	THOUSAND OAKS	CA	91320
667-0-130-565	621 VIA ALONDRA STE 602	CAMARILLO	CA	93012	2585 AZURITE CIR	THOUSAND OAKS	CA	91320
667-0-130-755	5940 VARIEL AVE	WOODLAND HILLS	CA	91367	1180 TOURMALINE DR	THOUSAND OAKS	CA	91320
667-0-130-765	3265 JOHNSON AVE STE 214	BRONX	NY	10463	1167 LAWRENCE DR	THOUSAND OAKS	CA	91320

Parcels within a 300-Foot Radius of the Project
Moorpark-Newbury 66 kV Subtransmission Line Project

APN	MAILING ADDRESS	MAILING CITY	MAILING STATE	MAILING ZIP CODE	PROPERTY ADDRESS	PROPERTY CITY	PROPERTY STATE	PROPERTY ZIP CODE
667-0-340-020	8383 WILSHIRE BLVD	BEVERLY HILLS	CA	90211	N/A	THOUSAND OAKS	CA	91320
667-0-340-030	8383 WILSHIRE BLVD STE 700	BEVERLY HILLS	CA	90211	RANCHO CONEJO	THOUSAND OAKS	CA	91320
667-0-340-205	8383 WILSHIRE BLVD	BEVERLY HILLS	CA	90211	N/A	THOUSAND OAKS	CA	91320
667-0-340-235	2100 E THOUSAND OAKS BLVD	THOUSAND OAKS	CA	91362	N/A	THOUSAND OAKS	CA	91320
667-0-340-245	PO BOX 5627	CHERRY HILL	NJ	8034	N/A	THOUSAND OAKS	CA	91320

CERTIFICATE OF SERVICE

I hereby certify that, pursuant to the Commission's Rules of Practice and Procedure, I have this day served a true copy of ***Southern California Edison Company Notice of Application for a Permit to Construct on the Moorpark-Newbury 66 Kilovolt (kV) Subtransmission Line Project and Cover Letter*** on all parties identified on the attached **List of Persons Involved in Previous Advice Letter Proceedings** Service List(s) A.13-10-XXX Moorpark-Newbury.

Service was effected by one or more means indicated below:

Persons Involved in Previous Advice Letter Proceedings Moorpark-Newbury 66 kV Subtransmission Line Project

- ☒ Directing Prographics to place the copies in properly addressed sealed envelopes and to deposit such envelopes in the United States mail with first-class postage prepaid to all parties.

Executed this 28th day of October 2013, at Rosemead, California.

/s/ Monica L Romero

Monica L. Romero

Project Analyst

SOUTHERN CALIFORNIA EDISON COMPANY

2244 Walnut Grove Avenue
Post Office Box 800
Rosemead, California 91770

Persons Involved in Previous Advice Letter Proceedings
Moorpark-Newbury 66 kV Subtransmission Line Project

NAME	ADDRESS	CITY/STATE/ZIP
Adams, The	12985 Sunny Lane	Santa Rosa Valley, CA 93012
Allison, R.	11521 Sumac Street	Santa Rosa Valley, CA 93012
Ander, Linda	2650 Buggy Lane	Camarillo, CA 93012
Belnick, Kris	2353 Barbara Drive	Santa Rosa Valley, CA 93012
Black, Kimme I.	12486 Saddleridge Ct.	Santa Rosa Valley, CA 93012
Bolado, Teresa	13499 Old Butterfield Rd	Santa Rosa Valley, CA 93012
Caron, Alisa	10839 E. Las Posas Rd	Camarillo, CA 93012
Chandler, Phil	1984 Freeborn Way	Camarillo, CA 93012
Coleman, Tony & Eliza	2850 Yucca Drive	Camarillo, CA 93012
Dickey, Virginia	10320 Oatfield Way	Camarillo, CA 93012
Figueroa, Joe & Lorena	2291 Barbara Drive	Camarillo, CA 93012
Friedman, Lisa M.	11020 E. Las Posas Road	Camarillo, CA 93012
Galas, Homel	2855 Yucca Drive	Camarillo, CA 93012
Graham, Ph.D., John L.	3362 Cajon Circle	Santa Rosa Valley, CA 93012
Groen, Eric	2998 N. Redondo Avenue	Camarillo, CA 93012
Hall, Kristen	2669 Buggy Lane	Santa Rosa Valley, CA 93012
Hamilton, Carol	10700 Presilla Road	Camarillo, CA 93012
Hesse, Rob	12717 Rosedale Court	Santa Rosa Valley, CA 93012
Hoffman, Karen	2217 Brittany Park Road	Camarillo, CA 93012
Hughes, Gale	12970 Andalusia Drive	Santa Rosa Valley, CA 93012
Hurlbut, Lydia	2610 E. Las Posas Circle	Camarillo, CA 93012
Ibrahim, Loila & Sam	2981 Yucca Drive	Camarillo, CA 93012
Jacobs, Allison	10332 Oatfield Way	Camarillo, CA 93012
Jiminez, Joyce	10248 Principe Place	Santa Rosa Valley, CA 93012
Justin, Pamela	3068 Calvert Court	Camarillo, CA 93012
Krupka, Mike & Toni	10189 Churchman Lane	Camarillo, CA 93012
Ladisky, Mel	3320 Chestnut Lane	Santa Rosa Valley, CA 93012
Leonard, Deidre	2275 Barbara Drive	Santa Rosa Valley, CA 93012
Lopez, Alfonso	11428 Highridge Court	Santa Rosa Valley, CA 93012
Martynowicz, Z.	12516 Ridge Drive	Santa Rosa Valley, CA 93012
Matley, Bonny & J. Brian	2405 Barbara Drive	Santa Rosa Valley, CA 93012
Matthews, Linda	10195 Churchman Lane	Santa Rosa Valley, CA 93012
Memmott, Richard	10550 Chippenham Road	Camarillo, CA 93012
Miller, Katherine & Rob	2720 Yucca Drive	Camarillo, CA 93012

Persons Involved in Previous Advice Letter Proceedings
Moorpark-Newbury 66 kV Subtransmission Line Project

NAME	ADDRESS	CITY/STATE/ZIP
Milligan, Terry and John	3321 Chestnut Lane	Camarillo, CA 93012
Padilla, Laura	10584 Chippenhan Road	Camarillo, CA 93012
Pearlman, Gerald & Ann Marie	13368 Orions Flight Way	Santa Rosa Valley, CA 93012
Penta, Cindy	3069 Calvert Court	Santa Rosa Valley, CA 93012
Pentis, Gary & Janet	2391 Glenside Lane	Santa Rosa Valley, CA 93012
Perkins, J. Shields	13649 Pacific Breeze Drive	Santa Rosa Valley, CA 93012
Quinn, Richard & Maribeth	2151 Applewood Lane	Camarillo, CA 93012
Richardson, Monica	10587 Chippenham Road	Camarillo, CA 93012
Riggio, Joe & Jane	2888 Los Fresnos Circle	Santa Rosa Valley, CA 93012
Rohlfing, Sue	2351 Applewood Lane	Santa Rosa Valley, CA 93012
Sawyer, Susan	12785 Rosedale Court	Santa Rosa Valley, CA 93012
Schultz, A.	10416 Oatfield Way	Camarillo, CA 93012
Simmons, Andrea	11365 Presilla Road	Santa Rosa Valley, CA 93012
Stilley, Larry	2625 Vista Arroyo Drive	Santa Rosa Valley, CA 93012
Stonehouse, John	10291 Principe Place	Santa Rosa Valley, CA 93012
The Residents at	2731 Yucca Drive	Camarillo, CA 93012
The Residents at	13550 Andalusia Drive	Santa Rosa Valley, CA 93012
The Residents at	13468 Andalusia Drive	Santa Rosa Valley, CA 93012
The Residents at	10908 Escollera Circle	Camarillo, CA 93012
The Residents at	3090 Calvert Court	Santa Rosa Valley, CA 93012
The Residents at	12704 Rosedale Court	Santa Rosa Valley, CA 93012
The Residents at	7079 Quito Court	Santa Rosa Valley, CA 93012
The Residents at	1790 Corte Jubilo	Santa Rosa Valley, CA 93012
The Residents at	12229 Ridge Drive	Santa Rosa Valley, CA 93012
The Residents at	13053 Rancho Vista	Santa Rosa Valley, CA 93012
The Residents at	475 Mariposa Drive	Santa Rosa Valley, CA 93012
The Residents at	2368 Blanchard Road	Santa Rosa Valley, CA 93012
The Residents at	2624 Marvella Court	Santa Rosa Valley, CA 93012
The Residents at	4421 Alder Circle	Santa Rosa Valley, CA 93012
The Residents at	3160 N. Escollera Avenue	Santa Rosa Valley, CA 93012
The Residents at	11291 Highridge Court	Camarillo, CA 93012
The Residents at	10291 Principe Place	Santa Rosa Valley, CA 93012
The Residents at	13550 Andalusia Drive	Santa Rosa Valley, CA 93012
The Residents at	12243 Presilla Road	Camarillo, CA 93012

Persons Involved in Previous Advice Letter Proceedings
Moorpark-Newbury 66 kV Subtransmission Line Project

NAME	ADDRESS	CITY/STATE/ZIP
The Residents at	2993 Yucca Drive	Camarillo, CA 93012
The Residents at	2862 Yucca Drive	Camarillo, CA 93012
The Residents at	2650 Buggy Lane	Camarillo, CA 93012
The Residents at	2867 Yucca Drive	Camarillo, CA 93012
The Residents at	10256 Oatfield Way	Camarillo, CA 93012
The Residents at	2867 Yucca Drive	Camarillo, CA 93012
The Residents at	2561 Buggy Lane	Camarillo, CA 93012
The Residents at	10256 Oatfield Way	Camarillo, CA 93012
Thomas, Donald & Phaeba	10400 Presilla	Santa Rosa Valley, CA 93012
Thrasher, Joyce & L.E.	10251 Oatfield Way	Camarillo, CA 93012
Torres Residence, The	2690 Riata Ct.	Santa Rosa Valley, CA 93012
Vannix, Bob & Laurel	235 Rose Lane	Santa Rosa Valley, CA 93012
Volpe, Lou & Marne	2391 Rose Lane	Santa Rosa Valley, CA 93012
Warbuton, Catherine	2850 N. Los Fresnos Circle	Camarillo, CA 93012
Weidenweber, Don & Sigrid	2253 Applewood Lane	Santa Rosa Valley, CA 93012
Weider, Renee	3342 Chestnut Lane	Santa Rosa Valley, CA 93012
Wilk, George & Mickey	2590 Buggy Lane	Santa Rosa Valley, CA 93012
Woodfill, Jan	2677 Riata Ct	Santa Rosa Valley, CA 93012
Zatlin, Amy & Jeffrey	10327 Oatfield Way	Camarillo, CA 93012
Ms. Danalynn Pritz, PRITZ & ASSOCIATES	3625 E. Thousand Oaks Blvd., Ste.176	Westlake Village, CA 91362
Eliza Coleman, President Anthony Jacobs, Secretary Santa Rosa Valley Estates Homeowner's Association	3623 Old Conejo Road, Suite 207	Newbury Park, CA 91320
Alan Sozio, Esq. BURKE, WILLIAMS & SORENSEN LLP	444 S. Flower Street, Ste 2400	Los Angeles, CA 90071
Paul D. Burns, President, BURNS PACIFIC CONSTRUCTION, Inc.	505 E. Thousand Oaks Blvd.	Thousand Oaks, CA 91360
Don Shubert, Chair Santa Rosa Valley Municipal Advisory Council	11500 Barranca Road	Santa Rosa Valley, CA 93012
David J. Tanner Environmental and Regulatory Specialists, Inc.	223 62nd Street	Newport Beach, CA 92663

Appendix F

FIELD MANAGEMENT PLAN

Moorpark-Newbury 66 kV Subtransmission Line Project

TABLE OF CONTENTS

I.	Executive Summary	5
II.	Background Regarding EMF and Public Health Research on EMF.....	11
III.	Application of the CPUC’s “No-cost and Low-cost” EMF Policy to this Project	14
IV.	Project Description.....	17
V.	Evaluation of “No-cost and Low-cost” Magnetic Field Reduction Design Options	23
VI.	Final Recommendations for Implementing “No-cost and Low-cost” Magnetic Field Reduction Design Options	40
VII.	Appendix A: Two-Dimensional Model Assumptions and Year 2016 Forecasted Loading Conditions	43

LIST OF TABLES

Table 1.	Summary of “No-cost and Low-cost” Magnetic Field Reduction Design Options.....	8
Table 2.	Substation Checklist for Examining "No-cost and Low-cost" Magnetic Field Reduction Design Options for Moorpark Substation	24
Table 3.	Calculated Magnetic Field Levels for Segment 2.....	27
Table 4.	Calculated Magnetic Field Levels for Segment 3a.....	30
Table 5.	Calculated Magnetic Field Levels for Segment 3b.....	33
Table 6.	Calculated Magnetic Field Levels for Segment 4a.....	36
Table 7.	Calculated Magnetic Field Levels for Segment 4b.....	39
Table 8.	Year 2016 Forecasted Loading Conditions for Proposed.....	44
Table 9.	Year 2016 Forecasted Loading Conditions	44

LIST OF FIGURES

Figure 1. Moorpark-Newbury Proposed 66 kV Subtransmission Line Route – FMP Segments .	22
Figure 2. Proposed 66 kV Single-Circuit Structure Design - Segment 2	26
Figure 3. Calculated Magnetic Field Levels for Segment 2	27
Figure 4. Proposed 66 kV Double-Circuit Structure Design - Segment 3a.....	29
Figure 5. Calculated Magnetic Field Levels for Segment 3a.....	30
Figure 6. Proposed 66 kV Double-Circuit Structure Design –	32
Figure 7. Calculated Magnetic Field Levels for Segment 3b	33
Figure 8. Proposed 66 kV Double-Circuit Structure Design –	35
Figure 9. Calculated Magnetic Field Levels for Segment 4a.....	36
Figure 10. Proposed 66 kV Double-Circuit Structure Design -.....	38
Figure 11. Calculated Magnetic Field Levels for Segment 4b	39

List of Terms

ACSR	Aluminum Conductor Steel Reinforced
CDHS	California Department of Health Services
COSCA	Conejo Open Space Conservancy Agency
CPCN	Certificate of Public Convenience and Necessity
CPUC	California Public Utilities Commission
ELF	Extremely Low Frequency
EMF	Electric and Magnetic Fields
FMP	Field Management Plan
FRC	Fault Return Conductor
GO	General Order
IARC	International Agency for Research on Cancer
kV	kilovolt
LWS	light weight steel
mG	milligauss
NIEHS	National Institute of Environmental Health Sciences
NRPB	National Radiation Protection Board
PEA	Proponents Environmental Assessment
RAPID	Research and Public Information Dissemination
ROW	Right-of-Way
SAC	Stranded Aluminum Conductor
SCE	Southern California Edison
T/L	transmission line
TSP	tubular steel pole
WHO	World Health Organization

I. EXECUTIVE SUMMARY

This document is Southern California Edison Company's (SCE) Field Management Plan (FMP) for the Moorpark-Newbury 66 kilovolt (kV) Subtransmission Line Project (Project). SCE proposes to construct and operate the Project to address a base case overload on the Moorpark-Newbury tap of the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line. The Project would occur in the City of Moorpark, the City of Thousand Oaks, and in unincorporated Ventura County between the two cities (Figure 1). The Project has been divided into discrete geographic Project Sections per the Proponent's Environmental Assessment (PEA) of the Project:

- Project Section 1 includes all work conducted within the fenceline at Moorpark Substation in the City of Moorpark.
- Project Section 2 spans from Moorpark Substation to near the border of the City of Thousand Oaks; most of Project Section 2 is located in unincorporated Ventura County (including the Santa Rosa Valley), with a portion of Project Section 2 located in the City of Moorpark. Project Section 2 is approximately 5 miles in length.
- Project Section 3 spans from just north of the City of Thousand Oaks border to a point within Conejo Open Space Conservancy Agency (COSCA) lands in the Conejo Canyons area; the end of Project Section 3 is the point at which the subtransmission route changes direction from east to south in the City of Thousand Oaks. Project Section 3 is approximately 3 miles in length.
- Project Section 4 spans from the end of Project Section 3 to the termination of the Project infrastructure within Newbury Substation in the City of Thousand Oaks. Project Section 4 is approximately 1 mile in length.

The Project includes the following major components:

- Construction of approximately 1,200 feet of new underground 66 kV subtransmission line entirely within Moorpark Substation.
- Construction of approximately 5 miles of the new Moorpark-Newbury 66 kV Subtransmission Line on new tubular steel poles (TSPs) on the south and east sides of SCE's existing Moorpark-Ormond Beach 220 kV Right-of-Way (ROW).
- Construction of approximately 3 miles of the new Moorpark-Newbury 66 kV Subtransmission Line within the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line ROW. Existing single-circuit lattice steel towers (LSTs) would be replaced with new TSPs; the TSPs would be double-circuited, carrying both the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line and the new Moorpark-Newbury 66 kV Subtransmission Line. The existing single-circuit Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line in this section would be reconstructed and reconducted to accommodate the installation of the new Moorpark-Newbury 66 kV Subtransmission Line.

- Construction of approximately 1 mile of the new Moorpark-Newbury 66 kV Subtransmission Line within the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line ROW into Newbury Substation. Existing single-circuit wood poles would be replaced with new lightweight steel (LWS) poles; within Newbury Substation, four wood poles would be replaced with four TSPs. The existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line would be reconstructed and transferred to the new LWS poles and TSPs in a double-circuit configuration to accommodate the new Moorpark-Newbury 66 kV Subtransmission Line.
- Construction of new 66 kV subtransmission line positions and associated infrastructure within Moorpark Substation and Newbury Substation to facilitate the termination of the new Moorpark-Newbury 66 kV Subtransmission Line.
- Transfer of existing distribution circuitry and telecommunication facilities to new subtransmission poles as necessary.

Some scope of work within Moorpark Substation and Newbury Substation, and portions of subtransmission work in Project Sections 1 through 4, have already been completed between October 2010 and November 2011. Details of the work completed so far, along with the remaining work, have been outlined in the Project PEA.

SCE provides this FMP in order to inform the public, the California Public Utilities Commission (CPUC), and other interested parties of its evaluation of “no-cost and low-cost” magnetic field reduction design options for this Project, and SCE’s proposed plan to apply these design options to this Project. This FMP has been prepared in accordance with CPUC Decision No. 93-11-013 and Decision No. 06-01-042 relating to extremely low frequency (ELF)¹ electric and magnetic fields (EMF). This FMP also provides background on the current status of scientific research related to possible health effects of EMF, and a description of the CPUC’s EMF policy.

The “no-cost and low-cost” magnetic field reduction design options that are incorporated into the design of the Project are as follows:

- Utilize structure heights that meet or exceed SCE’s EMF preferred design criteria
- Utilize double-circuit construction that reduces spacing between circuits as compared with single-circuit construction
- Arrange conductors of proposed subtransmission line for magnetic field reduction
- Place new substation electrical equipment (such as underground duct banks) away from the substation property lines closest to populated areas.

The “no-cost and low-cost” magnetic field reduction design options that SCE considered for the Project are summarized in Table 1.

¹ The extremely low frequency is defined as the frequency range from 3 Hz to 3,000 Hz.

SCE's plan for applying the above "no-cost and low-cost" magnetic field reduction design options for the Project is consistent with CPUC's EMF policy and with the direction of leading national and international health agencies. Furthermore, the plan complies with SCE's EMF Design Guidelines², and with applicable national and state safety standards for new electrical facilities.

² EMF Design Guidelines, July 2006.

Table 1. Summary of “No-cost and Low-cost” Magnetic Field Reduction Design Options						
Area No.	Location ³	Adjacent Land Use ⁴	MF Reduction Design Options Considered	Estimated Cost to Adopt	Design Option(s) Adopted? (Yes/No)	Reason(s) if not adopted
Moorpark Substation (Project Section 1)	Near the intersection of Gabbert Road and east Los Angeles Avenue in Moorpark, CA	2,3,5,6	<ul style="list-style-type: none"> Place new substation electrical equipment (such as underground duct banks) away from the substation property lines closest to populated areas 	<ul style="list-style-type: none"> No-Cost⁵ 	<ul style="list-style-type: none"> Yes 	
Segment 2 (Project Section 2) Existing Moorpark - Ormond Beach No. 1, 2, 3, and 4 220 kV T/Ls and the proposed Moorpark-Newbury 66 kV Subtransmission Line	Moorpark Substation to approximately 0.75 miles south of Santa Rosa Road	2,3,5,6	<ul style="list-style-type: none"> Utilize subtransmission structure heights that meet or exceed SCE’s preferred EMF design criteria Arrange conductors of proposed subtransmission line for magnetic field reduction 	<ul style="list-style-type: none"> No-Cost⁶ No-Cost⁷ 	<ul style="list-style-type: none"> Yes Yes 	
Segment 3a (Project Section 3) Existing Moorpark - Ormond Beach No. 1, 2, 3, and 4 220 kV T/Ls; existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line; and the proposed Moorpark-Newbury 66 kV Subtransmission Line	Just south of Santa Rosa Road to the breakoff point between the 220 kV and 66 kV lines	4,5,6	<ul style="list-style-type: none"> Utilize subtransmission structure heights that meet or exceed SCE’s preferred EMF design criteria Arrange conductors of subtransmission lines for magnetic field reduction Utilize double-circuit construction that reduces spacing between circuits as compared with single-circuit construction 	<ul style="list-style-type: none"> No-Cost⁸ Low-Cost⁹ No-Cost¹⁰ 	<ul style="list-style-type: none"> Yes Yes Yes 	

³ This column shows the major cross streets, existing subtransmission lines, or substation name as reference points.

⁴ Land usage codes are as follows: 1) schools, licensed day-cares, and hospitals, 2) residential, 3) commercial/industrial, 4) recreational, 5) agricultural, and 6) undeveloped land.

⁵ This option was included in the preliminary design and continues to be included in the design of the Project.

⁶ *Ibid.*

⁷ *Ibid.*

⁸ *Ibid.*

⁹ This option is considered a low-cost measure in this segment because of the costs associated with transposing the conductors to the recommended phasing arrangement for magnetic field reduction.

¹⁰ This option was included in the preliminary design and continues to be included in the design of the Project.

Table 1. Summary of “No-cost and Low-cost” Magnetic Field Reduction Design Options (Cont.)						
Area No.	Location	Adjacent Land Use	MF Reduction Design Options Considered	Estimated Cost to Adopt	Design Option(s) Adopted? (Yes/No)	Reason(s) if not adopted
Segment 3b (Project Section 3) Existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line and the proposed Moorpark-Newbury 66 kV Subtransmission Line	From the breakoff point between the 220 kV and 66 kV lines east for approximately 0.85 miles	4,6	<ul style="list-style-type: none"> Utilize subtransmission structure heights that meet or exceed SCE’s preferred EMF design criteria Arrange conductors of subtransmission line for magnetic field reduction Utilize double-circuit construction that reduces spacing between circuits as compared with single-circuit construction 	<ul style="list-style-type: none"> No-Cost¹¹ No-Cost¹² No-Cost¹³ 	<ul style="list-style-type: none"> Yes Yes Yes 	
Segment 4a (Project Section 4) Existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line and the proposed Moorpark-Newbury 66 kV Subtransmission Line	From the end of Project Section 3 south to the junction point with Newbury-Thousand Oaks 66 kV Subtransmission Line	4,6	<ul style="list-style-type: none"> Utilize subtransmission structure heights that meet or exceed SCE’s preferred EMF design criteria Arrange conductors of subtransmission line for magnetic field reduction Utilize double-circuit construction that reduces spacing between circuits as compared with single-circuit construction 	<ul style="list-style-type: none"> No-Cost¹⁴ No-Cost¹⁵ No-Cost¹⁶ 	<ul style="list-style-type: none"> Yes Yes Yes 	

¹¹ This option was included in the preliminary design and continues to be included in the design of the Project.

¹² This is considered a no-cost measure as the recommended phase arrangement is maintained from Segment 3a.

¹³ This option was included in the preliminary design and continues to be included in the design of the Project.

¹⁴ *Ibid.*

¹⁵ This is considered a no-cost measure as the recommended phase arrangement is maintained from Segment 3a.

¹⁶ This option was included in the preliminary design and continues to be included in the design of the Project.

Table 1. Summary of “No-cost and Low-cost” Magnetic Field Reduction Design Options (Cont.)						
Area No.	Location	Adjacent Land Use	MF Reduction Design Options Considered	Estimated Cost to Adopt	Design Option(s) Adopted? (Yes/No)	Reason(s) if not adopted
Segment 4b (Project Section 4) Existing Newbury-Thousand Oaks 66 kV Subtransmission Line; existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line; and the proposed Moorpark-Newbury 66 kV Subtransmission Line	From the junction point with Newbury-Thousand Oaks 66 kV Subtransmission Line east and south to Newbury Substation	1, 2, 3, 4, 6	<ul style="list-style-type: none"> Utilize subtransmission structure heights that meet or exceed SCE’s preferred EMF design criteria 	<ul style="list-style-type: none"> No-Cost¹⁷ 	<ul style="list-style-type: none"> Yes 	
			<ul style="list-style-type: none"> Arrange conductors of subtransmission line for magnetic field reduction 	<ul style="list-style-type: none"> No-Cost¹⁸ 	<ul style="list-style-type: none"> Yes 	
			<ul style="list-style-type: none"> Utilize double-circuit construction that reduces spacing between circuits as compared with single-circuit construction 	<ul style="list-style-type: none"> No-Cost¹⁹ 	<ul style="list-style-type: none"> Yes 	
Newbury Substation (Project Section 4)	Near the intersection of Marion Street and Roth Court in Newbury Park, CA	1, 2, 3, 4, 6	N/A	N/A	N/A	No significant opportunities to reduce magnetic fields based on the Project scope.

¹⁷ This option was included in the preliminary design and continues to be included in the design of the Project.

¹⁸ This is considered a no-cost measure as the recommended phase arrangement is maintained from Segment 3a.

¹⁹ This option was included in the preliminary design and continues to be included in the design of the Project.

II. BACKGROUND REGARDING EMF AND PUBLIC HEALTH RESEARCH ON EMF

There are many sources of power frequency²⁰ electric and magnetic fields, including internal household and building wiring, electrical appliances, and electric power transmission and distribution lines. There have been numerous scientific studies about the potential health effects of EMF. After many years of research, the scientific community has been unable to determine if exposures to EMF cause health hazards. State and federal public health regulatory agencies have determined that setting numeric exposure limits is not appropriate.²¹

Many of the questions about possible connections between EMF exposures and specific diseases have been successfully resolved due to an aggressive international research program. However, potentially important public health questions remain about whether there is a link between EMF exposures and certain diseases, including childhood leukemia and a variety of adult diseases (e.g., adult cancers and miscarriages). As a result, some health authorities have identified magnetic field exposures as a possible human carcinogen. As summarized in greater detail below, these conclusions are consistent with the following published reports: the National Institute of Environmental Health Sciences (NIEHS) 1999²², the National Radiation Protection Board (NRPB) 2001²³, the International Commission on non-Ionizing Radiation Protection (ICNIRP) 2001, the California Department of Health Services (CDHS) 2002²⁴, the International Agency for Research on Cancer (IARC) 2002²⁵ and the World Health Organization (WHO) 2007²⁶.

The federal government conducted EMF research as a part of a \$45-million research program managed by the NIEHS. This program, known as the EMF RAPID (Research and Public Information Dissemination), submitted its final report to the U.S. Congress on June 15, 1999. The report concluded that:

- “The scientific evidence suggesting that ELF-EMF exposures pose any health risk is weak.”²⁷
- “The NIEHS concludes that ELF-EMF exposure cannot be recognized as entirely safe because of weak scientific evidence that exposure may pose a leukemia hazard.”²⁸

²⁰ In U.S., it is 60 Hertz (Hz).

²¹ CPUC Decision 06-01-042, p. 6, footnote 10.

²² National Institute of Environmental Health Sciences’ Report on Health Effects from Exposures to Power-Line frequency Electric and Magnetic Fields, NIH Publication No. 99-4493, June 1999.

²³ National Radiological Protection Board, Electromagnetic Fields and the Risk of Cancer, Report of an Advisory Group on Non-ionizing Radiation, Chilton, U.K. 2001.

²⁴ California Department of Health Services, An Evaluation of the Possible Risks from Electric and Magnetic Fields from Power Lines, Internal Wiring, Electrical Occupations, and Appliances, June 2002.

²⁵ World Health Organization / International Agency for Research on Cancer, IARC Monographs on the evaluation of carcinogenic risks to humans (2002), Non-ionizing radiation, Part 1: Static and extremely low-frequency (ELF) electric and magnetic fields, IARC Press, Lyon, France: International Agency for Research on Cancer, Monograph, vol. 80, p. 338, 2002.

²⁶ WHO, Environmental Health Criteria 238, EXTREMELY LOW FREQUENCY FIELDS, 2007.

²⁷ National Institute of Environmental Health Sciences, NIEHS Report on Health Effects from Exposures to Power-Frequency Electric and Magnetic Fields, p. ii, NIH Publication No. 99-4493, 1999.

- “The NIEHS suggests that the level and strength of evidence supporting ELF-EMF exposure as a human health hazard are insufficient to warrant aggressive regulatory actions; thus, we do not recommend actions such as stringent standards on electric appliances and a national program to bury all transmission and distribution lines. Instead, the evidence suggests passive measures such as a continued emphasis on educating both the public and the regulated community on means aimed at reducing exposures. NIEHS suggests that the power industry continue its current practice of siting power lines to reduce exposures and continue to explore ways to reduce the creation of magnetic fields around transmission and distribution lines without creating new hazards.”²⁹

In 2001, Britain’s NRPB arrived at a similar conclusion:

“After a wide-ranging and thorough review of scientific research, an independent Advisory Group to the Board of NRPB has concluded that the power frequency electromagnetic fields that exist in the vast majority of homes are not a cause of cancer in general. However, some epidemiological studies do indicate a possible small risk of childhood leukemia associated with exposures to unusually high levels of power frequency magnetic fields.”³⁰

In 2002, three scientists for CDHS concluded:

“To one degree or another, all three of the [CDHS] scientists are inclined to believe that EMFs can cause some degree of increased risk of childhood leukemia, adult brain cancer, Lou Gehrig’s disease, and miscarriage.

They [CDHS] strongly believe that EMFs do not increase the risk of birth defects, or low birth weight.

They [CDHS] strongly believe that EMFs are not universal carcinogens, since there are a number of cancer types that are not associated with EMF exposure.

To one degree or another they [CDHS] are inclined to believe that EMFs do not cause an increased risk of breast cancer, heart disease, Alzheimer’s disease, depression, or symptoms attributed by some to a sensitivity to EMFs. However, all three scientists had judgments that were “close to the dividing line between believing and not believing” that EMFs cause some degree of increased risk of suicide. For adult leukemia, two of the scientists are ‘close to the dividing line

²⁸ *Ibid.*, p. iii.

²⁹ *Ibid.*, p. 37 – 38.

³⁰ NRPB, NRPB Advisory Group on Non-ionizing Radiation Power Frequency Electromagnetic Fields and the Risk of Cancer, NRPB Press Release May 2001.

between believing or not believing’ and one was ‘prone to believe’ that EMFs cause some degree of increased risk.”³¹

Also in 2002, the World Health Organization’s (WHO) IARC concluded:

“ELF magnetic fields are possibly carcinogenic to humans”³², based on consistent statistical associations of high-level residential magnetic fields with a doubling of risk of childhood leukemia...Children who are exposed to residential ELF magnetic fields less than 0.4 microTesla (4.0 milliGauss) have no increased risk for leukemia.... In contrast, “no consistent relationship has been seen in studies of childhood brain tumors or cancers at other sites and residential ELF electric and magnetic fields.”³³

In June of 2007, the WHO issued a report on their multi-year investigation of EMF and the possible health effects. After reviewing scientific data from numerous EMF and human health studies, they concluded:

“Scientific evidence suggesting that everyday, chronic low-intensity (above 0.3-0.4 μ T [3-4 mG]) power-frequency magnetic field exposure poses a health risk is based on epidemiological studies demonstrating a consistent pattern of increased risk for childhood leukaemia.”³⁴

“In addition, virtually all of the laboratory evidence and the mechanistic evidence fail to support a relationship between low-level ELF magnetic fields and changes in biological function or disease status. Thus, on balance, the evidence is not strong enough to be considered causal, but sufficiently strong to remain a concern.”³⁵

“A number of other diseases have been investigated for possible association with ELF magnetic field exposure. These include cancers in both children and adults, depression, suicide, reproductive dysfunction, developmental disorders, immunological modifications and neurological disease. The scientific evidence supporting a linkage between ELF magnetic fields and any of these diseases is much weaker than for childhood leukemia and in some cases (for example, for cardiovascular disease or breast cancer) the evidence is sufficient to give confidence that magnetic fields do not cause the disease”³⁶

“Furthermore, given both the weakness of the evidence for a link between exposure to ELF magnetic fields and childhood leukemia, and the limited impact

³¹ CDHS, An Evaluation of the Possible Risks From Electric and Magnetic Fields (EMFs) From Power Lines, Internal Wiring, Electrical Occupations and Appliances, p. 3, 2002.

³² IARC, Monographs, Part I, Vol. 80, p. 338.

³³ *Ibid.*, p. 332 – 334.

³⁴ WHO, Environmental Health Criteria 238, EXTREMELY LOW FREQUENCY FIELDS, p. 11 - 13, 2007.

³⁵ *Ibid.*, p. 12.

³⁶ *Ibid.*, p. 12.

on public health if there is a link, the benefits of exposure reduction on health are unclear. Thus the costs of precautionary measures should be very low.”³⁷

III. APPLICATION OF THE CPUC’S “NO-COST AND LOW-COST” EMF POLICY TO THIS PROJECT

Recognizing the scientific uncertainty over the connection between EMF exposures and health effects, the CPUC adopted a policy that addresses public concern over EMF with a combination of education, information, and precaution-based approaches. Specifically, Decision 93-11-013 established a precautionary based “no-cost and low-cost” EMF policy for California’s regulated electric utilities based on recognition that scientific research had not demonstrated that exposures to EMF cause health hazards and that it was inappropriate to set numeric standards that would limit exposure.

In 2006, the CPUC completed its review and update of its EMF Policy in Decision 06-01-042. This decision reaffirmed the finding that state and federal public health regulatory agencies have not established a direct link between exposure to EMF and human health effects,³⁸ and the policy direction that (1) use of numeric exposure limits was not appropriate in setting utility design guidelines to address EMF,³⁹ and (2) existing “no-cost and low-cost” precautionary-based EMF policy should be continued for proposed electrical facilities. The decision also reaffirmed that EMF concerns brought up during Certificate of Public Convenience and Necessity (CPCN) and Permit to Construct (PTC) proceedings for electric and transmission and substation facilities should be limited to the utility’s compliance with the CPUC’s “no-cost and low-cost” policies.⁴⁰

The decision directed regulated utilities to hold a workshop to develop standard approaches for EMF Design Guidelines and such a workshop was held on February 21, 2006. Consistent design guidelines have been developed that describe the routine magnetic field reduction measures that regulated California electric utilities consider for new and upgraded transmission line and transmission substation projects. SCE filed its revised EMF Design Guidelines with the CPUC on July 26, 2006.

“No-cost and low-cost” measures to reduce magnetic fields would be implemented for this Project in accordance with SCE’s EMF Design Guidelines. In summary, the process of

³⁷ *Ibid.*, p. 13.

³⁸ CPUC Decision 06-01-042, Conclusion of Law No. 5, mimeo. p. 19 (“As discussed in the rulemaking, a direct link between exposure to EMF and human health effects has yet to be proven despite numerous studies including a study ordered by this Commission and conducted by DHS.”).

³⁹ CPUC Decision 06-01-042, mimeo. p. 17 - 18 (“Furthermore, we do not request that utilities include non-routine mitigation measures, or other mitigation measures that are based on numeric values of EMF exposure, in revised design guidelines or apply mitigation measures to reconfigurations or relocations of less than 2,000 feet, the distance under which exemptions apply under GO 131-D. Non-routine mitigation measures should only be considered under unique circumstances.”).

⁴⁰ CPUC Decision 06-01-042, Conclusion of Law No. 2, (“EMF concerns in future CPCN and PTC proceedings for electric and transmission and substation facilities should be limited to the utility’s compliance with the Commission’s low-cost/no-cost policies.”).

evaluating “no-cost and low-cost” magnetic field reduction measures and prioritizing within and between land usage classes considers the following:

1. SCE’s priority in the design of any electrical facility is public and employee safety. Without exception, design and construction of an electric power system must comply with all applicable federal, state, and local regulations, applicable safety codes, and each electric utility’s construction standards. Furthermore, transmission and subtransmission lines and substations must be constructed so that they can operate reliably at their design capacity. Their design must be compatible with other facilities in the area and the cost to operate and maintain the facilities must be reasonable.
2. As a supplement to Step 1, SCE follows the CPUC’s direction to undertake “no-cost and low-cost” magnetic field reduction measures for new and upgraded electrical facilities. Any proposed “no-cost and low-cost” magnetic field measures, must, however, meet the requirements described in Step 1 above. The CPUC defines “no-cost and low-cost” measures as follows:
 - Low-cost measures, in aggregate, should:
 - Cost in the range of 4 percent of the total project cost.
 - Result in magnetic field reductions of “15% or greater at the utility R-O-W [right-of-way]...”⁴¹

The CPUC Decision stated,

“We direct the utilities to use 4 percent as a benchmark in developing their EMF mitigation guidelines. We will not establish 4 percent as an absolute cap at this time because we do not want to arbitrarily eliminate a potential measure that might be available but costs more than the 4 percent figure. Conversely, the utilities are encouraged to use effective measures that cost less than 4 percent.”⁴²

3. The CPUC provided further policy direction in Decision 06-01-042, stating that, “[a]lthough equal mitigation for an entire class is a desirable goal, we will not limit the spending of EMF mitigation to zero on the basis that not all class members can benefit.”⁴³ While Decision 06-01-042 directs the utilities to favor schools, day-care facilities and hospitals over residential areas when applying low-cost magnetic field reduction measures, prioritization within a class can be difficult on a project case-by-case basis because schools, day-care facilities, and hospitals are often integrated into residential areas, and many licensed day-care facilities are housed in private homes, and can be easily moved from one location to another. Therefore, it may be practical for public schools, licensed day-care centers, hospitals, and residential land uses to be grouped together to receive

⁴¹ CPUC Decision 06-01-042, p. 10.

⁴² CPUC Decision 93-11-013, § 3.3.2, p.10.

⁴³ CPUC Decision 06-01-042, p. 10.

highest prioritization for low-cost magnetic field reduction measures. Commercial and industrial areas may be grouped as a second priority group, followed by recreational and agricultural areas as the third group. Low-cost magnetic field reduction measures will not be considered for undeveloped land, such as open space, state and national parks, and Bureau of Land Management and U.S. Forest Service lands. When spending for low-cost measures would otherwise disallow equitable magnetic field reduction for all areas within a single land-use class, prioritization can be achieved by considering location and/or density of permanently occupied structures on lands adjacent to the projects, as appropriate.

This FMP contains descriptions of various magnetic field models and the calculated results of magnetic field levels based on those models. These calculated results are provided only for purposes of identifying the relative differences in magnetic field levels among various transmission or subtransmission line design alternatives under a specific set of modeling assumptions and determining whether particular design alternatives can achieve magnetic field level reductions of 15 percent or more. The calculated results are not intended to be predictors of the actual magnetic field levels at any given time or at any specific location if and when the Project is constructed. This is because magnetic field levels depend upon a variety of variables, including load growth, customer electricity usage, and other factors beyond SCE's control. The CPUC affirmed this in D. 06-01-042 stating:

“Our [CPUC] review of the modeling methodology provided in the utility [EMF] design guidelines indicates that it accomplishes its purpose, which is to measure the relative differences between alternative mitigation measures. Thus, the modeling indicates relative differences in magnetic field reductions between different transmission line construction methods, but does not measure actual environmental magnetic fields.”⁴⁴

⁴⁴ CPUC Decision 06-01-042, p. 11.

IV. PROJECT DESCRIPTION

Southern California Edison Company (SCE) proposes to construct and operate the Project to address a base case overload on the Moorpark-Newbury tap of the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line. The Project would occur in the City of Moorpark and the City of Thousand Oaks, and in unincorporated Ventura County between the two cities (Figure 1). The Project has been divided into discrete geographic Project Sections per the Proponent's Environmental Assessment (PEA) of the Project:

- Project Section 1 includes all work conducted within the fenceline at Moorpark Substation in the City of Moorpark.
- Project Section 2 spans from Moorpark Substation to near the border of the City of Thousand Oaks; most of Project Section 2 is located in unincorporated Ventura County (including the Santa Rosa Valley), with a portion of Project Section 2 located in the City of Moorpark. Project Section 2 is approximately 5 miles in length.
- Project Section 3 spans from just north of the City of Thousand Oaks border to a point within Conejo Open Space Conservancy Agency (COSCA) lands in the Conejo Canyons area; the end of Project Section 3 is the point at which the subtransmission route changes direction from east to south in the City of Thousand Oaks. Project Section 3 is approximately 3 miles in length.
- Project Section 4 spans from the end of Project Section 3 to the termination of the Project infrastructure within Newbury Substation in the City of Thousand Oaks. Project Section 4 is approximately 1 mile in length.

The Project includes the following major components:

- Construction of approximately 1,200 feet of new underground 66 kV subtransmission line entirely within Moorpark Substation.
- Construction of approximately 5 miles of the new Moorpark-Newbury 66 kV Subtransmission Line on new tubular steel poles (TSPs) on the south and east sides of SCE's existing Moorpark-Ormond Beach 220 kV Right-of-Way (ROW).
- Construction of approximately 3 miles of the new Moorpark-Newbury 66 kV Subtransmission Line within the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line ROW. Existing single-circuit lattice steel towers (LSTs) would be replaced with new TSPs; the TSPs would be double-circuited, carrying both the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line and the new Moorpark-Newbury 66 kV Subtransmission Line. The existing single-circuit Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line in this section would be reconstructed and reconducted to accommodate the installation of the new Moorpark-Newbury 66 kV Subtransmission Line.

- Construction of approximately 1 mile of the new Moorpark-Newbury 66 kV Subtransmission Line within the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line ROW into Newbury Substation. Existing single-circuit wood poles would be replaced with new lightweight steel (LWS) poles; within Newbury Substation, four wood poles would be replaced with four TSPs. The existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line would be reconstructed and transferred to the new LWS poles and TSPs in a double-circuit configuration to accommodate the new Moorpark-Newbury 66 kV Subtransmission Line.
- Construction of new 66 kV subtransmission line positions and associated infrastructure within Moorpark Substation and Newbury Substation to facilitate the termination of the new Moorpark-Newbury 66 kV Subtransmission Line.
- Transfer of existing distribution circuitry and telecommunication facilities to new subtransmission poles as necessary.

SCE's requirements for this Project are broken into the following components: Substations and 66 kV Subtransmission Line. Each of these components is described below.

Substations

There are no new substations proposed as part of this Project. The Project includes work to be conducted at two existing substations: the 220/66/16 kV Moorpark Substation and the 66/16 kV Newbury Substation. Modifications to existing substations are being performed to accommodate the construction of the new subtransmission line work between Moorpark Substation and Newbury Substation.

All substation-related work (installation of new circuit breakers, disconnect switches, switchrack positions, and protection equipment) at the substations would be conducted within the existing substation fence lines; the substation footprints or exterior dimensions of the substations would not be expanded as part of the Project. Further details of the substation work are described in the PEA.

66 kV Subtransmission Line

The Project would include the construction of new, and reconstruction of existing, 66 kV subtransmission line elements within existing SCE ROWs. The proposed subtransmission line elements have been subdivided into four geographically-defined Project Sections (Sections) per the PEA of the Project. The Project route is identified on Figure 1.

Project Section 1:

Project Section 1 is located entirely within the fenceline at Moorpark Substation. Project Section 1 begins at the 66 kV switchrack, runs underground through conduit installed in a duct bank to a riser TSP, and then exits the substation overhead.

Between October 2010 and November 2011, the following past activities were performed in Project Section 1:

- Installed a single TSP riser pole on the substation property (pole location 1)
- Constructed 700 feet of duct bank consisting of six 5-inch conduits and two underground vaults. Approximately 20 feet of the duct bank was installed in 28-inch steel casing under the SCE railroad spur located within Moorpark Substation

Subtransmission-related construction work in Project Section 1 is largely complete; however, the following future activities remain to be performed as part of the Project:

- Construct approximately 500 feet of duct bank consisting of six 5-inch conduits
- Install and splice subtransmission cable
- Terminate new cable at a line position in the 66 kV switchrack

Project Section 2:

Project Section 2 originates at the fenceline of Moorpark Substation and terminates near the City of Thousand Oaks boundary. Project Section 2 is located entirely within SCE's existing Moorpark-Ormond Beach 220 kV ROW. The ROW exits Moorpark Substation at the northwest corner of the substation, proceeds west from Moorpark Substation for approximately 4,800 feet, assumes a southerly routing near Montair Drive, crosses State Route 118 (SR-118, Los Angeles Avenue) and continues south across open space and lands used for agricultural purposes.

When fully constructed, Project Section 2 would consist of approximately 5 linear miles of a new overhead 66 kV subtransmission line installed on TSPs that would be located within SCE's existing Moorpark-Ormond Beach 220 kV ROW. The TSPs would be located within the south and east sides of the ROW, adjacent to the existing 220 kV structures. The TSPs would be single-circuited, carrying the Moorpark-Newbury 66 kV Subtransmission Line.

Between October 2010 and November 2011, the following past activities were performed in Project Section 2:

- Installed 24 TSP foundations (pole locations 2-25)
- Installed 21 complete TSPs (pole locations 2-22)
- Installed partially 1 TSP (only base of pole installed) (pole location 23)

Future activities in Project Section 2 include:

- Install two TSP foundations (pole locations 26-27)
- Install upper sections of one partially-installed TSP to complete construction (pole location 23)
- Install four TSPs (pole locations 24-27)
- Install approximately five circuit miles of 954 aluminum conductor steel-reinforced (ACSR)(from poles 1 to 28)
- Install marker balls on conductor where determined to be appropriate

Project Section 3:

Project Section 3 extends from the termination of Project Section 2 (north of the boundary of the City of Thousand Oaks) and is routed south and east to its termination at the northern terminus of Project Section 4. With the exception of approximately 400 feet at its northern end, all of Project Section 3 is located in open space lands managed by COSCA.

When fully constructed, Project Section 3 would consist of approximately 3 linear miles of overhead 66 kV subtransmission lines installed on TSPs. The TSPs would be double-circuited, carrying both the Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line and the Moorpark-Newbury 66 kV Subtransmission Line.

Between October 2010 and November 2011, the following past activities were performed in Project Section 3:

- Excavated holes for three TSP foundations and then subsequently filled them with slurry (pole locations 29-31)
- Constructed five TSP foundations (pole locations 33-37)

Future activities to be completed in Project Section 3 include:

- Install eight TSP foundations (five new foundations at pole locations 28, 32, and 38-40; and complete the three that were slurried at pole locations 29-31)
- Install 13 TSPs (pole locations 28-40)
- Remove 14 existing lattice steel towers (LSTs)
- Install approximately 3 miles of double circuit 954 ACSR on new TSPs as follows:
 - Install approximately 3 circuit miles of new 954 ACSR on new TSPs for the new Moorpark-Newbury 66 kV Subtransmission Line
 - Reconductor approximately 3 circuit miles of the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line by removing 653 ACSR and installing 954 ACSR on new TSPs
 - Install marker balls on conductor where determined to be appropriate

Project Section 4:

Project Section 4 extends from the southern terminus of Project Section 3 to Newbury Substation. When fully constructed, Project Section 4 would consist of approximately 1 linear mile of overhead 66 kV subtransmission lines installed on TSPs and LWS poles. The TSPs and LWS poles would primarily be double-circuited.

Between October 2010 and November 2011, the following past activities were performed in Project Section 4:

- Installed 27 LWS subtransmission poles (pole locations 41 through 67)
- Removed 27 wood subtransmission poles (pole locations 41 through 67)
- Transferred the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line from wood subtransmission poles to newly-installed LWS poles

- Installed a portion of the total length of 954 stranded aluminum conductor (SAC) for the new Moorpark-Newbury 66 kV Subtransmission Line
- Installed a portion of the total length of FRC (Fault Return Conductor)
- Transferred existing distribution lines and third-party facilities to new subtransmission structures

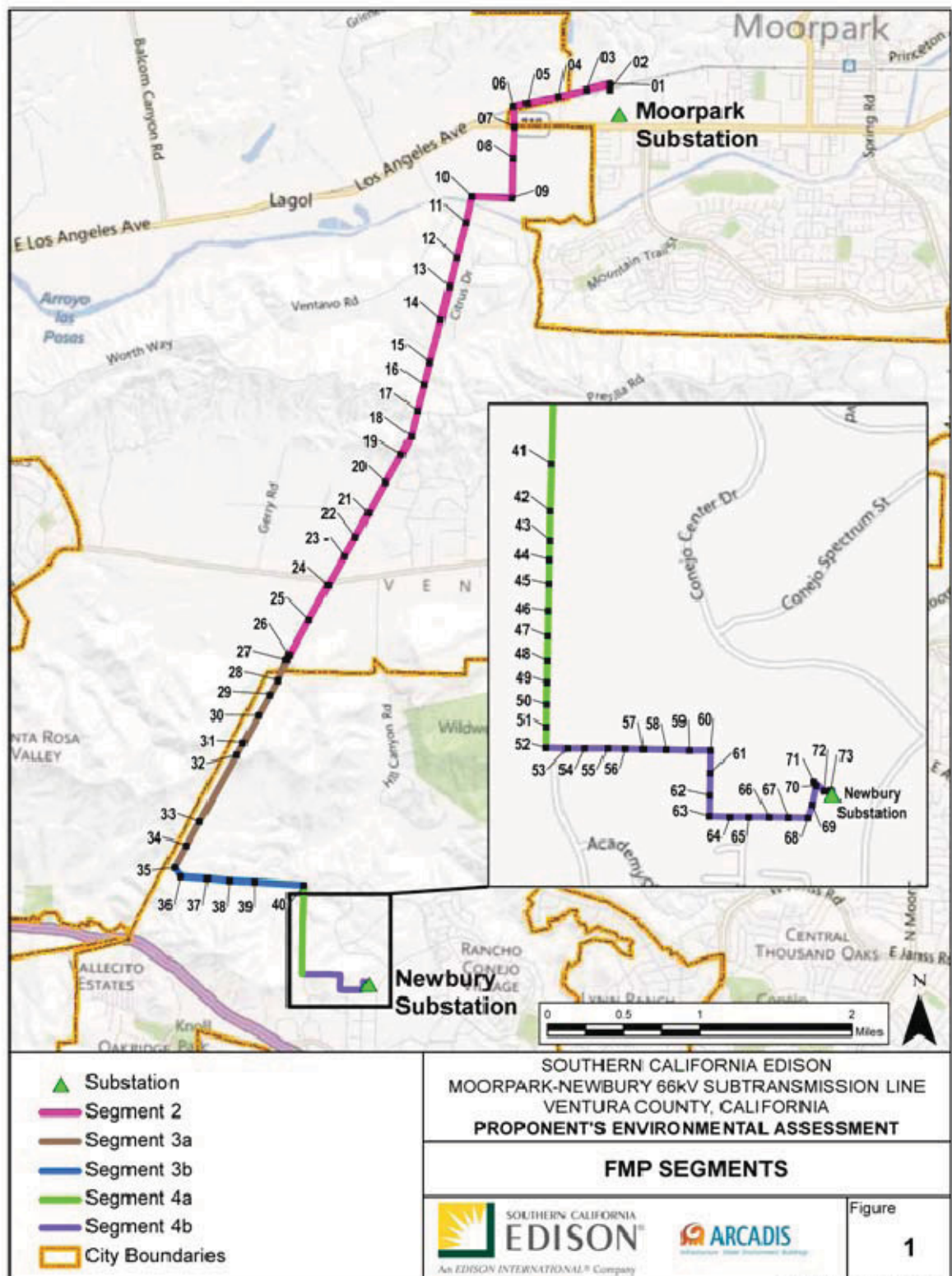
Future activities remaining in Project Section 4 include:

- Install approximately 0.5 mile of 954 SAC for the new Moorpark-Newbury 66 kV Subtransmission Line
- Install an additional length of FRC
- Install four TSP foundations at Newbury Substation
- Install four TSPs at Newbury Substation (pole locations 68, 70, 71, and 73)
- Install two LWS poles at Newbury Substation (pole locations 69 and 72)
- Remove six wood subtransmission poles at Newbury Substation
- Transfer existing subtransmission, distribution and telecommunications facilities to new structures
- Install marker balls on conductor where determined to be appropriate

66 kV Subtransmission Line Infrastructure:

TSPs to be installed as part of this Project would extend approximately 70 feet to 135 feet above ground. LWS poles installed as part of this Project would extend approximately 60 to 80 feet above ground. Additional details on the subtransmission line infrastructure are stated in the PEA.

Figure 1. Moorpark-Newbury Proposed 66 kV Subtransmission Line Route – FMP Segments



V. EVALUATION OF “NO-COST AND LOW-COST” MAGNETIC FIELD REDUCTION DESIGN OPTIONS

Please note that the following magnetic field models and the calculated results of magnetic field levels are intended only for purposes of identifying the relative differences in magnetic field levels among various subtransmission line and subtransmission line design alternatives under a specific set of modeling assumptions (see §VII-Appendix A for more detailed information about the calculation assumptions and loading conditions) and determining whether particular design alternatives can achieve magnetic field level reductions of 15 percent or more. The calculated results are not intended to be predictors of the actual magnetic field levels at any given time or at any specific location when the Project is constructed.

For the purpose of evaluating “no-cost and low-cost” magnetic field reduction design options, the evaluation of magnetic fields associated with the Project is divided into two parts:

- Part 1 - Proposed Substation Work
- Part 2 - Proposed 66 kV Subtransmission Lines

Part 1 - Proposed Substation Work

Project Section 1:

Most of the Project Section 1 construction has been completed as described in the PEA. This Project Section is located entirely within the property lines at Moorpark Substation and runs underground through conduit installed in a duct bank.

Generally, magnetic field values along the substation perimeter are low compared to the substation interior because of the distance from the perimeter to the energized equipment. Normally, the highest magnetic field values around the perimeter of a substation result from overhead power lines and underground duct banks entering and leaving the substation, and are not caused by substation equipment. Therefore, the magnetic field reduction design options generally applicable to a substation project are as follows:

- Site selection for a new substation⁴⁵;
- Setback of substation structures and major substation equipment (such as bus, transformers, and underground cable duct banks, etc.) from perimeter;
- Field reduction for transmission lines and subtransmission lines entering and exiting the substation.

The Substation Checklist, as shown in Table 2, is used for evaluating the no-cost and low-cost design options considered for Moorpark Substation, the design options adopted, and

⁴⁵ There are no new substations being constructed as part of this Project. All substation related work would occur within the existing Moorpark Substation and Newbury Substation.

reasons that certain design options were not adopted if applicable. There are no significant opportunities for magnetic field reductions within Newbury Substation as part of this Project. Therefore, only the Moorpark Substation Checklist is shown in Table 2.

Table 2. Substation Checklist for Examining No-cost and Low-cost Magnetic Field Reduction Design Options for Moorpark Substation			
No.	No-Cost and Low-Cost Magnetic Field Reduction Design Options Evaluated for a Substation Project	Design Options Adopted? (Yes/No)	Reason(s) if not Adopted
1	Keep high-current devices such as transformers, capacitors, and reactors away from substation property lines.	N/A	Not in Project Scope
2	For underground duct banks, the minimum distance should be 12 feet from the adjacent property lines or as close to 12 feet as practical.	Yes	
3	Locate new substations close to existing power lines to the extent practical.	N/A	Not in Project Scope
4	Increase the substation property boundary to the extent practical.	N/A	Not in Project Scope

Part 2 - Proposed 66 kV Subtransmission Lines

For the purpose of evaluating “no-cost and low-cost” magnetic field reduction design options, the proposed Project is divided into five segments. The segments are shown below their associated Project Section, described previously in this document.

Project Section 2:

Some of the Project Section 2 construction work was completed as described in the PEA. When fully constructed, Project Section 2 would consist of approximately 5 linear miles of a new overhead 66 kV subtransmission line installed on TSPs that would be located within SCE’s existing Moorpark-Ormond Beach 220 kV ROW. The TSPs would be located within the south and east side of the ROW, adjacent to the existing 220 kV structures. The TSPs would be single-circuited, carrying the proposed (new) Moorpark-Newbury 66 kV Subtransmission Line.

- **Segment 2**

Segment 2 consists of the entire route within Project Section 2. This segment would consist of five SCE circuits (four 220 kV existing Moorpark-Ormond Beach No. 1, 2, 3, and 4 Transmission Lines (T/Ls) and the one proposed single-circuit Moorpark-Newbury 66 kV Subtransmission Line) within the SCE ROW. The proposed design is shown in Figure 2.

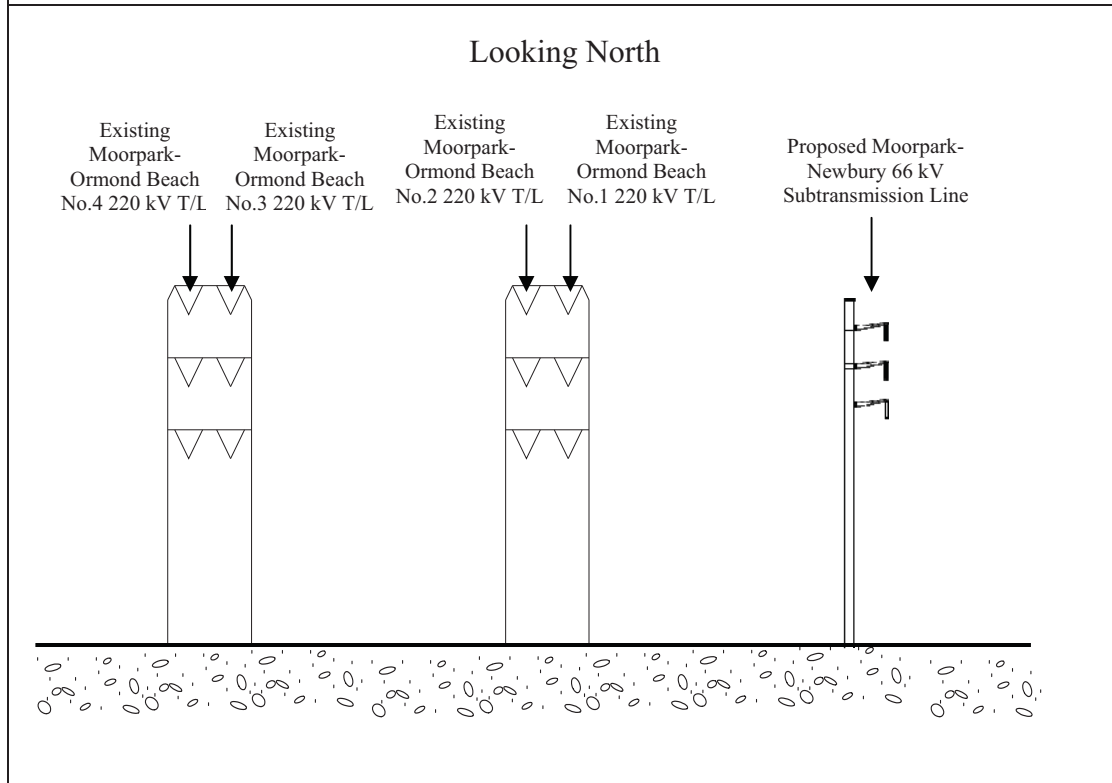
For EMF analysis, calculated field levels were evaluated at the edges of the approximately 270 feet wide ROW. Presently, there are no schools adjacent to Segment 2 of the proposed 66 kV subtransmission line route. The proposed route for Segment 2 is adjacent to residential, commercial / industrial, agricultural, and undeveloped land.

No-Cost Field Reduction Measures: The proposed design for Segment 2 includes the following no-cost field reduction measures:

1. Utilize structure heights that meet or exceed SCE's EMF preferred design criteria.
2. Arrange conductors of proposed subtransmission line for magnetic field reduction. This is considered a no-cost measure as the recommended phase arrangement can be obtained at subtransmission line terminations at Moorpark Substation and Newbury Substation (this recommended phase arrangement remains unchanged throughout the Project route).

Low-Cost Field Reduction Options: The proposed design incorporates the above listed no-cost field reduction measures that meet SCE's preferred design criteria; no low-cost reduction measures such as utilizing taller structures were considered for this segment of the Project.

Figure 2. Proposed 66 kV Single-Circuit Structure Design - Segment 2⁴⁶



Magnetic Field Calculations: Figure 3 and Table 3 show the calculated magnetic field levels for the proposed design. These calculations were made using the proposed TSP with a minimum height of 85 feet (above ground).

⁴⁶ Figure is not to scale.

**Figure 3. Calculated Magnetic Field Levels⁴⁷ for Segment 2
Proposed 66 kV Subtransmission Line (Looking North)**

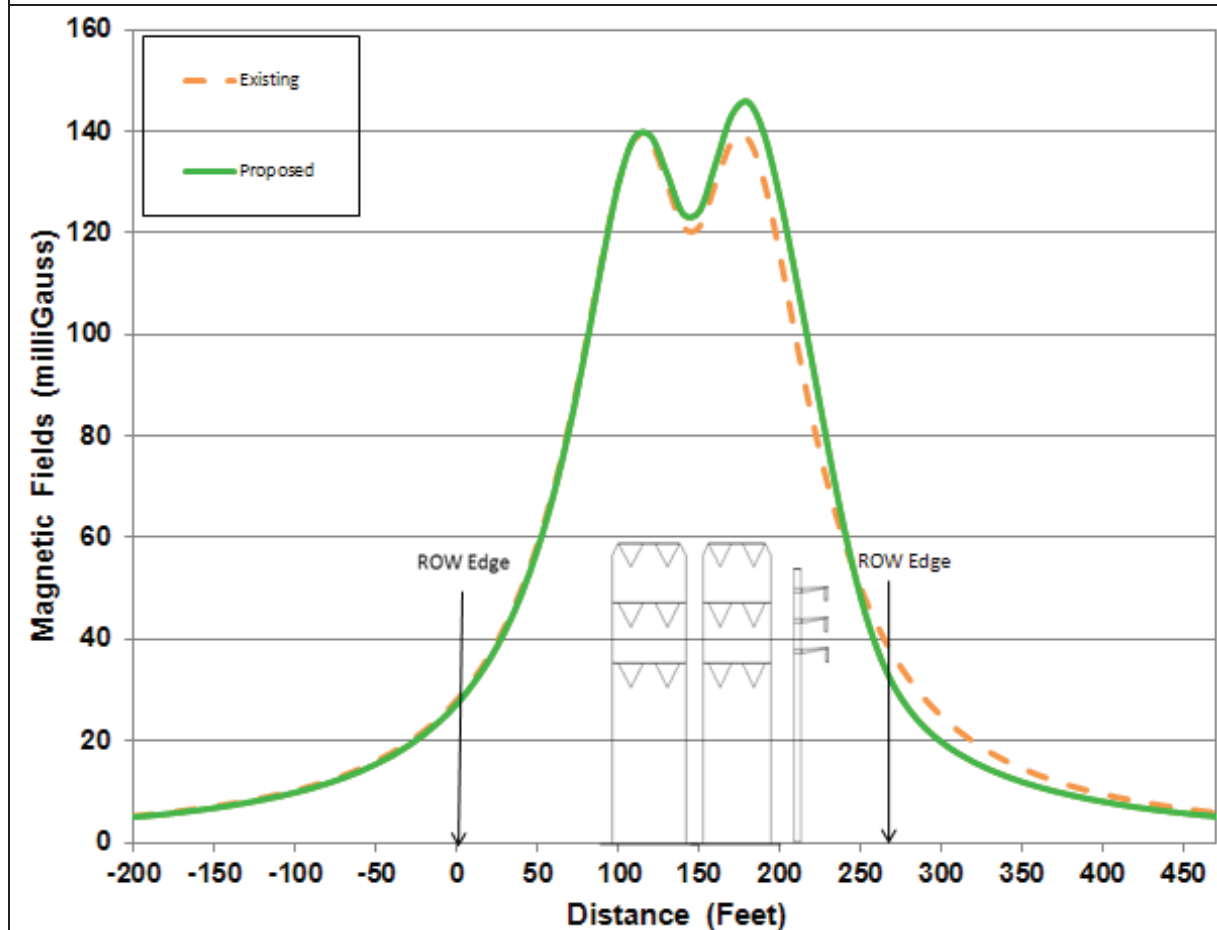


Table 3. Calculated Magnetic Field Levels⁴⁸ for Segment 2

Design Options	Left edge of ROW (mG)	% Reduction	Right edge of ROW (mG)	% Reduction
Existing	28.1	-	36.9	-
Proposed	27.3	2.8	31.1	15.7

⁴⁷ This figure shows calculated magnetic field levels for design comparison only and is not meant to predict actual magnetic field levels.

⁴⁸ This table lists calculated magnetic field levels for design comparison only and is not meant to predict actual magnetic field levels.

Recommendations for Segment 2: The proposed design includes no-cost field reduction measures. Because the proposed design already incorporates structures with heights meeting or exceeding SCE's preferred design criteria and arranges phase conductors for magnetic field reduction, no low-cost field reduction measures are recommended.

Project Section 3:

Some of the Project Section 3 construction work was completed as described in the PEA. When fully constructed, Project Section 3 would consist of approximately 3 miles of overhead 66 kV subtransmission lines installed on TSPs. The TSPs would be double-circuited, carrying both the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line and the proposed Moorpark-Newbury 66 kV Subtransmission Line.

- **Segment 3a**

Segment 3a within Project Section 3 consists of the span from Poles 28-35. This segment would consist of six SCE circuits (existing Moorpark-Ormond Beach No. 1, 2, 3, and 4 220 kV T/Ls; existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line; and the proposed Moorpark-Newbury 66 kV Subtransmission Line) within the SCE ROW (comprised of two separate easements). The proposed design is shown in Figure 4.

For EMF analysis, calculated field levels were evaluated at the edges of the approximately 440 feet wide ROW. Presently, there are no schools adjacent to Segment 3a of the proposed 66 kV subtransmission line route. The proposed route for Segment 3a is adjacent to recreational, agricultural and undeveloped land.

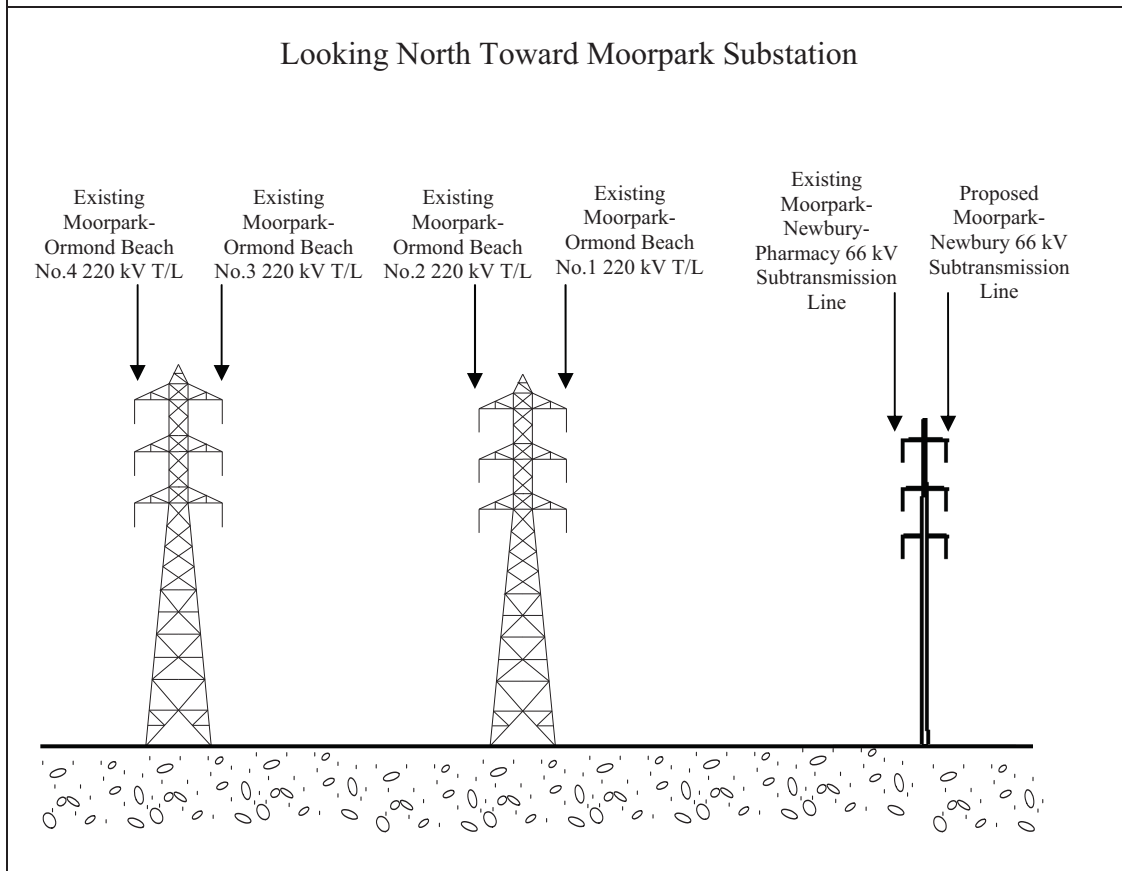
No-Cost Field Reduction Measures: The proposed design for Segment 3a includes the following no-cost field reduction measures:

1. Utilize structure heights that meet or exceed SCE's EMF preferred design criteria.
2. Utilize double-circuit construction that reduces spacing between circuits as compared with single-circuit construction.

Low-Cost Field Reduction Options: The proposed design for Segment 3a includes the following low-cost field reduction measure:

1. Arrange conductors of subtransmission lines for magnetic field reduction. This is considered a low-cost measure in this segment because of the costs associated with transposing the conductors to the recommended phasing arrangement for magnetic field reduction.

Figure 4. Proposed 66 kV Double-Circuit Structure Design - Segment 3a⁴⁹



Magnetic Field Calculations: Figure 5 and Table 4 show the calculated magnetic field levels for the proposed design. These calculations were made using the proposed TSP with a minimum height of 70 feet (above ground).

⁴⁹ Figure is not to scale.

**Figure 5. Calculated Magnetic Field Levels⁵⁰ for Segment 3a
Proposed 66 kV Subtransmission Line (Looking North)**

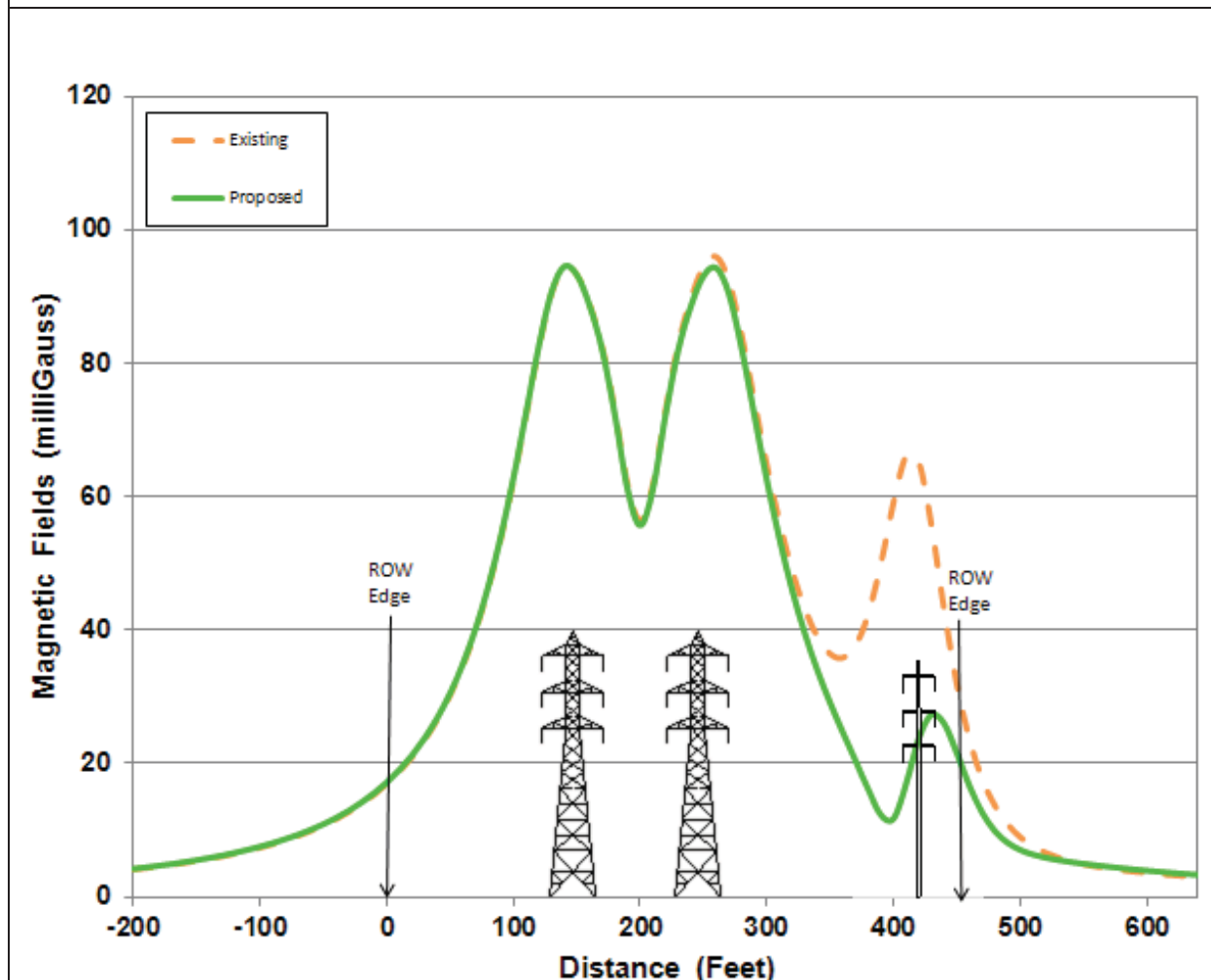


Table 4. Calculated Magnetic Field Levels⁵¹ for Segment 3a

Design Options	Left edge of ROW (mG)	% Reduction	Right edge of ROW (mG)	% Reduction
Existing	16.9	-	43.0	-
Proposed	17.2	Less than 15% Increase	26.0	39.5

⁵⁰ This figure shows calculated magnetic field levels for design comparison only and is not meant to predict actual magnetic field levels.

⁵¹ This table lists calculated magnetic field levels for design comparison only and is not meant to predict actual magnetic field levels.

Recommendations for Segment 3a: The proposed design includes no-cost and low-cost field reduction measures. Because the proposed design already incorporates structures with heights meeting or exceeding SCE's preferred design criteria, utilizes double-circuit construction that reduces spacing between circuits as compared with single-circuit construction, and arranges phase conductors for magnetic field reduction, no further low-cost field reduction measures are recommended.

- **Segment 3b**

Segment 3b within Project Section 3 consists of the span from Poles 35-40. This segment would consist of two circuits (the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line and the proposed Moorpark-Newbury 66 kV Subtransmission Line) within the SCE ROW. The proposed design is shown in Figure 6.

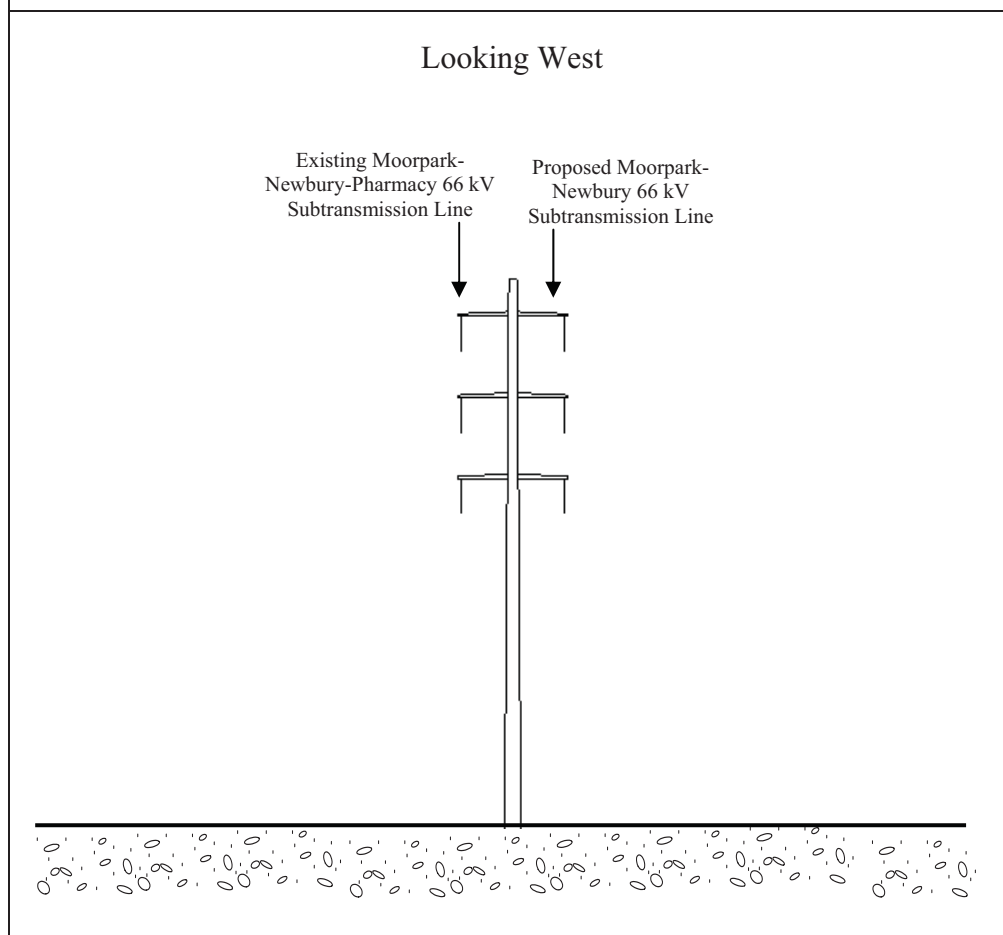
For EMF analysis, calculated field levels were evaluated at the edges of the approximately 50 feet wide ROW. Presently, there are no schools adjacent to Segment 3b of the proposed 66 kV subtransmission line route. The proposed route for Segment 3b is adjacent to recreational and undeveloped land.

No-Cost Field Reduction Measures: The proposed design for Segment 3b includes the following no-cost field reduction measures:

1. Utilize structure heights that meet or exceed SCE's EMF preferred design criteria.
2. Utilize double-circuit construction that reduces spacing between circuits as compared with single-circuit construction.
3. Arrange conductors of subtransmission lines for magnetic field reduction. This is considered a no-cost measure as the recommended phase arrangement is maintained from Segment 3a.

Low-Cost Field Reduction Options: The proposed design incorporates the above listed no-cost field reduction measures that meet SCE's preferred design criteria; no low-cost reduction measures such as utilizing taller structures were considered for this segment of the Project.

**Figure 6. Proposed 66 kV Double-Circuit Structure Design –
Segment 3b⁵²**



Magnetic Field Calculations: Figure 7 and Table 5 show the calculated magnetic field levels for the proposed design. These calculations were made using the proposed TSP with a minimum height of 70 feet (above ground).

⁵² Figure is not to scale.

Figure 7. Calculated Magnetic Field Levels⁵³ for Segment 3b
Proposed 66 kV Subtransmission Line (Looking West)

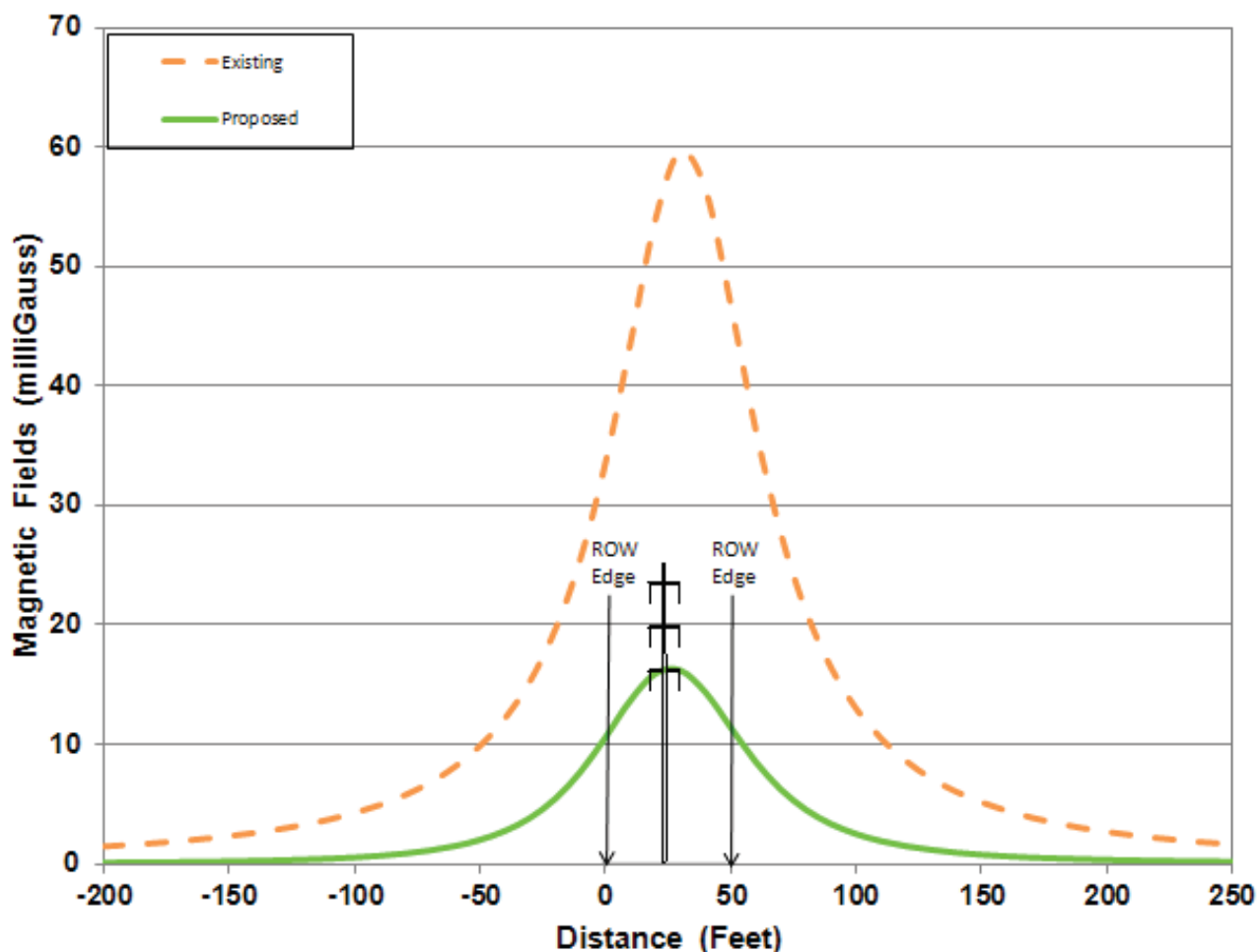


Table 5. Calculated Magnetic Field Levels⁵⁴ for Segment 3b

Design Options	Left edge of ROW (mG)	% Reduction	Right edge of ROW (mG)	% Reduction
Existing	33.5	-	46.9	-
Proposed	10.6	68.4	11.4	75.7

⁵³ This figure shows calculated magnetic field levels for design comparison only and is not meant to predict actual magnetic field levels.

⁵⁴ This table lists calculated magnetic field levels for design comparison only and is not meant to predict actual magnetic field levels.

Recommendations for Segment 3b: *The proposed design includes no-cost field reduction measures. Because the proposed design already incorporates structures with heights meeting or exceeding SCE's preferred design criteria, utilizes double-circuit construction that reduces spacing between circuits as compared with single-circuit construction, and arranges phase conductors for magnetic field reduction, no low-cost field reduction measures are recommended.*

Project Section 4:

Some of the Project Section 4 construction work was completed as described in the PEA. When fully constructed, Project Section 4 would consist of approximately 1 mile of overhead 66 kV subtransmission lines installed on TSPs and LWS poles. The TSPs and LWS poles would primarily be double-circuited.

- **Segment 4a**

Segment 4a in Project Section 4 consists of the span from Poles 40-52. This segment would consist of two circuits (the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line and the proposed Moorpark-Newbury 66 kV Subtransmission Line) within the SCE ROW. The proposed design is shown in Figure 8.

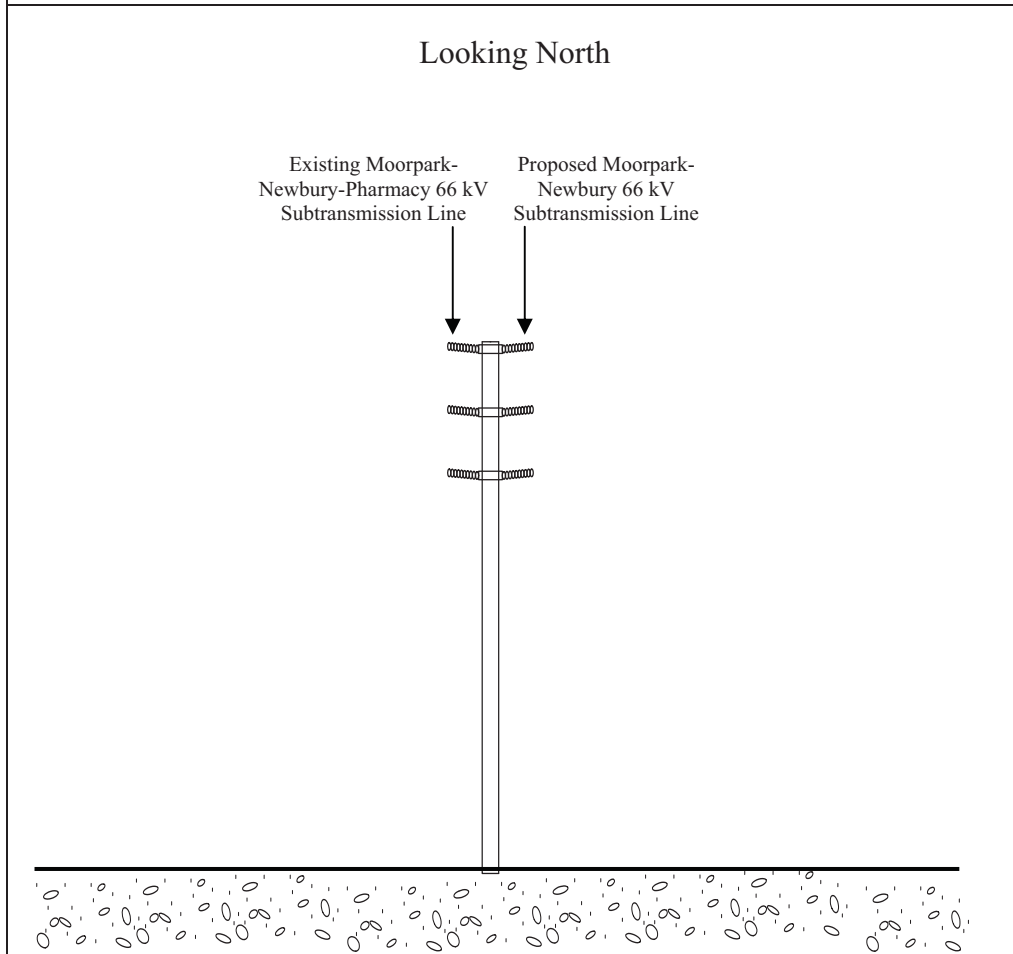
For EMF analysis, calculated field levels were evaluated at the edges of the approximately 25 feet wide ROW. Presently, there are no schools adjacent to Segment 4a of the proposed 66 kV subtransmission line route. The proposed route for Segment 4a is adjacent to recreational and undeveloped land.

No-Cost Field Reduction Measures: The proposed design for Segment 4a includes the following no-cost field reduction measures:

1. Utilize structure heights that meet or exceed SCE's EMF preferred design criteria.
2. Utilize double-circuit construction that reduces spacing between circuits as compared with single-circuit construction.
3. Arrange conductors of subtransmission lines for magnetic field reduction. This is considered a no-cost measure as the recommended phase arrangement is maintained from Segment 3a.

Low-Cost Field Reduction Options: The proposed design incorporates the above listed no-cost field reduction measures that meet SCE's preferred design criteria; no low-cost reduction measures such as utilizing taller structures were considered for this segment of the Project.

Figure 8. Proposed 66 kV Double-Circuit Structure Design – Segment 4a⁵⁵



Magnetic Field Calculations: Figure 9 and Table 6 show the calculated magnetic field levels for the proposed design. These calculations were made using the proposed LWS pole with a minimum height of 75 feet.

⁵⁵ Figure is not to scale.

**Figure 9. Calculated Magnetic Field Levels⁵⁶ for Segment 4a
Proposed 66 kV Subtransmission Line (Looking North)**

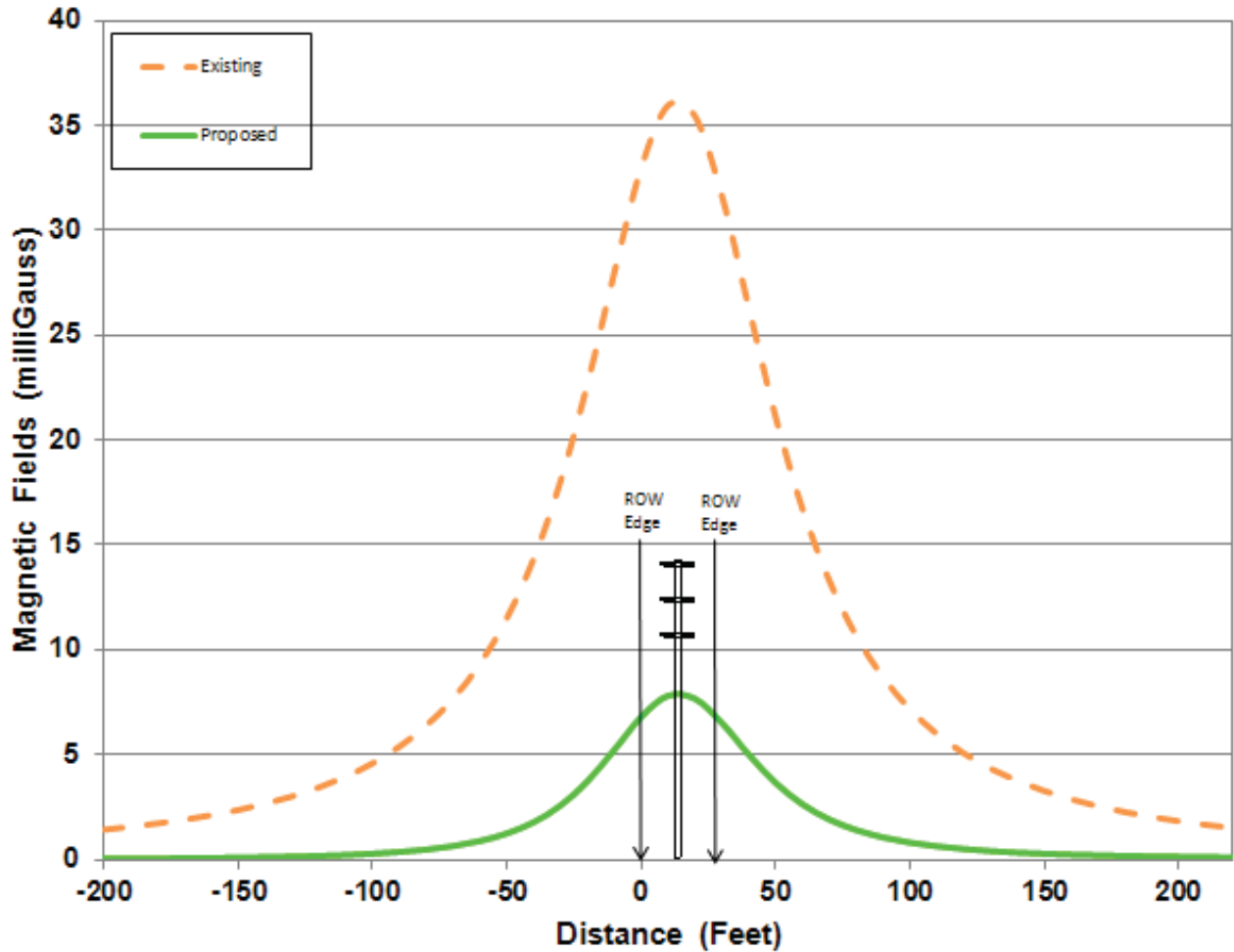


Table 6. Calculated Magnetic Field Levels⁵⁷ for Segment 4a

Design Options	Left edge of ROW (mG)	% Reduction	Right edge of ROW (mG)	% Reduction
Existing	33.0	-	33.9	-
Proposed	6.8	79.4	7.2	78.8

⁵⁶ This figure shows calculated magnetic field levels for design comparison only and is not meant to predict actual magnetic field levels.

⁵⁷ This table lists calculated magnetic field levels for design comparison only and is not meant to predict actual magnetic field levels.

Recommendations for Segment 4a: *The proposed design includes no-cost field reduction measures. Because the proposed design already incorporates structures with heights meeting or exceeding SCE's preferred design criteria, utilizes double-circuit construction that reduces spacing between circuits as compared with single-circuit construction, and arranges phase conductors for magnetic field reduction, no low-cost field reduction measures are recommended.*

- **Segment 4b**

Segment 4b within Project Section 4 consists of the span from Poles 52-Newbury Substation. This segment would consist of three circuits (the existing Newbury-Thousand Oaks 66 kV Subtransmission Line; the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line; and the proposed Moorpark-Newbury 66 kV Subtransmission Line) within the SCE ROW. The proposed design is shown in Figure 10.

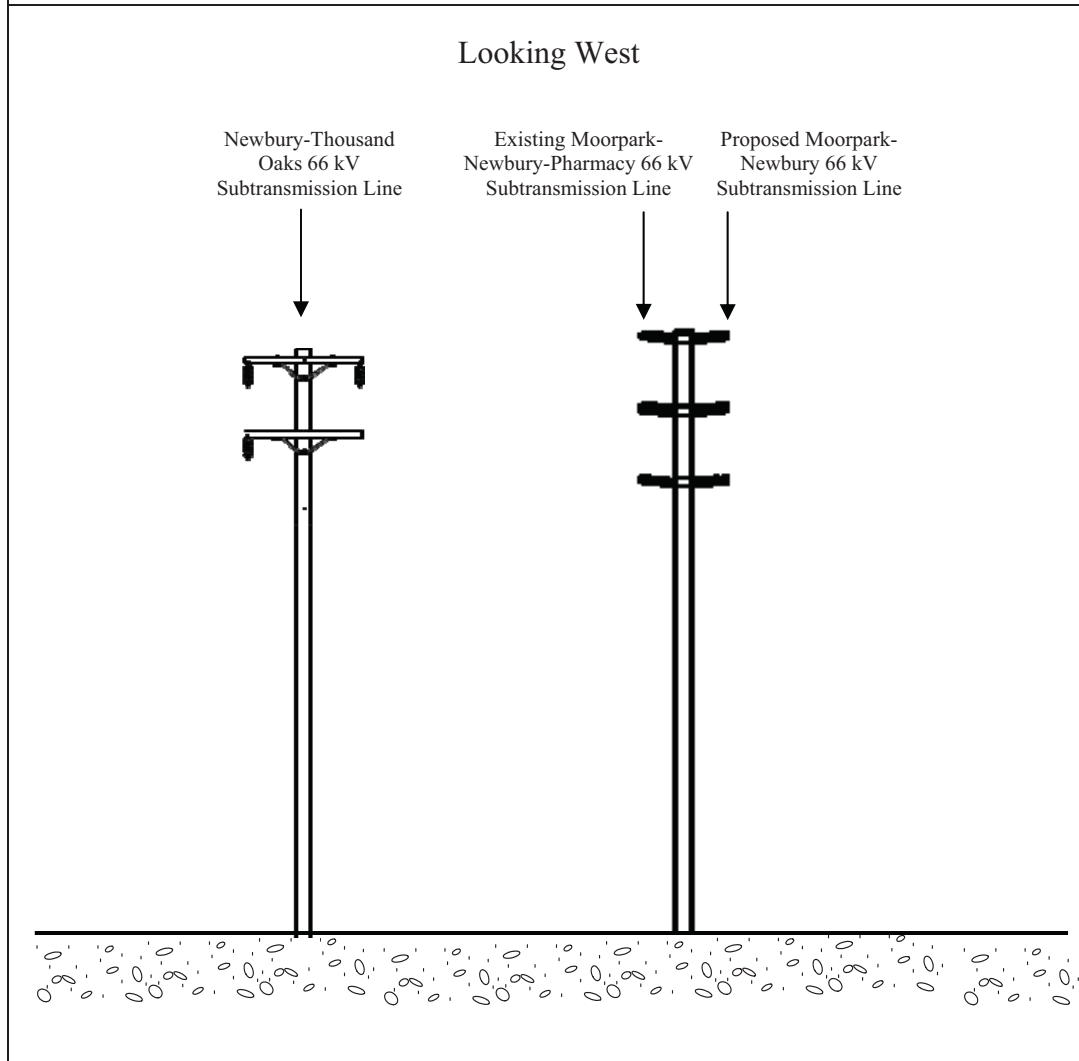
For EMF analysis, calculated field levels were evaluated at the edges of the approximately 75 feet wide ROW. Presently, there are schools (Newbury Park Adventist Academy, Passageway School, and Conejo Adventist Elementary) located more than 300 feet from the southern ROW edge of Segment 4b. The proposed route for Segment 4b is also adjacent to residential, commercial / industrial, recreational, and undeveloped land.

No-Cost Field Reduction Measures: The proposed design for Segment 4b includes the following no-cost field reduction measures:

1. Utilize structure heights that meet or exceed SCE's EMF preferred design criteria.
2. Utilize double-circuit construction that reduces spacing between circuits as compared with single-circuit construction.
3. Arrange conductors of subtransmission lines for magnetic field reduction. This is considered a no-cost measure as the recommended phase arrangement is maintained from Segment 3a.

Low-Cost Field Reduction Options: The proposed design incorporates the above no-cost field reduction measures that meet SCE's preferred design criteria; no low-cost reduction measures such as utilizing taller structures were considered for this segment of the Project.

**Figure 10. Proposed 66 kV Double-Circuit Structure Design -
Segment 4b⁵⁸**



Magnetic Field Calculations: Figure 11 and Table 7 show the calculated magnetic field levels for the proposed design. These calculations were made using the proposed LWS pole with an overall minimum height of 75 feet.

⁵⁸ Figure is not to scale.

Figure 11. Calculated Magnetic Field Levels⁵⁹ for Segment 4b
Proposed 66 kV Subtransmission Line (Looking West)

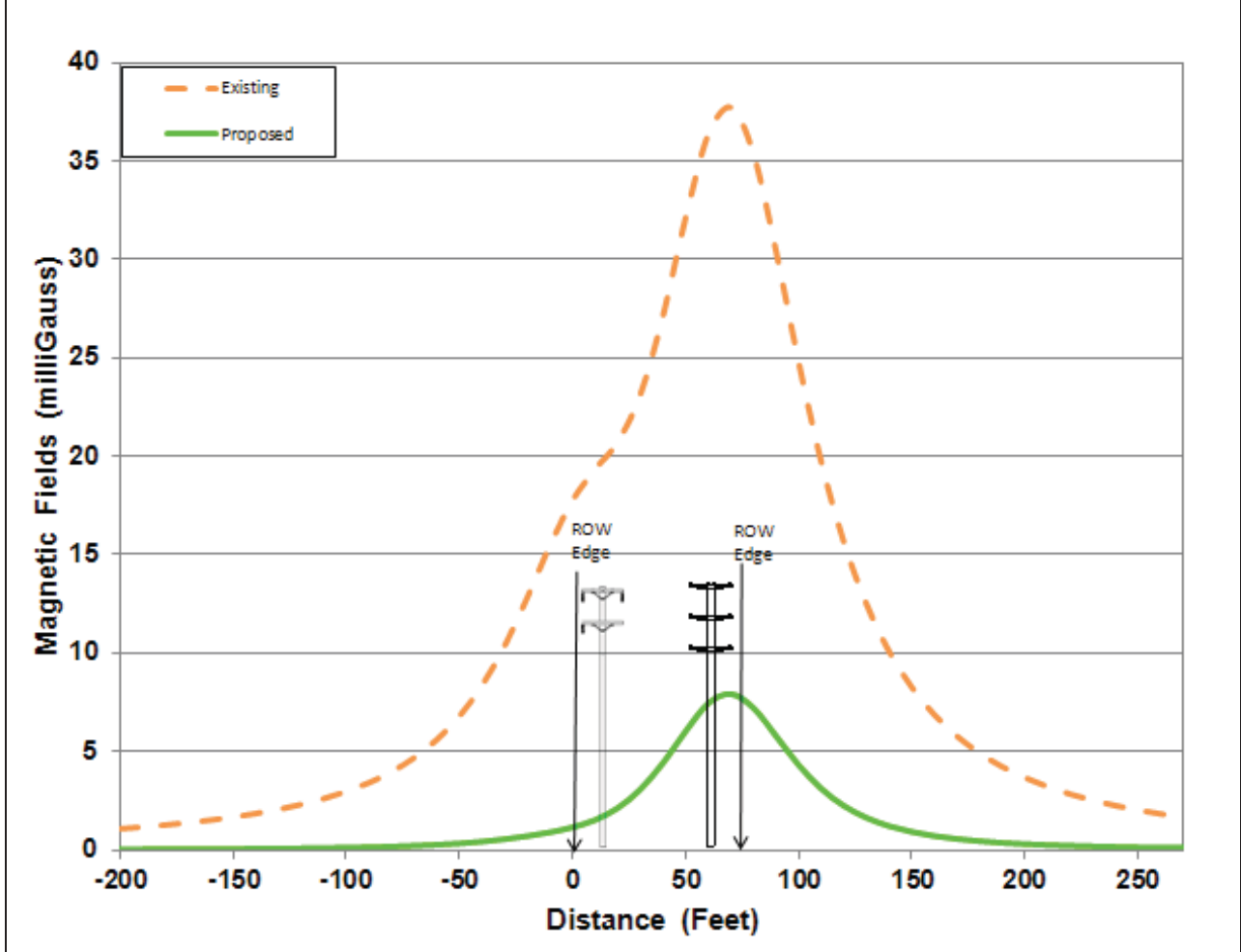


Table 7. Calculated Magnetic Field Levels⁶⁰ for Segment 4b

Design Options	Left edge of ROW (mG)	% Reduction	Right edge of ROW (mG)	% Reduction
Existing	17.8	-	37.0	-
Proposed	1.1	93.8	7.7	79.2

⁵⁹ This figure shows calculated magnetic field levels for design comparison only and is not meant to predict actual magnetic field levels.

⁶⁰ This table lists calculated magnetic field levels for design comparison only and is not meant to predict actual magnetic field levels.

***Recommendations for Segment 4b:** The proposed design includes no-cost field reduction measures. Because the proposed design already incorporates structures with heights meeting or exceeding SCE's preferred design criteria, utilizes double-circuit construction that reduces spacing between circuits as compared with single-circuit construction, and arranges phase conductors for magnetic field reduction, no low-cost field reduction measures are recommended.*

VI. FINAL RECOMMENDATIONS FOR IMPLEMENTING “NO-COST AND LOW-COST” MAGNETIC FIELD REDUCTION DESIGN OPTIONS

In accordance with the “EMF Design Guidelines”, filed with the CPUC in compliance with CPUC Decisions 93-11-013 and 06-01-042, SCE would implement the following “no-cost and low-cost” magnetic field reduction design options for the Project:

Part 1: Proposed Substation Work

For Existing Moorpark Substation:

- Place new substation electrical equipment (such as underground duct banks) away from the substation property lines closest to populated areas.

For Existing Newbury Substation:

- There are no significant opportunities to reduce magnetic fields based on the scope of the substation work within Newbury Substation as part of this Project.

Part 2: Proposed 66 kV Subtransmission Lines

Segment 2 (Project Section 2) – The proposed Moorpark-Newbury 66 kV Subtransmission Line within SCE’s 220 kV ROW:

- Utilize structure heights that meet or exceed SCE’s EMF preferred design criteria
- Arrange conductors of proposed subtransmission line for magnetic field reduction:
 - Moorpark-Newbury: **B-C-A** (top to bottom phase arrangement)

Segment 3a (Project Section 3) – The proposed Moorpark-Newbury 66 kV Subtransmission Line and the existing Moorpark–Newbury-Pharmacy 66 kV Subtransmission Line would be double-circuited subtransmission lines within SCE’s 220 kV ROW:

- Utilize structure heights that meet or exceed SCE’s EMF preferred design criteria.
- Utilize double-circuit construction that reduces spacing between circuits as compared with single-circuit construction.
- Arrange conductors of subtransmission lines for magnetic field reduction:

- Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line: **A-C-B** (top to bottom phase re-arrangement); and maintaining the Moorpark-Newbury 66 kV Subtransmission Line phase arrangement from Segment 2: **B-C-A** (top to bottom). An equivalent “cross-phasing” arrangement can be chosen during the construction phase.

Segment 3b (Project Section 3) – The proposed Moorpark-Newbury 66 kV Subtransmission Line and the existing Moorpark–Newbury-Pharmacy 66 kV Subtransmission Line would be double-circuited subtransmission lines within SCE’s ROW:

- Utilize structure heights that meet or exceed SCE’s EMF preferred design criteria.
- Utilize double-circuit construction that reduces spacing between circuits as compared with single-circuit construction.
- Arrange conductors of subtransmission lines for magnetic field reduction:
 - Maintaining the Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line phase arrangement from Segment 3a: **A-C-B** (top to bottom phase arrangement); and maintaining the Moorpark-Newbury 66 kV Subtransmission Line phase arrangement from Segment 2: **B-C-A** (top to bottom). An equivalent “cross-phasing” arrangement can be chosen during the construction phase.

Segment 4a (Project Section 4) – The proposed Moorpark-Newbury 66 kV Subtransmission Line and the existing Moorpark–Newbury-Pharmacy 66 kV Subtransmission Line would be double-circuited subtransmission lines within SCE’s ROW:

- Utilize structure heights that meet or exceed SCE’s EMF preferred design criteria.
- Utilize double-circuit construction that reduces spacing between circuits as compared with single-circuit construction.
- Arrange conductors of subtransmission lines for magnetic field reduction:
 - Maintaining the Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line phase arrangement from Segment 3a: **A-C-B** (top to bottom phase arrangement); and maintaining the Moorpark-Newbury 66 kV Subtransmission Line phase arrangement from Segment 2: **B-C-A** (top to bottom). An equivalent “cross-phasing” arrangement can be chosen during the construction phase.

Segment 4b (Project Section 4) – The proposed Moorpark-Newbury 66 kV Subtransmission Line and the existing Moorpark–Newbury-Pharmacy 66 kV Subtransmission Line would be double-circuited subtransmission lines within the same ROW as the existing single-circuit Newbury-Thousand Oaks 66 kV Subtransmission Line:

- Utilize structure heights that meet or exceed SCE’s EMF preferred design criteria.
- Utilize double-circuit construction that reduces spacing between circuits as compared with single-circuit construction.

- Arrange conductors of subtransmission lines for magnetic field reduction:
 - Maintaining the Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line phase arrangement from Segment 3a: **A-C-B** (top to bottom phase arrangement); and maintaining the Moorpark-Newbury 66 kV Subtransmission Line phase arrangement from Segment 2: **B-C-A** (top to bottom). An equivalent “cross-phasing” arrangement can be chosen during the construction phase.

The recommended “no-cost and low-cost” magnetic field reduction design options listed above are based upon preliminary engineering design. If the preliminary engineering design is significantly modified (in the context of evaluating and implementing CPUC’s “no-cost and low-cost” EMF Policy), then an Addendum to the FMP will be prepared.

SCE’s plan for applying the above “no-cost and low-cost” magnetic field reduction design options uniformly for the Project is consistent with the CPUC’s EMF Decisions No. 93-11-013 and No. 06-01-042. Furthermore, the recommendations above meet the CPUC approved EMF Design Guidelines as well as all applicable national and state safety standards for new electrical facilities.

VII. APPENDIX A: TWO-DIMENSIONAL MODEL ASSUMPTIONS AND YEAR 2016 FORECASTED LOADING CONDITIONS

Magnetic Field Model Assumptions:

SCE uses a computer program titled “MFields”⁶¹ to model the magnetic field characteristics of various transmission designs options. All magnetic field models and the calculated results of magnetic field levels presented in this document are intended only for purposes of identifying the relative differences in magnetic field levels among various transmission line and subtransmission line design alternatives under a specific set of modeling assumptions and determining whether particular design alternatives can achieve magnetic field level reductions of 15 percent or more. The calculated results are not intended to be predictors of the actual magnetic field levels at any given time or at any specific location if and when the Project is constructed.

Typical two-dimensional magnetic field modeling assumptions include:

- All subtransmission lines were modeled using forecasted peak loads (see Tables 8 and 9).
- All conductors were assumed to be straight and infinitely long.
- Average conductor heights accounted for line sag used in the calculation for the subtransmission line designs.
- Magnetic field strength was calculated at a height of three feet above ground.
- Resultant magnetic fields values were presented in this FMP.
- All line currents were assumed to be balanced. (i.e. neutral or ground currents are not considered)
- Terrain was assumed to be flat.
- Project dominant power flow directions were used.

⁶¹ SCE, MFields for Excel, Version 2.0, 2007.

Table 8. Year 2016 Forecasted Loading Conditions for Proposed Project (After Project Completion)		
Line Name	Current (Amps)	Power Flow Direction
Newbury-Thousand Oaks 66 kV	13	Thousand Oaks to Newbury
Moorpark-Newbury 66 kV	537	Moorpark to Newbury
Moorpark-Newbury-Pharmacy 66 kV	512	Moorpark to Newbury
Moorpark-Ormond Beach 220 kV No. 1	910	Ormond Beach to Moorpark
Moorpark-Ormond Beach 220 kV No. 2	910	Ormond Beach to Moorpark
Moorpark-Ormond Beach 220 kV No. 3	910	Ormond Beach to Moorpark
Moorpark-Ormond Beach 220 kV No. 4	910	Ormond Beach to Moorpark

Table 9. Year 2016 Forecasted Loading Conditions (Before Project Completion)		
Line Name	Current (Amps)	Power Flow Direction
Newbury-Thousand Oaks 66 kV	205	Thousand Oaks to Newbury
Moorpark-Newbury-Pharmacy 66 kV	876	Moorpark to Newbury
Moorpark-Ormond Beach 220 kV No. 1	908	Ormond Beach to Moorpark
Moorpark-Ormond Beach 220 kV No. 2	908	Ormond Beach to Moorpark
Moorpark-Ormond Beach 220 kV No. 3	908	Ormond Beach to Moorpark
Moorpark-Ormond Beach 220 kV No. 4	908	Ormond Beach to Moorpark

Notes:

1. Forecasted loading data is based upon scenarios representing load forecasts for 2016. The forecasting data is subject to change depending upon availability of generations, load increase, changes in load demand, and by many other factors.
2. Based on historical data, the Moorpark-Ormond Beach 220 kV Transmission Lines are only utilized during peak load conditions.

APPENDIX G-1

**Additional Materials Provided for a
Complete Record of Proceedings**

APPENDIX G-1 - ADDITIONAL MATERIALS PROVIDED FOR A COMPLETE RECORD
OF PROCEEDINGS

SCE ADVICE LETTER 2272-E

October 2, 2008

**ADVICE 2272-E
(U 338-E)**

**PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA
ENERGY DIVISION**

SUBJECT: Notice of Proposed Construction Project Pursuant to General
Order 131-D, Moorpark-Newbury 66 kV Subtransmission Line

Southern California Edison Company (SCE) hereby submits notice pursuant to General Order (GO) 131-D, Section XI, Subsection B.4 of the Construction of Facilities that are exempt from a Permit to Construct. GO 131-D was adopted by the California Public Utilities Commission (Commission) in Decision (D.) 94-06-014 and modified by D.95-08-038.

PURPOSE

This advice filing provides a copy of the Notice of Proposed Construction (Attachment A) and the Notice Distribution List (Attachment B) which comply with the noticing requirements found in GO 131-D, Section XI, Subsections B and C.

BACKGROUND

SCE proposes to construct the new Moorpark-Newbury 66 kilovolt (kV) subtransmission line to address a base case overload on the Moorpark tap of the existing Moorpark-Newbury-Pharmacy 66 kV subtransmission line. The new Moorpark-Newbury 66 kV subtransmission line will be constructed between SCE's Moorpark Substation, located at the northwest corner of Gabbert Road and Los Angeles Avenue in the City of Moorpark, and SCE's Newbury Substation, located at 1295 Lawrence Drive in the City of Thousand Oaks. The project, which will involve both the construction of new facilities and replacement and reconductor of existing facilities, is approximately 9 miles in length, and will traverse portions of the City of Moorpark, unincorporated areas of Ventura County, and the City of Thousand Oaks, all within existing easements, rights-of-way (ROW) and SCE fee-owned property.

Specifically, the new Moorpark-Newbury 66 kV line will be constructed as follows:

Section 1: Construction of approximately 2,000 feet of underground 66 kV line, entirely within Moorpark Substation.

- This section will extend from Position 2 in the Moorpark 66 kV bus to a new tubular steel pole (TSP) riser, up to approximately 90 feet in height, in the northeast corner of Moorpark Substation, and will be cabled with 2,000 kcmil (thousand circular mils) copper.

Section 2: Construction of 34 engineered TSPs existing in the SCE's existing Ormond Beach-Moorpark 220 kV ROW for approximately 5 miles:

- This portion of the project will extend from the Moorpark Substation east and then south to a point adjacent to SCE's existing 220 kV tower M16 T5. From this point, the new line will transition to an existing 66 kV ROW as described in #2 below.
- The new TSPs, which will be approximately 75-125 feet tall and strung with 954 aluminum conductor, steel reinforced (ACSR), will be installed adjacent to the existing 220 kV towers and the new subtransmission line will have approximately the same span lengths as the existing Ormond Beach-Moorpark 220 kV lines in the ROW.

Section 3: Replacement of 14 existing double-circuit 66 kV lattice steel towers (LSTs) with 14 double-circuit TSPs for approximately 2.5 miles on the existing Moorpark-Newbury-Pharmacy 66 kV subtransmission line.

- As noted in #1 above, this section begins where the existing Moorpark-Newbury-Pharmacy 66 kV subtransmission line crosses SCE's existing Ormond Beach-Moorpark 220 kV ROW at a point approximately 4,150 feet south of the intersection of Santa Rosa Road and Gerry Road.
- The new double-circuit TSPs, which will be approximately 75-125 feet tall, will carry both the existing Moorpark-Newbury-Pharmacy 66 kV subtransmission line and the new Moorpark-Newbury 66 kV line. Both circuits will be strung with 954 ACSR (the existing Moorpark-Newbury-Pharmacy 66 kV line currently is strung with 653.9 ACSR, but will be reconducted as part of this project to avoid conductor swing and rise conflict with the new Moorpark-Newbury 66 kV line).

Section 4: Replacement of 36 single-circuit wood poles with 36 double-circuit lightweight steel (LWS) poles for approximately 1.2 miles in existing ROW.

- This section begins at a point approximately .3 miles west of the intersection of Conejo Center Drive and Rancho Conejo Blvd and ends at Newbury Substation.
- This section will involve the transfer of the existing Moorpark-Newbury-Pharmacy 66 kV subtransmission line from existing 70-90 foot tall wood poles to new 75-95 foot tall double-circuit LWS poles carrying both the new Moorpark-Newbury 66 kV subtransmission line and the existing Moorpark-Newbury-Pharmacy 66 kV subtransmission line.

Pursuant to Commission GO 131-D, Section III.B.1, projects meeting specific conditions are exempt from the Commission's requirement to file for an application requesting authority to construct. This project qualifies for the following exemption:

"g. power line facilities or substations to be located in an existing franchise, road-widening setback easement, or public utility easement; or in a utility corridor designated, precisely mapped and officially adopted pursuant to law by federal, state, or local agencies for which a final Negative Declaration or EIR finds no significant unavoidable environmental impacts."

GO 131-D, Section XI, Subsection B.4, requires that this advice filing be made not less than 30 days before the date such construction is intended to begin. Construction of the proposed project is scheduled to begin November 17, 2008, and is expected to be completed in December 2010.

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 rate schedule or rule.

EFFECTIVE DATE

Because this filing is being made in accordance with the noticing requirements described in GO 131-D, Section XI, Subsection B.4, this advice filing will become effective on November 1, 2008, the 30th calendar day after the date 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 October 22, 2008. 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 and 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:

October 2, 2008

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

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

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 General Order No. 96-B, SCE is serving copies of this advice filing to the interested parties shown on the attached GO 96-B service list. Address change requests to the GO 96-B service list should be directed by electronic mail to 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.

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 Christine McLeod at (626) 302-3947 or by electronic mail at Christine.Mcleod@sce.com.

Southern California Edison Company

Akbar Jazayeri

AJ:cm:jm
Enclosures

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: James.Yee@sce.com E-mail Disposition Notice to: 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) #: <u>2272-E</u> Tier Designation: <u>N/A</u>	
Subject of AL: <u>Notice of Proposed Construction Project Pursuant to General Order 131-D, Moorpark-Newbury 66kV Subtransmission Line</u>	
Keywords (choose from CPUC listing): <u>Compliance, Power Lines</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.94-06-014 and D.95-08-038</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 ¹ : _____	
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>11/01/08</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 ¹ : _____	
Pending advice letters that revise the same tariff sheets: _____	

¹ Discuss in AL if more space is needed.

Protests and all other correspondence regarding this AL are due no later than February 14, 2008, 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 and 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

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

Attachment A

NOTICE OF PROPOSED CONSTRUCTION

Moorpark-Newbury 66 kV Subtransmission Line

SCE Advice Letter Number: 2272-E

Date: October 2, 2008

Proposed Project:

Southern California Edison Company (SCE) proposes to construct the new Moorpark-Newbury 66 kilovolt (kV) subtransmission line to address a base case overload on the Moorpark tap of the existing Moorpark-Newbury-Pharmacy 66 kV subtransmission line. The new Moorpark-Newbury 66 kV subtransmission line will be constructed between SCE's Moorpark Substation, located at the northwest corner of Gabbert Road and Los Angeles Avenue in the City of Moorpark, and SCE's Newbury Substation, located at 1295 Lawrence Drive in the City of Thousand Oaks. The project, which will involve both the construction of new facilities and replacement and reconductor of existing facilities, is approximately 9 miles in length, and will traverse portions of the City of Moorpark, unincorporated areas of Ventura County, and the City of Thousand Oaks, all within existing easements, rights-of-way (ROW) and SCE fee-owned property.

Specifically, the new Moorpark-Newbury 66 kV line will be constructed as follows:

Section 1: Construction of approximately 2,000 feet of underground 66 kV line, entirely within Moorpark Substation.

- This section will extend from Position 2 in the Moorpark 66 kV bus to a new tubular steel pole (TSP) riser, up to approximately 90 feet in height, in the northeast corner of Moorpark Substation, and will be cabled with 2,000 kcmil (thousand circular mils) copper.

Section 2: Construction of 34 engineered TSPs existing in the SCE's existing Ormond Beach-Moorpark 220 kV ROW for approximately 5 miles:

- This portion of the project will extend from the Moorpark Substation east and then south to a point adjacent to SCE's existing 220 kV tower M16 T5. From this point, the new line will transition to an existing 66 kV ROW as described in #2 below.
- The new TSPs, which will be approximately 75-125 feet tall and strung with 954 aluminum conductor, steel reinforced (ACSR), will be installed adjacent to the existing 220 kV towers and the new subtransmission line will have approximately the same span lengths as the existing Ormond Beach-Moorpark 220 kV lines in the ROW.

Section 3: Replacement of 14 existing double-circuit 66 kV lattice steel towers (LSTs) with 14 double-circuit TSPs for approximately 2.5 miles on the existing Moorpark-Newbury-Pharmacy 66 kV subtransmission line.

- As noted in #1 above, this section begins where the existing Moorpark-Newbury-Pharmacy 66 kV subtransmission line crosses SCE's existing Ormond Beach-Moorpark 220 kV ROW at a point approximately 4,150 feet south of the intersection of Santa Rosa Road and Gerry Road.

- The new double-circuit TSPs, which will be approximately 75-125 feet tall, will carry both the existing Moorpark-Newbury-Pharmacy 66 kV subtransmission line and the new Moorpark-Newbury 66 kV line. Both circuits will be strung with 954 ACSR (the existing Moorpark-Newbury-Pharmacy 66 kV line currently is strung with 653.9 ACSR, but will be reconducted as part of this project to avoid conductor swing and rise conflict with the new Moorpark-Newbury 66 kV line).

Section 4: Replacement of 36 single-circuit wood poles with 36 double-circuit lightweight steel (LWS) poles for approximately 1.2 miles in existing ROW.

- This section begins at a point approximately .3 miles west of the intersection of Conejo Center Drive and Rancho Conejo Blvd and ends at Newbury Substation.
- This section will involve the transfer of the existing Moorpark-Newbury-Pharmacy 66 kV subtransmission line from existing 70-90 foot tall wood poles to new 75-95 foot tall double-circuit LWS poles carrying both the new Moorpark-Newbury 66 kV subtransmission line and the existing Moorpark-Newbury-Pharmacy 66 kV subtransmission line.

Construction of the proposed project is scheduled to begin November 17, 2008, and is expected to be completed in December 2010.

EMF Compliance: The CPUC requires utilities to employ "no cost" and "low cost" measures to reduce public exposure to electric and magnetic fields (EMF). In accordance with "EMF Design Guidelines" filed with the CPUC in compliance with CPUC Decisions 93-11-013 and 06-01-042, SCE would implement the following measure(s) for the Proposed Project:

1. Using pole heights that meet or exceed the "preferred" 66 kV design criteria as specified in SCE's EMF Design Guidelines.
2. Using a compact pole-head configuration that creates lower magnetic fields than other designs.
3. Phasing circuits to reduce the magnetic fields.

Exemption from CPUC Authority: Pursuant to CPUC General Order 131-D, Section III.B.1, projects meeting specific conditions are exempt from the CPUC's requirement to file an application requesting authority to construct. This project qualifies for the following exemption:

"g. power line facilities or substations to be located in an existing franchise, road-widening setback easement, or public utility easement; or in a utility corridor designated, precisely mapped and officially adopted pursuant to law by federal, state, or local agencies for which a final Negative Declaration or EIR finds no significant unavoidable environmental impacts."

Public Review Process: Persons or groups may protest the proposed construction if they believe that the utility has incorrectly applied for an exemption or believe there is reasonable possibility that the proposed project or cumulative effects or unusual circumstances associated with the project, may adversely impact the environment.

Protests must be filed by October 22, 2008 and should include the following:

1. Your name, mailing address, and daytime telephone number.
2. Reference to the SCE Advice Letter Number and Project Name Identified.
3. A clear description of the reason for the protest.

The letter should also indicate whether you believe that evidentiary hearings are necessary to resolve factual disputes. Protests for this project must be mailed within 20 calendar days to:

California Public Utilities Commission
Director, Energy Division
505 Van Ness Avenue, 4th Floor
San Francisco, CA 94102

AND

Southern California Edison Company
Law Department - Exception Mail
2244 Walnut Grove Avenue
Rosemead, CA 91770
Attention: Ms. C. Lawson

SCE must respond within five business days of receipt and serve copies of its response on each protestant and the CPUC. Within 30 days after SCE has submitted its response, the Executive Director of the CPUC will send you a copy of an Executive Resolution granting or denying the request and stating the reasons for the decision.

Assistance in Filing a Protest: For assistance in filing a protest, contact the CPUC's Public Advisor in San Francisco at (415) 703-2074 or in Los Angeles at (213) 576-7055.

Additional Project Information: To obtain further information on the proposed project, please contact:

For Moorpark:
Chris Coronel, SCE Local Public Affairs Region Manager
SCE Valencia Service Center
25625 W. Rye Canyon Road
Valencia, CA, 91355
Phone: (661) 257-8227

For Thousand Oaks and Unincorporated Ventura County Areas:
Rudy Gonzales, SCE Local Public Affairs Region Manager
SCE Thousand Oaks Service Center
3589 Foothill Drive
Thousand Oaks, CA, 91361
Phone: (805) 497-5616

Attachment B

NOTICE OF DISTRIBUTION LIST **Moorpark-Newbury 66 kV Subtransmission Line**

Distribution List

1) Agencies

Dave Bobardt, Planning Director
City of Moorpark
799 Moorpark Avenue
Moorpark, CA 93021

Kim Rodriguez, Planning Director
County of Ventura
800 S. Victoria Avenue
Ventura, CA 93009

John Prescott, Community Development Director
City of Thousand Oaks
2100 Thousand Oaks Blvd.
Thousand Oaks, CA 91362

Executive Director
California Energy Commission
1516 9th Street, MS-39
Sacramento, CA 95814-5512

2) Newspapers

Ventura County Star
P.O. Box 6006
Camarillo, CA 93011

APPENDIX G-1 - ADDITIONAL MATERIALS PROVIDED FOR A COMPLETE RECORD
OF PROCEEDINGS

CPUC RESOLUTION E-4225

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ENERGY DIVISION

RESOLUTION NO. E-4225

R E S O L U T I O N

Resolution E-4225. Southern California Edison (SCE). This Executive Director Action Resolution finds that SCE's Advice Letter 2272-E, notifying the Commission of the proposed construction of utility facilities, is exempt from the requirements to obtain a Permit to Construct ("PTC Requirements") pursuant to General Order 131-D ("GO 131-D"), Section III, Subsection B.1.g. ("Exemption g."); and dismisses the protests submitted to the Commission because the facts claimed in the protests do not support a finding that the exception criteria contained in GO 131-D, Subsection B.2.a-c. exists.

By Advice Letter 2272-E. Filed on October 2, 2008.

SUMMARY

This Executive Director Action Resolution finds that SCE's Advice Letter 2272-E, notifying the Commission of the proposed construction of utility facilities, is exempt from the requirements to obtain a Permit to Construct ("PTC Requirements") pursuant to General Order 131-D ("GO 131-D"), Section III, Subsection B.1.g. ("Exemption g."); and dismisses the protests submitted to the Commission because the facts claimed in the protests do not support a finding that the exception criteria contained in GO 131-D, Subsection B.2.a-c. exists. This Resolution is effective immediately.

BACKGROUND

On October 2, 2008, Southern California Edison ("SCE") filed Advice Letter 2272-E; Notice of Proposed Construction Project Pursuant to General Order 131-D, Moorpark-Newbury 66 kV Subtransmission Line Project. SCE proposes to construct the new Moorpark-Newbury 66 kilovolt (kV) subtransmission line to address a base case overload on the Moorpark tap of the existing Moorpark-Newbury-Pharmacy 66kV subtransmission line. The new Moorpark -Newbury 66 kV subtransmission line will be constructed between SCE's Moorpark

Substation, located at the northwest corner of Gabbert Road and Los Angeles Avenue in the City of Moorpark, and SCE's Newbury Substation, located at 1295 Lawrence Drive in the City of Thousand Oaks. The project, which will involve both the construction of new facilities and replacement and reconductor of existing facilities, is approximately 9 miles in length, and will traverse portions of the City of Moorpark, unincorporated areas of Ventura County, and the City of Thousand Oaks, all within existing easements, rights-of-way ("ROW") and SCE fee-owned property.

Specifically, the new Moorpark-Newbury 66kV line will be constructed as follows:

Section 1: Construction of approximately 2,000 feet of underground 66kV line, entirely within Moorpark Substation.

- This section will extend from Position 2 in the Moorpark 66kV bus to a new tubular steel pole (TSP) riser, up to approximately 90 feet in height, in the northeast corner of Moorpark Substation, and will be cabled with 2,000 kcmil (thousand circular mils) copper.

Section 2: Construction of 34 engineered TSPs in SCE's existing Ormond Beach - Moorpark 220kV ROW for approximately 5 miles.

- This portion of the project will extend from the Moorpark Substation east and then south to a point adjacent to SCE's existing 220kV tower M16 T5. From this point, the new line will transition to an existing 66kV ROW as described below.
- The new TSPs, which will be approximately 75-125 feet tall and strung with 954 aluminum conductor, steel reinforced (ACSR), will be installed adjacent to the existing 220 kV towers and the new subtransmission line will have approximately the same span lengths as the existing Ormond Beach-Moorpark 220 kV lines in the ROW.

Section 3: Replacement of 14 existing double-circuit 66 kV lattice steel towers (LSTs) with 14 double-circuit TSPs for approximately 2.5 miles on the existing Moorpark -Newbury-Pharmacy 66 kV subtransmission line.

- As noted above, this section begins where the existing Moorpark-Newbury-Pharmacy 66 kV subtransmission line crosses SCE's existing Ormond Beach-Moorpark 220 kV ROW at a point approximately 4,150 feet south of the intersection of Santa Rosa Road and Gerry Road.
- The new double-circuit TSPs, which will be approximately 75-125 feet tall, will carry both the existing Moorpark-Newbury-Pharmacy 66 kV subtransmission line and the new Moorpark-Newbury 66 kV line. Both circuits will be strung with 954 ACSR (the existing Moorpark-Newbury-Pharmacy 66 kV line currently is strung with 653.9 ACSR, but will be reconducted as part of this project to avoid conductor swing and rise conflict with the new Moorpark-Newbury 66 kV line).
- Section 4: Replacement of 36 single-circuit wood poles with 36 double-circuit lightweight steel (LWS) poles for approximately 1.2 miles in existing ROW.
- This section begins at a point approximately .3 miles west of the intersection of Conejo Center Drive and Rancho Conejo Blvd and ends at a Newbury Substation.
- This section will involve the transfer of the existing Moorpark-Newbury-Pharmacy 66 kV subtransmission line from existing 70-90 foot tall poles to new 75-95 foot tall double-circuit LWS poles carrying both the new Moorpark-Newbury-Pharmacy 66 kV subtransmission line and the existing Moorpark-Newbury-Pharmacy 66 kV subtransmission line.

GO 131-D

GO 131-D was adopted by the Commission in Decision D. 94-06-014 and modified by D.95-08-038. Pursuant to GO 131-D, Section III.B.1.g., SCE claims that the proposed facility construction meets the specific conditions that exempt SCE from the PTC Requirements. SCE claims that the proposed facilities will be consistent with following exemption criterion:

power line facilities or substations to be located in an existing franchise, road-widening setback easement, or public utility easement; or in a utility corridor designated, precisely mapped and

officially adopted pursuant to law by federal, state, or local agencies for which a final Negative Declaration or EIR finds no significant unavoidable environmental impacts.

Energy Division has confirmed that the proposed facilities will be located entirely within SCE's existing easements, rights-of-way ("ROW") and SCE fee-owned property.

GO 131-D Section III.B.2. contains exception criteria, which if applicable, do not permit exemptions from the PTC Requirements. Exemptions from the PTC Requirements do not apply when any of the conditions specified in CEQA Guidelines § 15300.2 exist:

- a. there is reasonable possibility that the activity may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped and officially adopted pursuant to law by federal, state, or local agencies; or
- b. the cumulative impact of successive projects of the same type in the same place, over time, is significant; or
- c. there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

A valid protest must state facts demonstrating "that any of the conditions described in Section III.B.2 exist or the utility has incorrectly applied an exemption as defined in Section III..." (GO 131-D, Section XIII).

NOTICE

Notice of AL 2272-E was made by publication in the Commission's Daily Calendar. SCE states that a copy of the Advice Letter was mailed and distributed in accordance with Section III-G of General Order 96-B.

PROTESTS

Advice Letter 2272-E was protested.

Within the 20-day protest period specified in GO 131-D, the Commission received approximately 100 form letters from area residents protesting the

proposed construction of the facilities. The Commission also received protests from: Ms. Danalynn Pritz; the Santa Rosa Valley Estates Homeowner's Association; and Paul D. Burns. Additionally, representatives of four local governmental bodies protested: Alan Sozio, Esq. representing the City of Moorpark; the Ventura County Board of Supervisors County; City of Thousand Oaks; and Santa Rosa Valley Municipal Advisory Council.

Due the large number of protests received, the Commission granted SCE an extension of the normal 5 day period, to respond to the protests. On October 31, 2008, SCE responded to the protests.

The protests raise questions about the Project in the following areas: (1) Noticing; (2) the application of Exemption g. to the project; (3) electric and magnetic fields (EMF); (4) safety, including concerns related to wind, earthquake and potential fire; (5) Aesthetics or property values; (6) Impact to sensitive plant and animal species; (7) Project need; (8) Project alternatives; (9) Tree removal; (10) Climate change; (11) Project construction impacts.

In addition, many protestors request an Environmental Impact Report ("EIR") and evidentiary hearings to resolve factual disputes.

SCE has addressed each of the issues raised in the Protests above. SCE claims that the protests fail to demonstrate that the conditions specified in CEQA Guidelines 15300.2 and GO 131-D, B.2.a.-c. , which would require an application for a permit to construct, exist. SCE claims that the grounds for a valid protest under Section XIII of GO 131-D have not been met and, therefore, the protests should be dismissed.

The following Section summarizes the grounds of the protests, SCE's responses to the protests, and states Energy Division's findings with regard to whether the facts alleged in the protests meet the criteria for a valid protest pursuant to GO 131-D, Section XIII.

DISCUSSION OF PROTESTS

Noticing

Several parties allege that inadequate notice was provided for the project

GO131-D Section XI, Subsection B requires that for facilities deemed exempt from the PTC Requirements, notice is to be provided: by direct mail to the planning director of each county or city in which the facilities will be located and the Executive Director of the Energy Commission; advertisement in newspapers in the county or city in which the facilities will be located.

Energy Division finds that SCE complied with the notice requirements of GO 131-D, Section XI and encourages SCE to engage in meaningful and proactive community outreach.

Application of Exemption g.

Protests allege that the proposed facilities do not meet criteria for an exemption from the PTC requirements pursuant to Go 131-D, Section III.B.1.g.

SCE responds that Exemption g applies because the project is to be constructed in existing SCE fee-owned rights-of-way, property and easements (absent conditions specified in CEQA guidelines Section 15300.2)

Energy Division finds that SCE correctly applied Exemption g. because the proposed facilities will be located entirely within SCE's existing ROW.

Application of GO 131-D Section III.B.2 Exception Criteria

Protests allege that the proposed facilities should not be exempted from the PTC requirements because the 131-D Section III.B.2 exception criteria applies.

Protests raised the following facts to support a claim that the exception criteria should apply.

EMF

Many protests allege that the Project will cause increased cumulative EMF exposure.

SCE responded that EMF exposure is not a sufficient basis for a protest citing Commission Decision 96-04-094, which at page 5 states: "Concern about possible EMF exposure resulting from a project is not sufficient basis for finding that an exemption under Section III.B.2a, (b), or (c) exists..."

The action plan established in Commission Decision 93-11-013 adopting various "no-cost and low-cost" measures into the construction of new or upgraded power facilities will be implemented by SCE as part of this project.

SCE will employ the “no-cost and low-cost” measures to minimize possible EMF exposure. Energy Division finds that EMF exposure is not a sufficient basis for qualifying for an exception that would override Exemption g.

Energy Division finds that, because SCE is complying with Commission policy, EMF exposure resulting from the project is not sufficient basis for finding that an exemption under Section III.B.2a-c. exists.

Brush fire and Earthquake Hazard

Protesters claim that the proposed facilities have the potential to result in increased fire hazards due to strong Santa Anna wind events. Protesters also claim that the proposed facilities will expose people to hazards resulting from the toppling of towers during an earthquake, as the project area may traverse the Simi-Santa Rosa Fault zone.

SCE responded that brush fire and earthquake hazard are common in their service territory and that neither circumstance is “unusual”. SCE argues that even if unusual circumstances were found to exist, there is no possibility of a significant impact due to the unusual circumstances since the project site is an existing right-of-way with either 220 kV or 66 kV structures.

Energy Division finds that potential brushfire and seismic concerns do not constitute “unusual circumstances” in SCE’s service territory.

Aesthetics or property values

Protests claim that the construction of additional powerlines will have a significant impact on scenic views and the existing visual character and quality of the sites and surroundings.

SCE responded that according to CEQA aesthetic criteria, the proposed project does not meet the thresholds that indicate significant impact. SCE argues that the project would result in a small incremental aesthetic change, and would not substantially impact the visual quality of the site.

Regarding the proposed project’s impact on property values, SCE claims no systematic measure of property value impact resulting from proximity to electric facility has been established.

Energy Division finds that the incremental nature of the proposed power lines in the established right-of-way would not result in a potentially significant aesthetic impact as defined by CEQA guidelines. Further, Energy Division agrees with SCE that an accepted methodology for assessing the property value impact resulting from the proximity of electrical facilities has yet to be established.

Impact to sensitive plant and animal species

Protesters note that an exception to Exemption g. exists if there is a reasonable possibility that the Project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped and officially adopted pursuant to law by federal, state or local agencies. Protesters claim that the Least Bell's vireo and native chaparral will be impacted.

SCE replied that for purposes of claiming that an exception to exemption g. exists for impacts to biological resources under CEQA Guidelines Section 15300.2 there must be a reasonable possibility that the Project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped and officially adopted pursuant to law by federal, state or local agencies. SCE points out that none of the protests make this claim. SCE argues that none of the species identified in protests (Least Bell's vireo, coastal California gnatcatcher) meet the Section 15300.2 criteria because the proposed facilities are not within a designated or mapped habitat for these species.

Commission staff discussed the potential impacts to listed species with SCE. SCE disclosed that the extreme south end of the SCE owned ROW is within designated, precisely mapped habitat for a state and federally listed plant, the Lyon's Pentachaeta. In spring of 2008, SCE conducted focused botanical surveys for Lyon's Pentachaeta and Conejo Dudleya, in accordance with U.S. Dept. of Fish and Wildlife protocols. The Spring 2008 focused surveys failed to observe either plant species within the survey area.

Energy Division finds that the conditions specified in CEQA guidelines Section 15300.2, namely subsection (a) do not exist because the project ROW sections with designated, precisely mapped habitat were surveyed and were found to be devoid of the listed plant. Thus, there is not a reasonable possibility that the activity of constructing the facilities would impact on the listed plant.

Project need

Protesters assert that the proposed facilities address no immediate electrical need, but rather possible future need that was assessed during the housing boom and may no longer be relevant in the current economic downturn. Protesters also believe that the programs promoting solar electrical systems may negate the need for the project.

SCE's response to the protests states that the project is needed immediately to address current possible overload conditions during periods of peak customer demand.

Energy Division acknowledges that SCE has a responsibility to maintain reliable electric service for its customers and has no reason to doubt that this project is required to meet reliability needs.

Project alternatives

Protesters assert that SCE failed to consider alternatives to the proposed facilities, including locating the project in an existing subtransmission corridor that runs parallel to the existing 220 kV corridor, or on the west side of the 220 kV corridor rather than the east side.

SCE responded that the line should not be built in the existing 66kV ROW located 1800 feet to the west of the 220 kV ROW because of cost, lack of ROW and reduced reliability. Regarding placement on the facilities on the west side, SCE states that this option would require that the 66 kV line cross under the 220 kV line several times, resulting in engineering, construction, and safety complications. Regarding using the 220 kV facilities to support the new 66 kV circuit, SCE states that the existing 220 kV structures are not designed to accommodate a third circuit.

Energy Division agrees with SCE's assessment that an alternative route is not feasible due to engineering and technical considerations.

Tree removal

Protesters note the presence of a "Heritage Tree" protected by the Ventura County Tree Protection Ordinance.

In SCE's response to protesters, SCE acknowledges that the height and position of the tree would necessitate its removal pursuant to State Vegetation

Management laws and CPUC GO 35. SCE states that they will obtain any applicable ministerial permits from Ventura County prior to the tree's removal.

This Resolution is conditioned on SCE acquiring all required local permits.

Climate change

Protests argue that the project will generate greenhouse gasses that will incrementally contribute to a cumulatively significant global warming impact.

SCE responded that lack of State or local air district criteria for assessing the climate change impact of projects should preclude a determination that the Project would have a significant cumulative impact.

Energy Division finds that incremental contribution to climate change of the proposed facilities does not support the application of the exception criteria.

Project construction impacts

The City of Thousand Oaks is concerned that the new spur roads SCE will need to build will have adverse impacts within protected open space land owned directly by the City or through a JPA, the Conejo Open Space Conservation Agency (COSCA).

SCE reports to have met and conducted site visits with City of Thousand Oaks Community Development Director and the COSCA Executive Director to review these conditions and address any concerns.

SCE must use best management practices ("BMPs") to minimize construction related impacts to the environment. These BMPs include following the accepted U.S. Fish and Wildlife protocols and those of other resource agencies. As a result, none of the conditions needed to "over-ride" the exemption apply.

DISCUSSION

Energy Division has reviewed SCE's Advice Letter 2272-E submitting notice pursuant to General Order 131-D (GO 131-D), Section XI, Subsection B.4 for the Construction of Facilities that are exempt from a Permit to Construct as well as the numerous protest that were submitted. Energy Division has concluded that the proposed facilities meet the criteria for an exemption from PTC Requirements because construction consists of power line facilities or substations to be located

in SCE's existing franchise, road-widening setback easement, or public utility easement.

Staff has also concluded that the protests filed do not contain facts that support a finding that: there is reasonable possibility that the activity may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped and officially adopted pursuant to law by federal, state, or local agencies; the cumulative impact of successive projects of the same type in the same place, over time, is significant; or there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. Therefore, the protests do not meet the criteria for an exception from Exemption g., which would require SCE to apply for a permit to construct.

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

FINDINGS

1. On October 2, 2008, Southern California Edison (SCE) filed Advice Letter 2272-E; Notice of Proposed Construction Project Pursuant to General Order 131-D, Moorpark-Newbury 66 kV Subtransmission Line Project.
2. The new Moorpark -Newbury 66 kV subtransmission line will be constructed between SCE's Moorpark Substation, located at the northwest corner of Gabbert Road and Los Angeles Avenue in the City of Moorpark, and SCE's Newbury Substation, located at 1295 Lawrence Drive in the City of Thousand Oaks. The project, which will involve both the construction of new facilities and replacement and reconductor of existing facilities, is approximately 9 miles in length, and will traverse portions of the City of Moorpark, unincorporated areas of Ventura County, and the City of Thousand Oaks, all within existing easements, rights-of-way (ROW) and SCE fee-owned property.
3. Southern California Edison Company (SCE) would construct the Moorpark-Newbury 66 kV subtransmission Line Project (Project) within existing SCE easements, fee-owned right of ways, and franchise locations to address a base case overload on the Moorpark tap of the existing Moorpark-Newbury-Pharmacy 66 kV subtransmission line.
4. The Energy Division has independently reviewed the advice letter and has deemed that this project qualifies for the following exemption:

- "g. power line facilities or substations to be located in an existing franchise, road-widening setback easement, or public utility easement; or in a utility corridor designated, precisely mapped and officially adopted pursuant to law by federal, state, or local agencies for which a final Negative Declaration or EIR finds no significant unavoidable environmental impacts."
5. Energy Division finds that the proposed facilities are exempt from the requirements to obtain a permit to construct ("PTC" Requirements") because they will be located entirely within SCE's existing easements, rights-of-way ("ROW") and SCE fee-owned property, which is consistent with exemption criterion General Order 131-D (GO 131-D), Section III, Subsection B.1.g.
 6. SCE's Advice Letter AL 2272-E was timely protested by approximately 100 area residents by means of form letter; Ms. Danalynn Pritz; the Santa Rosa Valley Estates Homeowner's Association; and Paul D. Burns. Additionally, representatives of three local governmental bodies protested: Alan Sozio, Esq. representing the City of Moorpark; Board of Supervisors County of Ventura; City of Thousand Oaks; and Santa Rosa Valley Municipal Advisory Council.
 7. The protests raise questions about the Project in the following areas: (1) Noticing; Application of Exemption g. to the project; (2) electric and magnetic fields (EMF); (3) safety, including concerns related to wind, earthquake and potential fire; (4) Aesthetics or property values; (5) Impact to sensitive plant and animal species; (6) Project need; (7) Project alternatives; (8) Tree removal; (9) Climate change; (10) Project construction impacts.
 8. Energy Division finds that SCE complied with the notice requirements of GO 131-D for the reasons stated above.
 9. Because SCE will employ the "no-cost and low-cost" measures to minimize possible EMF exposure, Energy Division finds that EMF exposure is not a sufficient basis for qualifying for an exception that would override Exemption g.
 10. For the reasons stated above, Energy Division finds that potential brushfire and seismic concerns do not constitute "unusual circumstances" in SCE's service territory.
 11. Energy Division finds that the incremental nature of the proposed power lines in the established right-of-way would not result in a potentially significant aesthetic impact as defined by CEQA guidelines.
 12. Energy Division finds that the conditions specified in CEQA guidelines Section 15300.2, namely subsection (a) do not exist because the project ROW sections with designated, precisely mapped habitat were surveyed and were found to be devoid of the listed plant. Thus, there is not a reasonable

possibility that the activity of constructing the facilities would impact on the listed plant.

13. Energy Division accepts SCE's assertion that the facilities are being proposed to maintain reliable electric service for SCE's customers and the protests do not raise facts supporting a conclusion that this project is not required to meet reliability needs.
14. Energy Division adopts SCE's assessment that an alternative route is not feasible due to engineering and technical considerations described above.
15. This Resolution does not relieve SCE from obtaining acquiring all required local, state and federal entitlements.
16. Energy Division finds that incremental contribution to climate change of the proposed facilities does not support the application of the exception criteria.
17. This advice filing will not increase any rate or charge, cause the withdrawal of service, or conflict with any other rate schedule or rule.

IT IS HEREBY RESOLVED

1. The findings of Energy Division Staff are hereby adopted by the Executive Director.
2. SCE's Advice Letter 2272-E, notifying the Commission of the proposed construction of utility facilities, is exempt from a Permit to Construct pursuant to General Order 131-D (GO 131-D), Section III, Subsection B.1.g.
3. The protests are dismissed because the facts claimed in the protests do not meet the exception criteria contained in GO 131-D, B.2.a-c.

This Resolution is effective today.

I hereby certify that this Resolution was adopted by Executive Director Action Resolution on February 24, 2009.

/s/ Paul Clanon
Paul Clanon
Executive Director

APPENDIX G-1 - ADDITIONAL MATERIALS PROVIDED FOR A COMPLETE RECORD
OF PROCEEDINGS

CPUC RESOLUTION E-4243

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ENERGY DIVISION

RESOLUTION E-4243

March 11, 2010

R E S O L U T I O N

PROPOSED OUTCOME:

- Affirms a prior Executive Director's Action Resolution E-4225 related to Southern California Edison's (SCE's) proposed Moorpark-Newbury 66 kV Subtransmission line.
- Finds that:
 - (1) SCE complied with the notice requirements for the proposed construction of facilities;
 - (2) The proposed facilities are exempt from Permit to Construct requirements;
 - (3) Facts claimed in protests to the Executive Director's Action Resolution do not support a finding that General Order 131-D exemption criteria applied.
- Dismisses protests.

ESTIMATED COST: The Moorpark-Newbury 66kV Subtransmission Line was filed as an exempt project pursuant to General Order 131-D, therefore SCE is not required to provide cost information

By Advice Letter 2272-E. Filed on October 2, 2008.

SUMMARY

This Resolution affirms Executive Director's Action Resolution E-4225 ("Executive Resolution") because it correctly found that: 1) SCE complied with the applicable notice requirements for the proposed construction of the Moorpark-Newbury 66 kV Subtransmission Line facilities ("proposed facilities"); 2) the proposed facilities were exempt from the Commission's requirements to obtain a Permit to Construct ("PTC Requirements") pursuant to General Order 131-D ("GO 131-D"), Section III, Subsection B.1.g. ("Exemption g."); 3) facts claimed in protests to the proposed facilities did not support a

finding that the exception criteria contained in GO 131-D, Section III., Subsection B.2.a-c. applied; 4) and the protests should be dismissed. Thus, the appeals submitted to the Commission asking for the Executive Resolution to be overturned and for SCE to be required to file an application for a PTC are dismissed. This Resolution is effective immediately.

BACKGROUND

On October 2, 2008, Southern California Edison ("SCE") filed Advice Letter 2272-E; Notice of Proposed Construction Project Pursuant to General Order 131-D, Moorpark-Newbury 66 kV Subtransmission Line Project. SCE proposes to construct the new Moorpark-Newbury 66 kilovolt (kV) subtransmission line to address a base case overload on the Moorpark tap of the existing Moorpark-Newbury-Pharmacy 66kV subtransmission line. The new Moorpark-Newbury 66 kV subtransmission line will be constructed between SCE's Moorpark Substation, located at the northwest corner of Gabbert Road and Los Angeles Avenue in the City of Moorpark, and SCE's Newbury Substation, located at 1295 Lawrence Drive in the City of Thousand Oaks. The project, which will involve both the construction of new facilities and replacement and reconductor of existing facilities, is approximately 9 miles in length, and will traverse portions of the City of Moorpark, unincorporated areas of Ventura County, and the City of Thousand Oaks. The proposed facilities will be constructed entirely within SCE's existing easements, rights-of-way ("ROW") and fee-owned property.

Specifically, the new Moorpark-Newbury 66kV line would be constructed as follows:

Section 1: Construction of approximately 2,000 feet of underground 66kV line, entirely within Moorpark Substation.

- This section would extend from Position 2 in the Moorpark 66kV bus to a new tubular steel pole (TSP) riser, up to approximately 90 feet in height, in the northeast corner of Moorpark Substation, and will be cabled with 2,000 kcmil (thousand circular mils) copper.

Section 2: Construction of 34 engineered TSPs in SCE's existing Ormond Beach -Moorpark 220kV ROW for approximately 5 miles.

- This portion of the project would extend from the Moorpark Substation east and then south to a point adjacent to SCE's existing 220kV tower M16 T5. From this point, the new line will transition to an existing 66kV ROW as described below.
- The new TSPs, which would be approximately 75-125 feet tall and strung with 954 aluminum conductor, steel reinforced (ACSR), would be installed adjacent to the existing 220 kV towers and the new subtransmission line will have approximately the same span lengths as the existing Ormond Beach-Moorpark 220 kV lines in the ROW.

Section 3: Replacement of 14 existing double-circuit 66 kV lattice steel towers (LSTs) with 14 double-circuit TSPs for approximately 2.5 miles on the existing Moorpark-Newbury-Pharmacy 66 kV subtransmission line.

- As noted above, this section would begin where the existing Moorpark-Newbury-Pharmacy 66 kV subtransmission line crosses SCE's existing Ormond Beach-Moorpark 220 kV ROW at a point approximately 4,150 feet south of the intersection of Santa Rosa Road and Gerry Road.
- The new double-circuit TSPs, which would be approximately 75-125 feet tall, will carry both the existing Moorpark-Newbury-Pharmacy 66 kV subtransmission line and the new Moorpark-Newbury 66 kV line. Both circuits would be strung with 954 ACSR (the existing Moorpark-Newbury-Pharmacy 66 kV line currently is strung with 653.9 ACSR, but would be reconducted as part of this project to avoid conductor swing and rise conflict with the new Moorpark-Newbury 66 kV line).
- **Section 4:** Replacement of 36 single-circuit wood poles with 36 double-circuit lightweight steel (LWS) poles for approximately 1.2 miles in existing ROW.
- This section would begin at a point approximately 0.3 miles west of the intersection of Conejo Center Drive and Rancho Conejo Blvd and end at Newbury Substation.

- This section would involve the transfer of the existing Moorpark-Newbury-Pharmacy 66 kV subtransmission line from existing 70-90 foot tall poles to new 75-95 foot tall double-circuit LWS poles carrying both the new Moorpark-Newbury-Pharmacy 66 kV subtransmission line and the existing Moorpark-Newbury-Pharmacy 66 kV subtransmission line.

Within the 20-day protest period specified in GO 131-D, the Commission received approximately 100 form letters from area residents protesting the proposed construction of the facilities. The Commission also received protests from: Mr. David Tanner; Ms. Danalynn Pritz; the Santa Rosa Valley Estates Homeowner's Association; and Paul D. Burns. Additionally, representatives of four local governmental bodies protested: Alan Sozio, Esq. representing the City of Moorpark; the Ventura County Board of Supervisors County; City of Thousand Oaks; and Santa Rosa Valley Municipal Advisory Council.

Due the large number of protests received, the Commission granted SCE an extension of the normal 5-day period, to respond to the protests. On October 31, 2008, SCE responded to the protests.

The protests raised questions about the Project in the following areas: (1) Noticing; (2) the application of Exemption g. to the project; (3) electric and magnetic fields (EMF); (4) safety, including concerns related to wind, earthquake and potential fire hazard; (5) aesthetics and property values; (6) impacts to sensitive plant and animal species; (7) project need; (8) project alternatives; (9) tree removal; (10) climate change; (11) project construction impacts.

In addition, protestants requested that an Environmental Impact Report ("EIR") be prepared and evidentiary hearings be held to resolve factual disputes. Protestants also alleged that GO 131-D violates the California Environmental Quality Act ("CEQA") (Public Resources ("Pub. Res.") Code Section 21000 et seq.).

SCE addressed each of the issues raised in the Protests. SCE claimed that the grounds for a valid protest under Section XIII of GO 131-D had not been met and, therefore, the protests should be dismissed. SCE claimed that the protests failed to demonstrate that the conditions specified in GO

131-D, Section III, Subsection B.2.a.-c were present, which would have required SCE to file an application requesting that the Commission issue a Permit to Construct ("PTC").

On January 6, 2009, the City of Moorpark ("City") filed a Supplemental Protest notifying the Commission of potentially conflicting information being provided by SCE to the Commission on the one hand and to a Superior Court hearing a condemnation case between SCE and the City on the other. The issue was whether the proposed facilities would conflict with a proposed access road for which the City was seeking condemnation. On January 15th SCE asked the Commission to temporarily suspend review of Advice letter 2272-E until SCE could resolve the issue and properly respond to the City's allegation. On January 23rd SCE amended their declarations with the court, consistent with the information provided to the Commission, i.e. the proposed facilities and proposed access road would not be in physical conflict.

On February 24, 2009, the Executive Resolution was issued. It found that SCE Advice Letter 2272-E, was exempt from the PTC Requirements pursuant to GO 131-D, Exemption g.; and it dismissed the protests submitted to the Commission because the facts claimed in the protests did not support a finding that the exception criteria contained in GO 131-D, Section III, Subsection B.2.a-c applied.

On March 24, 2009, Mr. and Mrs. Peggy Ludington appealed the Executive Resolution. On March 25, 2009, Danalynn Pritz of Pritz & Associates and David J. Tanner of Environmental and Regulatory Specialists, Inc. ("EARS") appealed the Executive Resolution. For the purposes of this appeal, the appeals and previously submitted protests will be examined by the Commission collectively ("the Appeals").

Taken together, the Appeals request that the Commission take the following actions: 1) overturn the Executive Resolution and require SCE to obtain a PTC for the proposed facilities; 2) issue an Order Instituting Rulemaking to update GO 131-D to bring the General Order into compliance with CEQA, and clarify the intent of Exemption g.; 3) institute changes to Commission policies for implementation of GO 131-D; and 4) undertake an investigation into SCE's actions to determine if a violation of Rules of Practice and Procedure, (Rule 1.1) Ethics has occurred. The Appeals assert that "SCE is attempting to re-establish an exemption for

projects that upgrade 50-200 kV lines and facilities in existing rights-of-way that were eliminated in 1995 by the revision of GO 131-C."

GO 131-D

GO 131-D was adopted by the Commission in Decision D. 94-06-014 and modified by D.95-08-038. It establishes the permitting processes for transmission lines (a line designed to operate at or above 200 kilovolts (kV), power lines (a line designed to operate between 50 and 200 kV), and distribution lines (a line designed to operate under 50kV). Distribution lines do not require a permit from the Commission, while transmission lines require either a Certificate of Public Convenience and Necessity (for lines 200 kV or greater) or a PTC (for lines between 50 - 200 kV), unless specific exemption criteria apply.

The exemption at issue in this appeal, which would preclude SCE from having to obtain a PTC, is GO 131-D, Section III, Exemption g.,

power line facilities or substations to be located in an existing franchise, road-widening setback easement, or public utility easement; or in a utility corridor designated, precisely mapped and officially adopted pursuant to law by federal, state, or local agencies for which a final Negative Declaration or EIR finds no significant unavoidable environmental impacts.

SCE demonstrated that the proposed facilities would be constructed entirely within SCE's existing easements, rights-of-way ("ROW") and SCE fee-owned property. Thus, the proposed facilities meet the conditions that exempt SCE from the PTC Requirements pursuant to Exemption g. Unless the proposed facilities trigger criteria contained in GO 131-D, which nullify the applicability of Exemption g., SCE is not required to file an application for a PTC; and the Commission would not grant any entitlement for the proposed facilities.

GO 131-D Section III., Subsection B.2.a.-c. contain criteria for exceptional circumstances, which if applicable, do not permit exemptions from the PTC Requirements (Exception Criteria). Exemptions from the PTC Requirements do not apply when, "any of the conditions specified in CEQA Guidelines § 15300.2 exist:

- a. there is reasonable possibility that the activity may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped and officially adopted pursuant to law by federal, state, or local agencies; or
- b. the cumulative impact of successive projects of the same type in the same place, over time, is significant; or
- c. there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances."

GO 131-D, Section XIII provides in pertinent part, "Within 30 days after the utility has submitted its response [to protests to require utility to file for permit to construct], the Executive Director. . .shall issue an Executive Resolution on whether the utility is to file an application for a permit to construct, or the protest is dismissed for failure to state a valid reason. Also, the Executive Director shall state the reasons for granting or denying the protest. . ." If a protestant states facts demonstrating "that any of the conditions described in Section III.B.2 exist or the utility has incorrectly applied an exemption as defined in Section III..." then the Executive Director must reject the advice letter and require the utility to file an application for a PTC.

For reasons reiterated in this Resolution, the Executive Resolution found that the proposed facilities qualified for Exemption g., and that the record did not support a finding that the Exception Criteria applied to the facts at hand.

APPEAL – STANDARD OF REVIEW

Because the Executive Resolution was appealed, the Commission must decide whether to affirm the Director's Resolution or to overturn it and require SCE to file for a PTC. In order to affirm the Executive Resolution, the Commission must adopt Findings of Fact, which are supported by the evidentiary record, that demonstrate that the proposed facilities are exempt from the PTC requirements and that none of the Exception Criteria apply.

DISCUSSION OF APPEALS

The following Section summarizes the grounds of the Appeals and states the Commission's findings with regard to whether the facts alleged in the protests and appeals demonstrate that the Exception Criteria apply.

Notice

The Appeals allege that inadequate notice was provided for the project.

GO131-D Section XI, Subsection B

GO131-D Section XI, Subsection B requires that for facilities deemed exempt from the PTC Requirements, notice is to be provided: by direct mail to the planning director of each county or city in which the facilities will be located and the Executive Director of the Energy Commission; advertisement in newspapers in the county or city in which the facilities will be located; by posting on-site and off-site where the project would be located; and by filing an informational advice letter with specific departments at the CPUC.

SCE claims to have complied with these requirements. The Appeals do not allege that SCE deviated from the provisions described above. Thus, the Commission finds that SCE complied with the notice requirements of GO 131-D Section XI, Subsection B.

GO 131-D Section XI, Subsection C.2.

GO 131-D Section XI, Subsection C.2 ("Subsection C(2)") requires that contents of notices include a concise description of the proposed construction and facilities, its purpose and its location in terms clearly understandable to the average reader.

The Appeals argue that Subsection C.2 was not adequately followed because the notice did not provide its purpose and location in terms clearly understandable to the average reader. In particular, the Appeals claim that the notice failed to specify which section of the project applied to Santa Rosa Valley residents, and failed to address that some power lines from the project would be placed closer to residents. According to appellant, Santa Rosa Valley did not initially realize that of the portion proposed facilities described in the notice as "Section 2" was near their community.

The notice stated that the project would extend between SCE's Moorpark Substation, located at the northwest corner of Gabbert Road and Los Angeles Avenue in the City of Moorpark, and SCE's Newbury Substation, located at 1295 Lawrence Drive in the City of Thousand Oaks. Section 1 was described as extending 2,000 feet entirely within the Moorpark Substation. Section 2 was then described as extending from the Moorpark Substation east and south for approximately 5 miles. Moreover, Section 2 of the proposed facilities would extend within existing Ormond Beach-Moorpark 220 kV right-of-way.

The Commission finds that an average reader would be able to understand, by carefully reading the project description, that Section 2 runs for five miles in an eastern and southern direction from the Moorpark Substation, and would extend within SCE's existing Ormond Beach-Moorpark right of way, which is marked on the land by the 220 kV line identified in the project description. Each reference point, including the Moorpark Substation, the direction the lines run from it, the fact that the lines are completely within SCE existing right-of-way, and the fact that the new lines would span approximately the same lengths as the existing 220 kV lines, would enable the reader to identify that Section 2 runs near the concerned Santa Rosa Valley residents. Therefore, the Commission finds that the project description in the notice met the requirements of GO 131-D Section XI, Subsection C. 2..

The Appeals go on to claim that GO 131-D Section XI, Subsection C. 4 was not adequately met. This provision requires that the notice contain "Instructions on obtaining or reviewing a copy of the application, including a Proponent's Environmental Assessment ("PEA") or available equivalent, from the utility." In this case, SCE provided the Commission with an advice letter noting that the proposed project was exempt from the PTC Requirements that would normally apply to power line facilities. Therefore, neither an application nor a PEA was required for the project. However, the notice provided two names, addresses, and phone numbers that the public could call to obtain additional information about the proposed project. The Commission finds that, in this case, such information is adequate to meet the requirements set forth under GO 131-D Section XI, Subsection C. 4.

The Appeals remaining assertions fail to cite authority under GO 131-D.

The Commission finds that the contents of the Advice Letter adequately met the requirements set forth by GO 131-D Section XI. Thus, the Appeals have not raised facts with regard to the notice requirements of GO 131-D that would cause the Commission to overturn the Executive Resolution.

The Executive Resolution Properly applied the GO 131 D, Section III.B.1.g exemption ("Exemption g.")

Appellants make several claims that the Commission has improperly applied Exemption g. to the case at hand.

The Appeals claim that Exemption g. cannot apply because a copy of a negative declaration (ND) or environmental impact report (EIR) must be provided for this project; and that the majority of area within the right-of-way in this case is undisturbed, and that applying Exemption g. fails to require proper environmental review under CEQA. Appellant specifically claims that D.94-06-014 does not support a reading of Exemption g. so expansive as to exempt any 50-200 kV project in any right-of-way.

The relevant Commission Decision reads as follows:

The obvious rationale for [Exemption g.] is that franchise areas in which the power lines are to be installed are already improved and the original environment disturbed by virtue of the construction of the streets and associated public uses such as curbs, gutters, sidewalks, sewer, and other facilities. In other words, locating a power line in a franchise is not the same as locating a power line in virgin territory. Therefore, we believe that this exemption is logical since these locations are either already disturbed areas containing significant public improvements or have been designated by the local jurisdiction as areas for public improvements. (71 CPUC2d 339, 23-25; Decision No. 97-03-058, Application No. 95-12-048 (Filed December 13, 1995).

The Executive Resolution concluded that Exemption g. applied because it was undisputed that the proposed facilities were planned for existing SCE right-of-way, and there was already an existing 220 kV line within the segment of the right-of-way at issue in this appeal. The Executive Director's Resolution is consistent with the Commission's past interpretations of Exemption g. and serves to further the Commission's policy of locating power lines within existing utility corridors. The

Commission refuses to interpret the “virgin lands” reasoning of past decisions in a manner that would apply to land within utility corridors and adjacent to existing towers supporting transmission and power lines. Thus, the Commission finds that Exemption g. applies to the proposed facilities.

The Executive Resolution Properly found that none of the Exception Criteria applied.

If the Exception Criteria were applicable, then the applicant would need to file an application for Permit to Construct. For the reasons stated below, the Commission finds that the Executive Director correctly determined that the Exception Criteria did not apply to the proposed facilities.

EMF

The Appeals allege that the Project will cause increased cumulative EMF exposure. The Commission’s practice is to address EMF concerns universally. The action plan established in Commission Decision 93-11-013 adopted various “no-cost and low-cost” measures into the construction of new or upgraded power facilities.

SCE will employ the “no-cost and low-cost” measures to minimize possible EMF exposure. The Commission finds that, because SCE is complying with Commission policy, EMF exposure resulting from the project is not sufficient basis for finding that the Exception Criteria are applicable.

Brush fire

The Appeals claim that the proposed facilities have the potential to result in increased fire hazards due to strong Santa Anna wind events. The Appeals also claim that the proposed facilities would expose people to hazards resulting from the toppling of towers during an earthquake, as the project area may traverse the Simi-Santa Rosa Fault zone.

The Executive Resolution relied on SCE’s statements that brush fire and earthquake hazards are common in their service territory and that neither circumstance is “unusual.” SCE argued that even if these were determined to be unusual circumstances, there is no possibility of a significant impact because of required design and maintenance measures. Once again, concern regarding fires caused by power lines is an issue that the

Commission takes very seriously and addresses in broad fashion. The Appeals did not demonstrate why these particular facilities represent a unique risk of fire as compared to other power lines in SCE's service territory. The Commission's rules that address tower design standards and fire prevention will apply to the proposed facilities. Therefore, the Executive Resolution correctly found that this concern did not allege facts to support the application of the Exception Criteria.

Aesthetics or property values

The Appeals claim that the construction of additional power lines would have a significant impact on scenic views and the existing visual character and quality of the sites and surroundings. In support of this claim, appellants note that the new power lines would be located substantially closer to residents, increase the already significant adverse impact to scenic vistas, and overburden the existing utility corridor due to its narrow width.

In response to the claim of significant aesthetic impacts, SCE used CEQA aesthetic criteria as evidence that the proposed project would not meet the thresholds for a significant impact. SCE argued that the project would result in a small incremental aesthetic change, and would not substantially impact the visual quality of the site.

After considering arguments made by SCE and the Appeals, the Executive Resolution recognized that the incremental nature of the proposed power lines, due to the existing 220 kV lines, would not result in a potentially significant aesthetic impact. Also, the Executive Resolution found that the impact on property values is not a consideration that would support the application of the Exemption criteria. The Executive Resolution noted that "an accepted methodology for assessing property value impact resulting from the proximity of electric facilities has yet to be established." The Commission finds that because of the existing 220 kV line within the right-of-way, aesthetic and property value concerns do not support the application of the Exception Criteria.

Impact to sensitive plant and animal species

The Appeals state that the Executive Resolution failed to address long-term operation and maintenance impacts to habitats and protected species; that the Resolution erred by not considering impacts from habitat loss of endangered animal species and riparian resources known to exist in the

area; that the Resolution erred by failing to address endangered animal and avian species; and that the Resolution erred by failing to address impacts to riparian resources.

In particular, the Appeals claim that the habitat of special status plants Lyon's Pentstemon and Conejo Dudleya will be lost, even though neither species was observed during focused surveys by a qualified biologist. Moreover, the Appeals claim that habitat assessments and focused surveys for species such as the Least Bell vireo and California gnatcatcher should be undertaken to determine Project impacts from loss of habitat, physical "take" of species and impact on species recovery. In fact, focused surveys for California gnatcatchers failed to detect the species within SCE's right-of-way.

The Executive Resolution recognized that the facts alleged did not support application of the Exception Criteria because the proposed facilities are either not within a designated or mapped habitat for these species or there is no reasonable possibility that the facilities will impact the species because they are not physically present within the right-of-way. With regards to the above mentioned plant species, the Executive Resolution recognized that, because focused surveys demonstrated that the species were not present in SCE's right-of-way, there is no reasonable possibility that "the Project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped and officially adopted pursuant to law by federal, state or local agencies." Thus, the protests and appeals do not raise facts demonstrating that the Exception Criteria are applicable.

It should be noted that the Commission is neither issuing an entitlement for the proposed facilities nor conducting environmental review. GO 131-D delegates to staff the duty to review proposed facilities to ensure that they are exempt from the Commission's permitting requirements and that no facts exist that would otherwise require the utility to seek a permit. The Exception Criteria mirrors language from CEQA in order to disqualify projects that would otherwise be exempt, but for the high likelihood that the proposed facilities would result in environmental impacts. In this instance, SCE submitted a memorandum from Bonterra Consulting, demonstrating that focused surveys for endangered species were conducted according to resource agency protocols and none of the species were found to exist along the route of the proposed facilities. For these

reasons, the Appeals fail to allege facts that demonstrate that the Exception Criteria are applicable. The Executive Resolution correctly dismissed the protests for this reason. Although SCE does not have to obtain a permit from the Commission, SCE is still required to comply with all Federal, State and Local laws pertaining to endangered species.

Project need

The Appeals assert that the proposed facilities address no immediate electrical need, but rather possible future need assessed during the housing boom that may no longer be relevant in the current economic downturn. The Appeals also state that programs promoting solar electrical systems may negate the need for the project.

SCE's responded that the project is needed immediately to address current possible overload conditions during periods of peak customer demand. SCE has a responsibility to maintain reliable electric service for its customers. The Commission finds that there is no evidence in the record that would cause the Commission to doubt that the proposed facilities are required to meet reliability needs. Additionally, this type of generalized protest does not allege facts necessary to trigger the Exception Criteria.

Project alternatives

The Appeals assert that SCE failed to consider alternatives to the proposed facilities, including locating the project in an existing, 66kV subtransmission corridor that runs parallel to the existing 220 kV corridor, or on the west side of the 220 kV corridor rather than the east side.

SCE responded that the line should not be built in the existing 66kV subtransmission corridor located 1800 feet to the west of the 220 kV ROW because of cost, lack of ROW and reduced reliability. Regarding placement of the facilities on the west side, SCE states that this option would require that the 66 kV line cross under the 220 kV line several times, resulting in engineering, construction, and safety complications. Regarding using the 220 kV facilities to support the new 66 kV circuit, SCE states that the existing 220 kV structures are not designed to accommodate a third circuit.

The Commission finds SCE's assessment that an alternative route is not feasible due to engineering and technical considerations to be reasonable.

Tree removal

Protesters note the presence of a "Heritage Tree" protected by the Ventura County Tree Protection Ordinance. SCE acknowledged that the height and position of the tree would necessitate its removal pursuant to State Vegetation Management laws and the Commission's General Order 95. SCE states that they will obtain any applicable ministerial permits from Ventura County prior to the tree's removal.

The Commission finds that the Executive Resolution was properly conditioned on SCE acquiring all required local permits.

Climate change

Appellant argues that the project will generate greenhouse gasses that will incrementally contribute to a cumulatively significant global warming impact. Appellant argues that the fact that no CEQA threshold of significance exists for climate change is an unusual circumstance that should trigger application of the Exception Criteria. However, construction of a 66kV power line is a common activity necessary to maintain service reliability. In such context, the absence of certain regulations cannot be considered unusual. If appellant's argument were carried to extremes, no construction projects could take place in California without triggering the need for an Environmental Impact Report. Clearly this would not benefit California or the environment. The Commission finds that incremental contributions to climate change are not a valid reason to require application of the Exception Criteria.

Project construction impacts

The City of Thousand Oaks voiced concerns that the new spur roads SCE will need to build will have adverse impacts within protected open space land owned directly by the City or through a JPA, the Conejo Open Space Conservation Agency (COSCA).

SCE reports to have met and conducted site visits with City of Thousand Oaks Community Development Director and the COSCA Executive Director to review these conditions and addressed their concerns. SCE will use best management practices ("BMPs") to minimize construction related impacts to the environment. These BMPs include following the accepted U.S. Fish and Wildlife protocols and those of other resource agencies. The Commission finds that SCE's efforts to address concerns about potential construction related impacts through the use of BMPs is

sufficient to avoid application of the Exemption Criteria.

Land Use Impacts

The Commission received a letter from the Ventura County Board of Supervisors ("County of Ventura") dated October 28th, 2008, which identifies several alternatives to the proposed project and suggests those alternatives would be in keeping with the County General Plan. The letter states, "Our County stands ready to assist Southern California Edison and the California Public Utilities Commission to review the Moorpark-Newbury 66kV Subtransmission line proposal and provide a better project to address the growing energy demands of our region and minimize the impacts to residents."

Public Hearing

On September 18, 2009, the Commission held a public hearing at the Ventura County Government Center, Board of Supervisors Hearing Room located at 800 S. Victoria Ave, Ventura, CA. The purpose of the hearing was to grant the Ventura County Board of Supervisors' ("County") request that the Commission hold a hearing regarding the proposed Facilities. As stated in the County's letter dated June 23, 2009, the County and SCE had been unable to "reach agreement on land use and environmental matters." The applicable rule governing the hearing is General Order 131-D, Section XIV. B, which states:

This General Order clarifies that local jurisdictions acting pursuant to local authority are preempted from regulating electric power line projects, distribution lines, substations, or electric facilities constructed by public utilities subject to the Commission's jurisdiction. However, in locating such projects, the public utilities shall consult with local agencies regarding land use matters. In instances where the public utilities and local agencies are unable to resolve their differences, the Commission shall set a hearing date no later than 30 days after the utility or local agency has notified the Commission of the inability to reach agreement on land use matters.

At the hearing, an SCE representative gave an overview of the proposed facilities and described their reasons for locating the facilities in the

proposed locations. Supervisor Linda Parks and 11 members of the public spoke in opposition to the project ("Hearing Protestants").

SCE's Comments

In particular, the SCE representative stated that moving the proposed facilities to the other side of the right-of-way (as requested by the Hearing Protestants) would involve "significant engineering, construction, maintenance, potential reliability and safety challenges," and "would limit the future use of the corridor by reducing remaining available width of the right-of-way for additional facilities." The SCE representative explained that "SCE anticipates that some time between 2017 and 2020 Edison will need to build another transmission line¹ on the west side of the existing transmission line structures in the existing right-of-way to meet growing energy demand in Ventura County." The SCE representative also explained that the proposed facilities and the Presidential Substation project are "truly independent and needed to maintain reliable service in their respective areas of Ventura County." "[T]he presence or absence of either one has no impact on the need for or the design of the other project."

Supervisor Park's Comments

Supervisor Parks discussed the "aesthetics, biological impact, cultural, and hazards" associated with the proposed facilities. Supervisor Parks objected to the line being located on the side of the easement closest to homes instead of the side of the easement closest to farmland. Supervisor Parks stated that, "Our first concern in the County of Ventura [is] human resources." Supervisor Parks stated that the manner in which utility projects are currently proposed does not allow for the County to do proper land use planning and requested that Edison work with the County to establish a "master utility plan."

Hearing Protestants' Comments

The statements and concerns of the Hearing Protestants include:

- The proposed facilities are not needed because there are alternative ways of meeting the need through conservation and distributed generation.

¹ The possible, future transmission line discussed by Edison was described in a September 16, 2009 email to Supervisor Parks as a future 220 kV line

- Edison should be more open with their intentions and provide the community with a 20 year plan of proposed facility build-out.
- The Commission's current transmission planning process is inconsistent with municipal governments' land use planning processes, which usually include comprehensive, 20-year plans to accommodate future growth.
- The Commission's notice requirements contained in GO 131-D are inadequate and deter public participation because the required postings are small, filled with "legal jargon" and do not clearly allow the public to identify the project.
- Construction of the proposed facilities would require native brush to be cleared outside of Edison's right-of-way pursuant to the California Health and Safety Code and the Uniform Fire Code.
- The Presidential Substation project and the future 220-kV project discussed by Edison (in the same right-of-way as the proposed facilities) should be studied in a single EIR.
- Exemption g. is a loophole that prevents adequate review under CEQA.

Response

Of the issues raised at the hearing, two in particular had not been previously raised during the Commission's consideration of the Appeal of the Executive Director's Resolution: fire code regulations would require native vegetation to be cleared outside of Edison's right-of-way and that Edison's discussion of a future project in the same right-of-way requires that an EIR be conducted to study both projects. For the reasons discussed below, neither of these claims raises facts that would refute the Executive Director's findings that the proposed facilities are exempt from the Commission's permitting requirements and that none of the exceptions apply. The question of whether the Presidential Substation project is a connected action under CEQA is also addressed.

Would the proposed facilities require the clearing of vegetation outside of Edison's right-of-way?

Edison's Response

{SCE} discussed this concern with one of our SCE Fire Management Representatives, and have reviewed pertinent codes and regulations, as well as Ventura County Fire Department documents. The answer to the question, " *Would the proposed facilities require the clearing of vegetation outside of Edison's right-of-way?*" is No:

- The residents are not obliged to ensure that 100 feet away from our poles/towers is cleared of brush (meaning, if we assume our poles will be 60 feet from their property line, they are not obliged to clear an additional 40 feet)
- A utility tower or pole does not fall under the definition of a "structure" in the regulations. In fact, the regulations show there are distinct requirements for electric utility facilities and the regulations show that the word "structure" is to be understood in the same context of building.

The California Public Resources Code (PRC) specifies the brush clearance for persons who own/operate/control/maintain electrical transmission or distribution lines upon any mountainous land, or forest-covered land, brush-covered land, or grass-covered land:

- The basic requirement for clearances around poles and towers is contained in PRC Section 4292. This section requires clearing of flammable fuels for a 10 foot radius from the outer circumference of certain poles and towers. Clearance requirements are based on the type of hardware affixed to the line at the pole or tower. Distances are measured horizontally, not along the surface of sloping ground.
- PRC Section 4293 specifies clearance radii for various voltages of lines. Depending on the voltage, type of line/tower (distribution vs. subtransmission vs. transmission), the radius can range between 4 - 10 feet.
- Further, the Ventura County Fire Department's documents, as well as other County of Ventura documents, clearly state that the 100 foot brush clearance requirement is a requirement relating to a property owner's (e.g. homeowner, building owner) obligation to ensure 100 feet of brush clearance from the home/building/structure (structure

as in building, garage, shed, or other type of "utility" as in an auxiliary building or outhouse on a property, not as in electric utility).

Commission Staff has verified SCE's Response

Commission Staff independently researched this question and came to the same conclusion as SCE. The Hearing Protestants have not submitted any specific citations from applicable fire-safety regulations that would allow the Commission to conclude that construction of the proposed facilities would require native brush (or any vegetation) to be cleared outside of SCE's right-of-way.

Does Edison's discussion of future plans for another 220 kV line in the same right-of-way or the proximity of the proposed facilities to the Presidential Substation project require that these projects be studied in a single environmental document?

CEQA Guidelines Section 15145 states, "If, after thorough investigation, a Lead Agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact." This Guideline cites to *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal. 3d 376, where the court noted that where future development is unspecified and uncertain, no purpose can be served by requiring an EIR to engage in sheer speculation as to future environmental consequences.

SCE has not submitted an application for the future project that may occur "sometime between 2017 and 2020." The Commission has no information from which to meaningfully study this potential project. At this time, the proposed future project is too speculative in nature for the Commission to conduct meaningful environmental review. Also, the construction of the proposed facilities in no way makes the future project any more or less likely. The purpose for constructing the proposed facilities is completely different (serving local load) than the purpose would be for constructing transmission lines.

Are the proposed facilities a connected action to the Presidential Substation Project?

Hearing Protestants have alleged that the proposed facilities are a connected action with the Presidential Substation Project and that it should be studied as part of the same environmental document. The Presidential Substation Project is in the early stages of environmental review. As a preliminary matter, Commission Staff asked the consultants who are preparing the environmental documents for the Presidential Substation Project to determine whether the projects were connected. The CEQA standard for determining whether projects should be studied in the same environmental document is whether each of the projects has independent utility from the other. In other words, the test is whether each of the projects relies on the other to the extent to where one would not be built without the other. The conclusion of the Commission's consultants was that the Moorpark-Newbury line and the Presidential Substation have independent utility. In other words, they serve different purposes. The consultants went on to conclude, the "projects do not exhibit interdependence, supporting the conclusion that the two projects are not connected." Their conclusion was based on an electrical load flow analysis of the area proximate to the two projects. Thus, because the two projects serve different purposes, there is no requirement that they be studied in a single environmental document.

GO 131-D Validity

Appellants raise the issue of whether GO 131-D Section III., Subsection B.1.g is consistent with CEQA. In this Resolution, the Commission is reviewing whether the Executive Director correctly implemented GO 131-D. The Executive Director was not delegated authority to amend GO 131-D. As with all general orders, the Commission may opt to amend GO 131-D to address the passage of time or other policy considerations. The Commission has not done so.

Rule 1.1 Violation

The Appeals allege a violation by SCE of the Commission's Rules of Practice and Procedure 1.1 (Ethics). This Resolution is not the proper procedure to decide alleged ethics violations.

Findings

1. On October 2, 2008, Southern California Edison Company (SCE) filed Advice Letter 2272-E; Notice of Proposed Construction Project Pursuant to General Order 131-D, Moorpark-Newbury 66 kV Subtransmission Line Project ("proposed facilities").
2. The proposed facilities would be constructed between SCE's Moorpark Substation, located at the northwest corner of Gabbert Road and Los Angeles Avenue in the City of Moorpark, and SCE's Newbury Substation, located at 1295 Lawrence Drive in the City of Thousand Oaks.
3. The proposed facilities would involve both the construction of new facilities and the replacement and reconductor of existing facilities, be approximately 9 miles in length, and traverse portions of the City of Moorpark, unincorporated areas of Ventura County, and the City of Thousand Oaks.
4. SCE would construct the proposed facilities within existing SCE easements, fee-owned rights-of-ways, and franchise locations to address a base case overload on the Moorpark tap of the existing Moorpark-Newbury-Pharmacy 66 kV subtransmission line.
5. The proposed facilities are consistent with General Order 131-D ("GO 131-D"), Section III, Subsection B.1.g. ("Exemption g."): "power line facilities or substations to be located in an existing franchise, road-widening setback easement, or public utility easement; or in a utility corridor designated, precisely mapped and officially adopted pursuant to law by federal, state, or local agencies for which a final Negative Declaration or EIR finds no significant unavoidable environmental impacts."
6. The proposed facilities are exempt from the requirements to obtain a permit to construct ("PTC Requirements") because they will be located entirely within SCE's existing easements, rights-of-way ("ROW") and SCE fee-owned property, which is consistent with Exemption g.
7. SCE's Advice Letter AL 2272-E was timely protested by approximately 100 area residents by means of form letters; Ms. Danalynn Pritz; the Santa Rosa Valley Estates Homeowner's Association; and Paul D. Burns. Additionally, representatives of three local governmental bodies protested: Alan Sozio, Esq. representing the City of Moorpark; Board of Supervisors County of Ventura; City of Thousand Oaks; and Santa Rosa Valley Municipal Advisory Council.

8. The protests raised questions about the Project in the following areas: (1) Noticing; (2) Application of Exemption g. to the project; (3) electric and magnetic fields (EMF); (4) safety, including concerns related to wind, earthquake and potential fire; (5) Aesthetics or property values; (6) Impact to sensitive plant and animal species; (7) Project need; (8) Project alternatives; (9) Tree removal; (10) Climate change; (11) Project construction impacts.
9. SCE complied with the notice requirements of GO 131-D Section XI, Subsection B for the reasons stated above.
10. The project description in SCE's notice adequately explained the project location in a way that is clearly understandable to the average reader, and that GO 131-D Section XI, Subsection C. 2 standard has been met.
11. Because no application is required for the proposed facilities, and therefore no Petitioner's Environmental Assessment is required, the information provided by SCE meets the requirements set forth under GO 131-D Section XI, Subsection C. 4.
12. Because SCE will employ the Commission's adopted "no-cost and low-cost" measures to minimize possible EMF exposure, EMF exposure is not a sufficient basis for qualifying for the exceptions listed in GO 131-D, Section III, Subsection B.2.a-c. ("Exception Criteria") that would override Exemption g.
13. Neither the protestants nor the appellants demonstrated why the proposed facilities represent a unique risk of potential brushfire and seismic concerns as compared to other power lines in SCE's service territory. Therefore, the facts alleged do not support the application of the Exception Criteria due to "unusual circumstances."
14. The incremental nature of the proposed power lines in the established right-of-way would not result in potentially significant aesthetic impacts.
15. Alleged impacts to property values are not sufficient to trigger the application of an exception that would require SCE to obtain a PTC.
16. The project ROW sections within designated, precisely mapped habitat were surveyed according to resource agency protocol and were found to be devoid of listed species. Thus, there is not a reasonable possibility that the activity of constructing the facilities would impact listed species.
17. The proposed facilities are needed to maintain reliable electric service for SCE's customers. The protestants and appellants did not raise facts

- supporting a conclusion that this project is not required to meet reliability needs.
18. Evidence in the record supports SCE's claim that an alternative route is not feasible due to engineering and technical considerations described above.
 19. The incremental contribution to climate change of the proposed facilities does not support the application of the Exception Criteria.
 20. On September 18, 2009, the Commission held a public hearing at the Ventura County Government Center, Board of Supervisors Hearing Room located at 800 S. Victoria Ave, Ventura, CA. The purpose of the hearing was to grant the Ventura County Board of Supervisors' ("County") request that the Commission hold a hearing regarding the proposed Facilities.
 21. At the hearing, a member of the Ventura County Board of Supervisors and 11 members of the public spoke in opposition to the project ("Hearing Protestants").
 22. The Hearing Protestants have not submitted any specific citations from applicable fire-safety regulations that would allow the Commission to conclude that construction of the proposed facilities would require native brush (or any vegetation) to be cleared outside of SCE's right-of-way. Commission Staff's independent research supports the conclusion that construction of the proposed facilities would not create an obligation for homeowners to clear brush outside of SCE's existing right-of-way.
 23. For the reasons stated in the body of this Resolution, the Presidential Substation Project is not contingent on the construction of the proposed facilities and is not a connected action pursuant to CEQA.
 24. At this time, Edison's plans for a possible future project within the same right-of-way is too speculative in nature for the Commission to conduct meaningful environmental review
 25. This Resolution does not relieve SCE from obtaining all required local, state and federal entitlements.

IT IS HEREBY RESOLVED

1. Executive Director's Action Resolution E-4225 ("Executive Resolution") correctly found that the proposed facilities qualified for General Order 131-D (GO 131-D), Section III, Subsection B.1.g. ("Exemption g.") and that the protests did not allege facts that would trigger the Exception Criteria contained within GO 131-D, Section III, Subsection B.2.a.-c.

2. SCE's Advice Letter 2272-E, notifying the Commission of the proposed construction of utility facilities, is exempt from a Permit to Construct pursuant to Exemption g.
3. The Appeals are dismissed because the facts claimed in the appeals do not support a finding that the Exception Criteria contained in GO 131-D, B.2.a-c. apply.
4. This Resolution is effective today.

I certify that the foregoing Resolution was duly introduced, passed and adopted at conference of the Public Utilities Commission of the State of California held on March 11, 2010; the following Commissioners voting favorably thereon:

/s/ Paul Clanon
Paul Clanon
Executive Director

MICHAEL R. PEEVEY
PRESIDENT
DIAN M. GRUENEICH
JOHN A. BOHN
TIMOTHY ALAN SIMON
NANCY E. RYAN
Commissioners

APPENDIX G-1 - ADDITIONAL MATERIALS PROVIDED FOR A COMPLETE RECORD
OF PROCEEDINGS

CPUC D.11-11-019

Decision 11-11-019

November 10, 2011

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application for Rehearing of Energy
Division Resolution E-4243.

A.10-04-020
(Filed April 14, 2010)

**ORDER GRANTING REHEARING AND VACATING
RESOLUTION E-4243**

This order grants the application for rehearing of Resolution (Res.) E-4243 filed by Alan and Peggy Ludington, Danalynn Pritz, and David J. Tanner (Ludington Parties). Res. E-4243 found that the 66 kilovolt (kV) "Moorpark-Newberry Line" proposed by Southern California Edison Company (SCE) was exempt from the requirements of General Order (G.O.) 131-D.

I. SUMMARY AND INTRODUCTION

We have carefully reviewed the allegations contained in the rehearing application. As a result of this review, we have become concerned that the informal nature of this proceeding may have prevented an adequate record from being developed. As discussed in detail below, some of the material we relied upon to make findings in Res. E-4243 was obtained informally from only one party, or was the result of independent research. We would prefer to have all the parties review this information, and offer us their views, before we rely on it to make findings.

In addition, SCE filed a response to the rehearing application (Rehearing Response) suggesting that we rule on several issues that we did not address in Res. E-4243. To resolve these issues, SCE asks us to rely on new factual information that is presented for the first time in its Rehearing Response. We wish to consider this

information in the context of a rehearing. We are reluctant to address these issues in an order responding to a rehearing application, or to address issues that—at this point in the proceedings—would require us to rely on information that was not previously provided to us or to the parties. Finally, rehearing will be granted because Res. E-4243 does not address certain material issues. After reviewing the scope of those issues, we have determined that they should be considered as part of a rehearing.

This order also establishes how proceedings will be conducted on rehearing. As explained below, we are of the view that the informal methods of gathering information used in the advice letter proceeding we conducted may have interfered with the proper development of a record. In addition, informal advice letter procedures were unable to ensure that the parties brought a definite set of issues to us for resolution. For example, we note that the rehearing application, the response, and subsequent pleadings ask us to address new claims that are presented for the first time in those pleadings—and to do so by relying on new factual material.

Because of these and other specific circumstances, we find that a rehearing should be conducted as an application proceeding, not as an advice letter. This decision reflects our view that a formal approach to developing the record should now be taken. Because we wish to use formal mechanisms to develop a record before making any decisions about the Moorpark-Newberry Line, this order does not consider the applicability of G.O. 131-D to that power line. We also base the decision to proceed via an application proceeding on our need for the parties to frame a definitive set of issues for us to consider. We expect that the more structured approach provided by an application proceeding to achieve that result. So that the rehearing can be conducted expeditiously, this order briefly lists some matters that have likely been resolved, rendered moot, or otherwise are no longer at issue in this proceeding.

II. BACKGROUND

This proceeding was initiated when SCE filed (AL) 2272-E. That advice letter gave notice that SCE planned to build the Moorpark-Newberry Line in Ventura County (County). The advice letter was protested by local governments and local area

residents. Over a period of approximately two years we conducted the proceedings that led to the adoption of Res. E-4243. Those events are described in pertinent part below.

A. SCE's Proposal and General Order 131-D's Requirements

The Moorpark-Newberry Line was designed to be nine miles long, and to operate as a "subtransmission" line, at 66 kV. As proposed by SCE, the Moorpark-Newberry Line would consist of four sections. The first section would be located within the grounds of an SCE substation. For Section 2, SCE would construct new poles and string new wire in an unoccupied portion of its "Ormond Beach-Moorpark" right-of-way. Sections 3 and 4 would exit the Ormond Beach-Moorpark right-of-way and run in other SCE rights-way. There, SCE would replace its existing facilities, and carry both the Moorpark-Newberry Line and its existing power lines on a single set of new poles.

G.O. 131-D contains a provision, known as "Exemption G," making certain subtransmission lines exempt from active regulation. To qualify for Exemption G, two conditions must be met. First, the proposed line must be "located in an existing franchise, road-widening set-back easement, or public utility easement"

(G.O. 131-D, § III.B.1.g.) Second, the line must not meet any of G.O. 131-D's "Exception Criteria," which are triggered if the line will have certain environmental or other effects. A utility seeking to apply Exemption G must file an advice letter notifying us that it intends to apply the exemption, and give notice to local government officials and the general public. (G.O. 131-D, § XI.B.)

Any interested party may protest an advice letter giving notice that a utility intends to apply Exemption G. A local government body may also require the utility to engage in a consultation process, and may ask that we hold a hearing. (G.O. 131-D, § XIV.B.) If an advice letter is protested, the utility is given an opportunity to respond, after which the staff will conduct a review of the utility's and protestors' claims. At the end of this review, the Executive Director will issue an "Action Resolution" determining if Exemption G applies, or, instead, if the utility must make a apply for a permit to construct (PTC). (G.O. 131-D, §§ II.B, XIII.) If the utility or another party contests the

Action Resolution, we will decide the matter. (E.g., *San Diego Gas and Electric Company* (1997) [D.97-03-058] 71 Cal.P.U.C.2d 339.)

B. Procedures Leading to the Adoption of the Executive Director's Resolution

Here, SCE proposed to build the Moorpark-Newberry Line pursuant to Exemption G and filed AL 2272-E in October 2008. Many local area residents and associations, along with several local governments, filed timely protests. Most of the protestors live, or represent those who live, near Section 2. The protests discussed a wide variety of issues including: land use, the disadvantages of locating Section 2 adjacent to residential development, fire hazard, and the environmental effects of construction. SCE made a formal response to the protests (Protest Response) on October 31, 2008. SCE argued that the protests failed to state a valid claim showing that Exemption G was incorrectly applied, or that the Exception Criteria had been triggered and, therefore, should be dismissed. (Protest Response at p. 2.) The Protest Response was based on several factual claims but did not contain any documentary attachments.

As is normal in advice letter proceedings, there was informal contact between staff and various parties while AL 2272-E was pending. As part of these informal contacts, SCE provided staff with documentary materials, consistent with G.O. 131-D's provision on "additional information." (See G.O. 96-B, § 7.5.1.) These materials included, at the request of staff, two biological reports that SCE summarized and relied upon in its Protest Response. SCE also provided other materials, as discussed below.

Those opposed to the Moorpark-Newberry Line also supplemented their formal submissions by making contact with Commission staff. We believe the protestors engaged mostly in procedural discussions with staff. However, in November, 2009, two

letters were received from protesting parties, rebutting SCE's Protest Response.¹ This material elaborated on the protestors' environmental claims, and argued that G.O. 131-D must be interpreted so that Exemption G only applies when certain pre-conditions are met. In addition, documentary materials, such as a CEQA document reviewing a nearby recreational facility, were provided directly to staff by protestors.

In February 2009, after certain real estate law questions were resolved, the Executive Director issued Action Resolution E-4225. That resolution determined that the Moorpark-Newberry line was exempt from the PTC requirement, and ordered the protests to be dismissed.

C. The Appeal Process and the Adoption of Res. E-4243

Action Resolution E-4225 was appealed to the full Commission on March 26, 2009 by the Ludington Parties: Alan and Peggy Ludington, Danalynn Pritz, and David J. Tanner. We do not have any record of a response to the appeal filed by SCE. The appeal remained outstanding from March 2009 to March 2010 and was handled as a further stage in the proceedings related to AL 2272-E. That is, the proceedings remained informal, and were governed by G.O. 96-B's rules for disposing of advice letters.

At the beginning of the appeal period, a draft resolution was issued for comment, on May 18, 2009 (May 18 Draft Resolution). Many of the parties who were opposed to the Moorpark-Newberry Line submitted comments on the draft resolution. There is no record of comments on this draft resolution having been submitted by SCE.

While staff was reviewing the comments on the May 18 Draft Resolution, the County requested a hearing pursuant to section XIV.B of G.O. 131-D. The County and the Ludington Parties further insisted that the hearing be held in Southern California.

¹ When the letters were provided to the Commission they constituted additional information. G.O. 131-D contains no provision allowing interested parties to rebut a utility's response to protests. Further, only one of these letters states that it was provided to SCE, and there is no record to show that both letters were served on all the parties. Ultimately, these letters were attached to the Ludington Parties' appeal, and served, but that event took place four months after the letters were first provided.

After coordinating with the County, the protesters, and SCE, an informal “public participation hearing” (PPH) was set for September 2009. The PPH provided “a forum for the County of Ventura ... [SCE and residents] to discuss land use matters associated with the proposed facilities.” (PPH Transcript at p. 1.)

Parties raised many issues at the hearing, including questions related to the Exception Criteria. Some of the claims made at the PPH were new. For example, the Ludington Parties claimed, apparently for the first time, that historical resources were present along the route of the Moorpark-Newberry Line. (PPH Transcript at p. 30.) An SCE representative made a presentation at the hearing, which represents the only known public statement of SCE’s position on the appeal.

After the PPH, SCE provided additional information to staff on topics that were raised at that hearing. SCE e-mailed to staff an analysis of the brush clearance requirements that apply to property owners who are adjacent to a right-of-way. Staff also conducted independent research. Staff verified SCE’s materials relating to brush clearance and asked consultants working for the Commission on the Presidential Substation to analyze whether that facility had “independent utility” from the Moorpark-Newberry Line. (Res. E-4243 at pp. 19-21.)

The May 18 Draft Resolution was then revised. The revisions summarized the PPH and discussed the issues on which new information had been gathered. Five new findings of fact were added to the draft resolution, relying on SCE’s additional information and the independent material. The revised draft was not recirculated for additional comment. (See Cal. Code Regs., tit. 20, § 14.1, subd. (d).) Consequently, parties were not informed that we intended to consider this informally obtained material when we made determinations regarding the Moorpark-Newberry Line.

During this time, the County continued to exercise its right to consult with SCE, pursuant to G.O. 131-D. (See 131-D, § XIV.B.) Several meetings were held in January and February of 2010. These meetings were attended by County officials, representatives of the Ludington Parties and SCE. No formal record is available of those meetings, and Commission staff did not attend. However, e-mails to Commission staff

from County representatives, along with statements in SCE's and the Ludington Parties' pleadings, suggest that one point of contention was whether or not SCE would provide the County or the Ludington Parties with documents supplementing SCE's formal submissions in the AL 2272-E proceedings. (E.g., Rehearing Application at pp. 9, 49.)

While the County, SCE and the Ludington Parties engaged in the consultation process, the revised resolution appeared on the Commission's agenda for several meetings, but was held. On March 11, 2010, we took up the matter, and adopted the revised draft as Resolution E-4243.

D. The Rehearing Application, Response, and Subsequent Pleadings

The Ludington Parties timely filed an application for rehearing of Res. E-4243. Among other things, the rehearing application challenges the legality of G.O. 131-D itself, asserts that certain CEQA procedures must be followed here, alleges that we committed numerous procedural errors, and asserts that SCE's easements do not allow it to construct a 66 kV line in the Ormond Beach-Moorpark right-of-way. The rehearing application also claims that the existence of cumulative impacts, sensitive species, hazardous conditions, unusual circumstances and historical resources all trigger G.O. 131-D's Exception Criteria. In addition, the Ludington Parties claim that the procedures used to resolve the protests to AL 2272-E departed from our rules, and failed to afford the Ludington Parties due process of law. (E.g., Rehearing Application at p. 2.)

SCE's response to the rehearing application (Rehearing Response) declines to address the majority of the Ludington Parties' allegations. SCE specifically did not address any of the Ludington Parties' procedural or due process claims. (Cf. Rehearing Response at p. 3.) The Rehearing Response only contests three of the allegations made in the rehearing application: claims regarding the adequacy of SCE's rights-of-way, assertions about historical resources, and contentions that our protest procedure did not properly account for the County's land use concerns. The Protest Response quotes from and discusses two additional sets of documentary materials: (1) the condemnation orders establishing the Ormond Beach-Moorpark right-of-way, and (2) a cultural resources

survey undertaken in 2007. SCE also provided a copy of an e-mail message to support its factual claims about the consultation process.

On June 2, 2010, the Ludington Parties filed a motion seeking permission to file a third-round pleading. This proposed Reply Brief attempts to counter the points made in SCE's Rehearing Response, and to rebut the SCE's new documentary material. On June 16, 2010, SCE formally responded to this motion (Motion Response). SCE asserts that under Rule 16.1 of our Rules and Practice and Procedure parties may not file third-round pleadings in applications for rehearing. (See Cal. Code Regs., tit. 20, § 16.1) SCE also discusses the points made by the Ludington Parties in their proposed Reply Brief.

III. DISCUSSION

A. Uncirculated Material and Independent Research

As the summary of the key events shows, some of the information that we gathered describing the effects of the Moorpark-Newberry Line was not obtained as part of the formal development of the AL 2272-E record. Res. E-4243 made several findings based on these informal materials, as noted its discussion section. At page 13, the resolution acknowledges that "SCE submitted a memorandum from Bonterra Consulting" and page 19 of the resolution summarizes the informal communication between SCE and staff relating to brush clearance requirements. At page 21, the resolution states that CEQA consultants working on the Presidential Substation project conducted the analysis finding that substation to be independent from the Moorpark-Newberry Line.

Now that we have had an opportunity to review of the record for AL 2272-E, we realize that these materials were not seen, or commented on, by all of the parties to AL 2272-E at the time they were submitted or thereafter. Moreover, parties may not have known that we intended to consider these materials when we decided whether or not SCE was applying Exemption G correctly. We would prefer to circulate these materials to all parties, and to obtain feedback, before relying on them to resolve contested issues. Although staff may obtain material on an informal basis in advice letter

proceedings, our rules do not provide a mechanism under which we can rely on informally obtained information to make findings of fact without giving notice and opportunities to be heard regarding this information. (Cf. G.O. 96-B, § 7.5.1; see generally 9 Witkin, Summary of Cal. Law (10th ed. 2005) § 664, p. 1078.)

Consequently, a rehearing should be held to develop the record in the manner that we prefer so that we can properly assess the potential effects of the Moorpark-Newberry Line.

Further, SCE has now asked us to consider additional factual material presented for the first time in its Rehearing Response—even though SCE also claims the Ludington Parties may not properly comment on this material. (Motion Response at p. 2.) We do not wish to resolve the disputes between SCE and the Ludington Parties by relying on this material until the Ludington Parties have had an opportunity to respond to it. The Rehearing Response, however, appears to acknowledge that we must review this material if we are to find that Exemption G applies here. We have therefore determined that rehearing should be granted if these issues are to be considered.

B. Unresolved Material Issues

We are also choosing to grant rehearing because we wish to address several issues that were not discussed in Res. E-4243. Our review of the information we have gathered regarding the Moorpark-Newberry Line suggests that these questions are material, and we wish to consider those issues before reaching any conclusions about the potential effects of the Moorpark-Newberry Line.

1. Critical or Hazardous Environmental Resources

If any of G.O. 131-D's Exception Criteria apply to a power line, Exemption G "shall not apply" (G.O. 131-D, § II.B.2.) The first of these Exception Criteria is triggered if:

there is reasonable possibility that the activity may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped and officially adopted pursuant to law by federal, state, or local agencies[.]

The Moorpark-Newberry Line will be built within two officially designated resources of hazardous or critical concern. Specifically, our review of SCE's biological reports shows that all of Section 3 (and a portion of Section 2) will be built in the United States Fish and Wildlife Service's Montclair Ridge 2A Critical Habitat for the plant Lyon's Pentstemon (USFWS Critical Habitat). (BonTerra Consulting Report, July 18, 2008.) We have not found any formally submitted material from SCE addressing whether or not there was a possibility that the Moorpark-Newberry Line would affect sensitive plant species or their habitat. (See Protest Response at pp. 10-11 (discussing wildlife only).)

In addition, formally submitted material states that approximately 1.5 miles of the southern portion of the Moorpark-Newberry Line will pass through an officially designated "Very High Fire Hazard Severity Zone." (Protest Response at p. 8.) SCE's formally submitted material shows that where the Moorpark-Newberry Line would cross the fire hazard area the utility would renew an existing line with new facilities, and states that adding these new facilities would not increase the risk of fire. (Advice Letter 2272-E at p. 2; Protest Response at p. 9.)

G.O. 131-D plainly states that Exemption G "shall not apply" if there is a reasonable possibility that a power line may have an impact on "an environmental resource of hazardous or critical concern" (G.O. 131-D, § III.B.2.a.) Because such resources are present here, we believe we should consider whether there is a reasonable possibility that the Moorpark-Newberry Line will create an "impact" as part of the process of determining whether or not Exemption G applies. Res. E-4243, however, did not fully analyze this question. Res. E-4243 only considers whether or not the construction of the power line will affect individual plants, not plant habitat—even though a portion of the Moorpark-Newberry Line will be constructed within a critical habitat, and the Ludington Parties specifically advanced a "claim that the habitat of special status plants ... will be lost" (Res. E-4243 at pp. 13, 23 (Finding of Fact 16).) The resolution also does not analyze whether or not building the Moorpark-Newberry Line would have an impact on the designated fire hazard zone. Instead, Res. E-4243

considers fire hazards under a different exception criterion concerning unusual circumstances. (Res. E-4243 at p. 23 (Finding of Fact 13).)

Because we would prefer to undertake a more complete analysis that considers whether there is a reasonable possibility that the Moorpark-Newberry Line will affect these areas of critical or hazardous concern, we will hold a rehearing. Although there appears to be enough formal information in the current record to resolve questions regarding the fire hazard zone, we do not believe we are in a position to determine the effect of the Moorpark-Newberry Line on plant habitat.

In this context, we wish to comment on an assertion made by SCE in its Protest Response.² There, SCE contended that the protests to AL 2272-E could be dismissed for failure to state a valid claim because they did not “allege facts or evidence” with enough detail and specificity to conclusively prove that the Exception Criteria apply. (Compare G.O. 131-D, § XII with Protest Response at pp. 2, 5-6.) We are not certain, but it appears that the utility is asserting that a presumption applies to its claim that the Moorpark-Newberry Line falls under Exemption G, and that a proposed subtransmission line should qualify for Exemption G unless a protest makes a claim that meets a certain standard of proof.

We do not find support for this view in the general order. G.O. 131-D states plainly that Exemption G “shall not apply when any of the conditions” described in the Exception Criteria are met, without placing a burden on any party. (G.O. 131-D, § III.B.2.) The general order also provides that when a protest is filed, the Executive Director and staff will review the material provided by the protestors and the utility to make a determination about whether a PTC should be required “or the protest should be

² SCE asserts that each issue not discussed in the Rehearing Response was discussed in its Protest Response. (Rehearing Response at p. 3.) The Protest Response does not make any mention of plants or plant habitat, so we assume SCE continues to rely on general claims regarding the specificity of the Ludington Parties assertions to rebut the rehearing application’s claims regarding plant habitat. (See Protest Response at pp. 5-6.) We note that it is not effective or proper to use incorporation by reference to present claims at the rehearing stage because, among other things, the nature of the issues often changes. (*Modifying and Denying Rehearing of D.10-12-052* [D.11-04-034] (2011) at p. 27.)

dismissed for failure to state a valid reason.” (G.O. 131-D, § XIII.) The Public Advisor’s office is to assist protestors, providing them with guidance on what grounds constitute a valid protest. (G.O. 131-D, § XIII.)

These provisions outline a process under which the applicability of Exemption G is to be determined by staff. When G.O. 131-D provides that a protest should be dismissed if it fails to state a valid claim, it does so in a sentence that also charges staff and the Executive Director with the responsibility of evaluating the parties’ filings to make a determination about “whether” a PTC should be filed. (G.O. 131-D, § XIII.) G.O. 131-D further contemplates that protestors will be provided with guidance on how to make a valid protest. None of these provisions suggest that a utility is entitled to a presumption that Exemption G applies, or that utilities can claim an exemption as a matter of right. We have also clearly held that whether or not the Exception Criteria are triggered is to be decided by applying the general order’s requirements—as written—to the facts presented, rather than by relying on “narrow” procedural considerations, such as whether the protestors meet a “burden.” (*San Diego Gas and Electric Company* [D.97-03-058], *supra*, at pp. 343-343.)

As a result, it would be improper for us to find that Exemption G applies without analyzing the effect of the USFWS Critical Habitat or the Very High Fire Hazard Severity Zone on the Exception Criteria. In this particular case, we specifically reject the idea that we can find that Exemption G applies—even though our staff has obtained surveys showing that the Moorpark-Newberry Line would be built in the USFWS Critical Habitat—simply because the Ludington Parties did not independently discover the location of the USFWS Critical Habitat, and re-submit that information to us.

2. Historical Resources

The Exception Criteria are also triggered “when any of the conditions specified in CEQA Guidelines § 15300.2 exist.” (G.O. 131-D, § III.B.2.) Guidelines section 15300.2, subdivision (f), states a condition that will occur if a “substantial adverse change to the significance of a historical resource” will result from an activity. The effect of Guidelines section 15300.2, subdivision (f) was raised by one of the Ludington Parties

at the PPH. (PPH Transcript, pp. 20-30.) Res. E-4243 did not discuss this issue, however.

SCE appears to concede that we must discuss historical resources if we are to lawfully conclude that Exemption G applies. The question of historical resources is one of the three issues raised in SCE's Rehearing Response, and that pleading provides additional factual material on this topic. Specifically, SCE describes surveys conducted in 2007, and makes the following factual assertions: (i) a review of archival material showed no known sites of historical interest in the right-of-way, with the Native American Heritage Commission having been consulted; and (ii) a field survey revealed only one possible archaeological site, which SCE proposes to cordon off from construction. (Rehearing Response at p. 6.) SCE does not provide a copy of its historical survey and other material, which is generally kept confidential to protect the resources in question. SCE also states that it will follow protocols during construction to avoid disturbing archaeological resources. (Rehearing Response at p. 7.)

Both the Ludington Parties and SCE claim or suggest that we should address this issue, and we agree that we should consider it. However the main factual material on this topic was provided in the Rehearing Response, with SCE opposing the Ludington Parties' request to respond to it. We wish to develop a proper record, and to carefully consider this issue based on such a record. For this reason as well, we believe rehearing should be granted.

C. Issues That Likely Will Not Need Additional Consideration

The rehearing application is over 50 pages long and contains an exhaustive critique of almost every aspect of Res. E-4243. We are granting rehearing because of the specific issues discussed above, and this grant of rehearing should not be interpreted as decision finding that the rehearing application's claims on other topics have merit. Without prejudging the results of the rehearing, we will briefly comment on a number of issues that we currently believe do not require any further consideration. At this time, these issues appear to be moot, based on clearly unmeritorious claims, or otherwise undeserving of further consideration.

1. Procedural Issues Regarding Notice, Circulation of Drafts, and the Conduct of Voting Meetings

The rehearing application claims that many of the steps taken in the AL 2272-E proceeding were improper. Our current view is that these claims are not meritorious because they are either moot, or incorrect. In the rehearing we wish to focus on the actual matter at hand, and to avoid revisiting stale grievances between the parties. We will briefly review certain claims presented in the rehearing application to prevent those issues from being re-litigated unnecessarily.

The rehearing application's claim that the public notice SCE gave when it filed AL 2272-E was inadequate is now moot. (Rehearing application at pp. 15-18.) If an inadequate notice had deprived local residents or governments of the ability to mount an effective protest, then questions about the adequacy of the notice might still be relevant. This is not the case. At this point, we believe we should focus on substantive issues, not questions about a notice given in 2008 that clearly served its purpose.

Similarly, we believe we no longer need to review claims about whether the notice of the PPH contained "improper restrictions[.]" (Rehearing Application at pp. 6-7, 14 (emphasis omitted).) That notice clearly stated that "all speakers will be able to fully express their views." (Notice of Public Hearing at p. 2.) Further, the decision to hold the PPH in September 2009 was made in direct response to requests from the County and a strongly worded communication from one of the Ludington Parties. Therefore we do not believe that the rehearing application's claims about the timing of the PPH present an issue that merits further consideration. (Cf. Rehearing Application at p. 14.)

The rehearing application also makes several claims about our agenda process and the circulation of draft Commission orders in advance of voting meetings. (Rehearing Application at pp. 8-10, 11-13.) We currently see no reason why these issues should continue to be considered on rehearing. We also wish to direct the parties to Rule 14.1, subdivision (d) of our Rules of Practice and Procedure and to the description of the hold process in our Policies and Guidelines. (See Policies and Guidelines, § 1, available on the internet at <http://www.cpuc.ca.gov/PUC/documents/policiesguides.htm> .) We do

not believe that the applicable rules and guidelines have the procedural effects claimed in the rehearing application, in particular that the scheduling of items at our voting meetings must be controlled by private interactions between parties to our proceedings.

2. Issues that are Outside The Scope of These Proceedings

The rehearing application claims that we must consider whether there is a need for the Moorpark-Newberry Line. This is incorrect. We do not perform a need review of power lines designed to operate between 50 and 200 kV. The PTC requirement is structured so that a regulated subtransmission line will receive only environmental review. (GO 131-D, § IX.B.) While the notice provided for a subtransmission line must describe the “purpose” of the power line, this is because the notice requirements are the same as those for over 200 kV lines, not because we will evaluate the need for such a line. (GO 131-D, § X.C.) In *Transmission Lines Not Exceeding 200 kV* [D.94-06-014] (1994) 55 Cal.P.U.C.2d 87, we specifically held that a PTC proceeding “is meant strictly for environmental review, not economic or “needs” review.” (*Id.* at p. 101.) Subtransmission lines cover short distances, do not present difficult engineering challenges and do not involve significant economic risk or impact. (*Ibid.*)

In this connection, we must comment on the Ludington Parties description of the Moorpark-Newberry Line as an “*enormous*” power line. (Rehearing Application at p. 35 (original emphasis).) The information submitted to us by SCE contains no material supporting the assertion that this power line is a significant undertaking. While the Ludington Parties assert that nine miles is a substantial length for a power line, and that a line comprising 84 utility poles is remarkable for its size, the rehearing application provides no support for these claims—and they are at odds with our understanding of the scale of SCE’s electric facilities. (See Rehearing Application at p. 35.) Further, the maps and photographs provided to us in this proceeding in no way suggest that the Moorpark-Newberry Line is a significant undertaking when compared with other SCE facilities.

Similarly, rehearing application fails to support the claim that a power line is significant simply because it crosses from one suburban community to the next. Under the Ludington Parties’ approach, a much longer power line, or a power line designed to

operate a much higher voltage, would be insignificant as long as it was built entirely in unincorporated areas of Ventura County, i.e, in one jurisdiction. This claim makes little sense. The purpose of environmental review is to consider the effects of a particular activity, not to judge it for extraneous reasons. We reject the view that the number of legal jurisdictions an activity will cross determines the scope of its impacts.

The Ludington Parties are also incorrect to assert that it was error to use G.O. 131-D's standards to determine if the Moorpark-Newberry Line should be subject to the PTC requirement. The rehearing application claims that G.O. 131-D cannot be applied as written and must be re-interpreted to augment its requirements. (Rehearing Application at pp. 20-24.) To the contrary, we have clearly held that G.O. 131-D's provisions are to be applied as written. We specifically rejected the idea that additional requirements should be developed after the fact by speculating about the general order's "spirit[.]" (Compare *San Diego Gas and Electric Company* [D.97-03-058], *supra*, at pp. 345-346 with Rehearing Application at p. 20.) Further, the claim that the general order requires re-interpretation or revision is an impermissible collateral attack on the decision that adopted G.O. 131-D. (Pub. Util. Code, § 1709; *H.B. Ranches v. Southern California Edison Co.* [D.83-04-090] (1983) 11 Cal.P.U.C.2d 400, 405.)

3. Issues That Will Not Be Relevant in an Application Proceeding

Exemption G only applies when a utility will build a subtransmission line in existing easements or rights-of-way. (G.O. 131-D, § III.B.1.g.) In this proceeding, the Ludington Parties claimed SCE did not have the right to build the Moorpark-Newberry Line in the Ormond Beach-Moorpark right of way. For example, one of the Ludington Parties claimed that the language of SCE's easements did not allow the Moorpark-Newberry Line to be placed in the Ormond Beach-Moorpark right-of-way because that language only permitted transmission towers to be constructed in the right-of-way, not the steel poles SCE proposed to use. (PPH Transcript at p. 27.) Res. E-4243, however, did not discuss the scope of SCE's easements. (Res. E-4243 at pp. 8-11.)

SCE itself appears to concede that this issue must be resolved if we are to conclude that Exemption G applies. The Rehearing Response contains a rebuttal of the

Ludington Parties' claims, and introduces new information regarding SCE's authority to build in the Ormond Beach-Moorpark right-of-way. At pages 3-4, SCE quotes an example of its easement language, which states:

There is hereby condemned to plaintiff rights of way and easements in, on, over, along and across the real property hereinafter described as Parcel 1 to construct, reconstruct, suspend, use, operate, maintain, repair, renew, relocate, enlarge, replace and patrol, thereon and thereover, electric transmission lines consisting of lines of metal towers with the necessary foundations, crossarms, insulators, and other appurtenances...; [and] to prohibit the building or placing on said Parcel 1 of any building or structure other than farming fences . . . provided that [such facilities do not] endanger or interfere with the operation of plaintiff's aforesaid electric transmission lines;

The fact that SCE has provided this language in its response to a rehearing application re-enforces our view that it is prudent to hold a rehearing here. If we were to properly consider the effect of this language, it would be best to do so in a rehearing. This language, like other material, was not provided to us in a manner that allowed all parties to comment on it. (See Motion Response at p. 2.) Further, we believe this issue is likely too complex to be resolved by referring to a single, edited, quotation. In addition to being selective, the quoted language states that it applies only to one specific section of the right-of-way in question.

However, because we will conduct the rehearing as a formal application, we will no longer need to address questions regarding the scope of SCE's easements. The requirement that a subtransmission be constructed in an "existing franchise, road-widening setback easement, or public utility easement" need only be met if a utility seeks to apply Exemption G instead of having its proposal reviewed in an application proceeding. (Compare G. O. 131-D, § III.B.1.g with § III.B.) Since we have determined to hold an application proceeding, the question of the scope of SCE's easements will no longer be material.

We also note that the rehearing application repeatedly claims that Res. E-4243 did not correctly apply standards that are used under CEQA. We question whether the Ludington Parties' understanding of what CEQA requires is correct. We also do not believe that CEQA standards apply to activity that qualifies for a G.O. 131-D exemption, is not subject to active regulation, and therefore is not a CEQA "project." (*Transmission Lines Not Exceeding 200 kV* [D.94-06-014], *supra*, at p. 102; cf. Pub. Resources Code, § 21065.) However we do not need to address this issue on rehearing. If SCE applies for a PTC, the Moorpark-Newberry Line will be a "project" and it will be reviewed under CEQA's standards.

4. The Consultation Process

The Ludington Parties claim SCE did not comply with GO 131-D's consultation requirement. The rehearing application claims SCE's actions were insufficient because SCE did not engage in consultation before Advice Letter No. 2272-E was filed, and because the County was not able to persuade SCE to change the location of the Moorpark-Newberry Line. (Rehearing Application at pp. 18-19.) We wish to clarify the nature of G.O. 131-D's requirements to avoid further delay in this proceeding.

In Section XIV.B, General Order 131-D provides:

This General Order clarifies that local jurisdictions acting pursuant to local authority are preempted from regulating electric power line projects, distribution lines, substations, or electric facilities constructed by public utilities subject to the Commission's jurisdiction. However, in locating such projects, the public utilities shall consult with local agencies regarding land use matters. In instances where the public utilities and local agencies are unable to resolve their differences, the Commission shall set a hearing no later than 30 days after the utility or local agency has notified the Commission of the inability to reach agreement on land use matters.

This provision requires that consultation take place—not that it takes place at any particular stage in the design process. Further, GO 131-D does not require utilities to adopt the views of local agencies regarding the location of their facilities. Section

XIV.B states that local governments “are preempted from regulating electric power line” construction, and are, instead, provided with the ability to consult with utilities and to bring matters before us at a hearing. There is no question that SCE engaged in consultation, as GO 131-D requires, and the utility claims it did so before AC 2272-E was filed. The claim that local agency concerns “must be considered, addressed and incorporated in determining a project’s planned location” misstates the general order’s requirements. (Cf. Rehearing Application at p. 18.)

Finally, the rehearing application’s discussion of the consultation process contains negative characterizations of SCE’s conduct, which it relies upon to allege error. Although SCE met three times with elected officials from the County, the rehearing application claims that these meetings were not sufficient because SCE “stonewalled” the County and employed “tactics.” The rehearing application further states that SCE’s position was “so ridiculous it can hardly be construed as a good faith negotiations.” (Rehearing Application at p. 20.) These statements are unsubstantiated and appear to reflect little more than animus against SCE. We note that the County, which is the body to which G.O. 131-D gives a right to consult, did not file a rehearing application alleging that the consultation process was not proper. Such claims are not constructive, and have no bearing on the question of whether or not G.O. 131-D’s consultation requirements have been met.

D. Rehearing Will Be a Formal Proceeding

We are granting rehearing, in large part, because the informal advice letter process was not structured enough to ensure that SCE and the Ludington Parties presented their claims and evidence in a way that allowed us to properly consider whether Exemption G applied. SCE, for its part, provided very little formal information, and we instead obtained crucial material as “additional information” that could not then be relied upon in Res. E-4243. The Ludington Parties, for their part, continually made additional and supplemental claims, in which they often raised new issues on which no record had yet been developed. Like SCE, the Ludington Parties also submitted informal “additional information” to supplement their formal filings. Because these proceedings were

conducted in this informal manner, staff were unable to consider a properly developed record or analyze a definitive set of claims.

G.O. 96-B states that when the issues raised by an advice letter appear to require more formal review, the advice letter is to be rejected without prejudice, so that the utility may file an “appropriate request for formal relief[.]” (G.O. 96-B, § 5.3.) That approach should be taken here. The appropriate request for formal relief is a PTC filing, which is designed to provide “streamlined” review of only those environmental issues that require CEQA consideration. (*Transmission Lines not Exceeding 200 kV* [D.94-06-014], *supra*, at p. 101.) If SCE applies for a PTC, it will formally provide all the information that is necessary to determine if this project should either undergo CEQA review, or be found to be exempt from that statute’s requirements. (G.O. 131-D, §§ IX.B.1, IX.B.3.)

We are directing SCE to apply for a PTC if it wishes to construct the Moorpark-Newberry Line because we believe it is preferable to have SCE provide information regarding this proposed activity formally. We do not believe we are now in a position to consider whether Exemption G applies to this proposed power line, or whether CEQA review should be conducted, given the type of information we have before us. That means we are not now deciding that this power line is required to undergo CEQA review. If the material SCE formally submits, when it applies for a PTC, shows that the Moorpark-Newberry Line is exempt from CEQA, then the PTC will be granted without further review. (G.O. 131-D, § IX.B.3.) Staff will apply different criteria from the criteria used in Res. E-4243 to make that determination, but we believe this is a reasonable approach to take now that the attempt at informal resolution has been unsuccessful. (G.O. 96-B, § 5.3; see generally, G.O. 131-D, § XIV.A.)

Therefore, we will dismiss AL 2272-E without prejudice, because we find that the unique facts of this case suggest that a more formal review of both SCE’s and the Ludington Parties’ claims is desirable. We will vacate Res. E-4243 for the same reason. We wish to emphasize, again, that this result does not stem from any decision taken on the merits. (Cf. G.O. 96-B, § 5.3.)

IV. CONCLUSION

Because the record developed following the filing of AL 2272-E does not allow us to decide if SCE correctly applied Exemption G to the Moorpark-Newberry Line, we will grant rehearing. Rehearing should be conducted as a formal proceeding to prevent parties from making claims and presenting factual material in an ad hoc manner.

IT IS ORDERED that:

1. Rehearing of Resolution E-4243 is granted.
2. Resolution E-4243 is vacated.
3. Advice Letter 2272-E is dismissed without prejudice.
4. SCE is directed to apply for a permit to construct pursuant to G.O. 131-D if it wishes to build the power line described in Advice Letter 2272-E.
5. Any construction activity that may now be occurring should cease. Any application for a Permit to Construct that is filed shall disclose the extent of any construction that has occurred and contain an evaluation on the effect of that construction on the permitting process.
6. Any proceedings conducted to review an application by SCE for a permit to construct will be conducted in strict compliance with this Commission's Rules of Practice and Procedure, with parties directed to present their factual material and arguments clearly, concisely, and at the proper time.
7. Application 10-04-020 is closed.

This order is effective today.

Dated November 10, 2011, at San Francisco, California.

MICHAEL R. PEEVEY

President

TIMOTHY ALAN SIMON

MICHEL PETER FLORIO

CATHERINE J.K. SANDOVAL

MARK J. FERRON

Commissioners

APPENDIX G-2

**SCE's Response To Questions From CPUC Staff
Regarding Additional Information To Support
The Project's Qualification For Exemption g**

APPENDIX G-2: SCE's Response To Questions From CPUC Staff Regarding
Additional Information To Support The Project's Qualification For Exemption g

NOVEMBER 2008 EMAIL, POWERPOINT AND SURVEYS

{In Archive} Information Requested by CPUC on Moorpark-Newbury Notes Link

11/18/2008 01:49 PM

Christine McLeod to: Rosauer, Michael

Cc: "Lukins, Chloe", "Mulligan, Jack M.", Thomas.Burhenn

Dear Mike,

In follow up to your questions to Tom from last week, please see our enclosed responses. In addition, in follow up to a request from Chloe Lukens to Tom Burhenn, I am providing pictures of the right-of-way along with a map showing the locations at which the pictures were taken. You will note that the right-of-way is already disturbed by the presence of the existing 220 kV and 66 kV lines.

Question. Area residents are claiming that impacts to listed species may result from the proposed construction. Can you provide studies and maps to indicate that potential impacts have been evaluated?

The only specific species the protestors have mentioned is the Least Bell's vireo, a federally endangered bird species, for which there is no critical habitat in the project area. As such, there should be no consideration of this species as a potential override to the exemption, as it does not meet the criteria in General Order (GO) 131-D, Section III.B2.a. because there is no "precisely mapped and officially adopted" critical habitat present. Further, the Least Bell's vireo is not expected to be present along the project route and is not recorded in the California Dept. of Fish and Game Natural Diversity Database (CNDDB) in the project area.

With respect to the protestor's concerns about the Least Bell's vireo, as noted in our October 31, 2008, Protest Response, no habitat for this species will be affected by the project. This species lives in dense, riparian vegetation along creeks and rivers. Although two drainages, the Arroyo Simi and the Arroyo Conejo, exist along the project, they will be spanned by the project. Riparian vegetation within the drainages, will not be impacted, thus avoiding impacts to any Least Bell's vireo, even if they are present. The two towers on either side of the Arroyo Conejo will also be constructed over 500 feet away from the creek, based on a Google Earth measurement. In addition, since the Least Bell's vireo is a migratory species that generally is found in Southern California between April and July, SCE would schedule project work outside of this timeframe and would completely avoid impacts to the Least Bell's vireo.

As to potential impacts to other listed species, not raised by area residents, please see enclosed surveys (including maps) for the federally and state-listed endangered Lyon's pentachaeta,

federally listed threatened Conejo dudleya, and other special status plant species, and the federally listed coastal California gnatcatcher. All of these surveys were previously provided to Chloe Lukens on September 30, 2008, prior to filing the Advice Letter. In addition, also enclosed is a copy of a presentation Tom Burhenn and I provided to Ken Lewis and Chloe Lukens about the outcome of our biological studies when we met and discussed this project on August 26, 2008.

The surveys indicate the Lyon's pentachaeta and Conejo dudeya were not observed within the project area. One special status plant species was observed during the surveys: Catalina mariposa lily, which is a California Native Plant Society List 4.2 species, meaning it is on the "watch list" for plants of limited distribution, and considered "fairly threatened" in California; however, although it is considered a special status species, impacts to the Catalina mariposa lily would not meet the significance criteria under the California Environmental Quality Act to require mitigation. In addition, the surveys report that no coastal California gnatcatchers (or any other special status bird species – which would include the Least Bell's vireo) were observed in the survey area during the focused surveys.

Please note, the Lyon's pentachaeta is the only species for which there is "designated, precisely mapped and officially adopted" critical habitat consistent with the "override" to the exemption discussed in GO 131-D, Section III.B2.a. SCE, through due diligence and surveys conducted during spring 2008, determined there is not a "reasonable possibility" of impacting the Lyon's pentachaeta due to the species not being present despite the critical habitat designation. Further because SCE proposes to construct the southern segments of the project (where the critical habitat is mapped) this fall and winter, SCE will be finished with construction before late spring 2009. This schedule will avoid construction during the late-spring blooming period (April-June) thus avoiding any impacts to the Lyon's pentachaeta. With the negative results for the Lyon's pentachaeta during the rare plant survey, along with the beneficial construction window, there is no "reasonable possibility" of impacting this species, and thus the override does not apply.

In addition, please note that enclosed USFWS protocol surveys performed this spring for the coastal California gnatcatcher indicated that neither the gnatcatcher nor any other special status bird species were observed during these surveys" which occurred on May 2, 13, 14, 30, June 6, 13, and 20, 2008.

Question. Also, you refer to future 220kV facilities to be placed in the right-of-way; what is the time-frame for constructing those facilities?

SCE anticipates that it will eventually need additional capacity in the vicinity of the Ormond Beach-Moorpark 220 kV corridor in 2017 or beyond. One option to address this future need is a possible 220/66 kV substation in the vicinity of this corridor, which extends from Oxnard to Moorpark. If such a substation project does move forward, it would likely require additional 220 kV and/or 66 kV lines in this corridor; however, because this is a highly conceptual option right now, no site has been confirmed nor have any line arrangements been planned to date. Nonetheless, SCE is providing this information to the CPUC to further explain why SCE cannot route the Moorpark-Newbury 66 kV project to the west side of the ROW due to the need to utilize and manage the ROW in a prudent manner in expectation of possible future needs.

Question. Finally, the City of Thousand Oaks has requested specific information regarding impacts within the designated open space zone. Do you intend to provide that information to the City?

As noted in SCE's Protest Response, SCE has conducted various meetings and site visits with the City of Thousand Oaks Community Development Director and the Conejo Open Space District (COSCA) Executive Director. COSCA is a joint powers agency developed through an agreement between the City of Thousand Oaks and the Conejo Recreation and Park District for the purpose of creating a local jurisdictional framework for the conservation of natural open space. At a recent meeting on October 28, 2008, SCE project team members met with Kristen Foord, Director of COSCA and Shelly Austin, also from COSCA. The purpose of the meeting was to take Ms. Foord and Ms. Austin through the area of COSCA property where SCE is proposing construction work for the Moorpark-Newbury 66 kV line addition. SCE and the COSCA representatives toured the portion of the project route through the COSCA area to review access/spur road needs. Because SCE was able to show that in most cases, the spur road distance from the existing access road to the proposed pole locations was less than 50 feet, the COSCA attendees commented that they did not perceive any significant grading concerns and realized that the project will have minimal impact on the city's open space. SCE's local Public Affairs Region Manager, who conducted this site visit, left a message with John Prescott, City of Thousand Oaks community development director (to whom the COSCA executive director reports) to confirm that this site visit with the COSCA staff addressed any remaining concerns. When we hear a report back confirming this, we will be in touch.

Below are the attachments I mentioned above. Please let me know if you have any additional questions.

August 2008 Presentation to Ken and Chloe



Moorpark Newbury Update.ppt

July 16, 2008, Memorandum - "Summary of Spring 2008 Biological Surveys and Recommendations for the Moorpark-Newbury Transmission Line Project."



AR-M455N_20081001_100925.pdf

August 4, 2008 - "Results of Focused Plant Surveys for the Moorpark-Newbury 66 kV Project."



AR-M455N_20081001_100703.pdf

July 15, 2008 - Report to USFWS on Gnatcatcher



AR-M455N_20081001_100753.pdf

Pictures of the ROW and Map



R-W photo orientation sh1.pdf R-W photo orientation sh2.pdf R-W photo orientation sh3.pdf R-W photo orientation sh4.pdf



11_Pole section looking north toward Newbury Sub.jpg 1_Looking east to Moorpark Sub.jpg



2_Looking south Hwy 118 thru nursery.jpg 3_Looking north Moorpark Home Acres to nurse.jpg



4_Looking north from Presilla Rd thru Moorpark Home Acres.jpg 5_Looking south from Moorpark Home Acres to Presilla Rd.jpg



6_Looking north from Santa Rosa Valley Rd to Presilla Rd.jpg



7_Looking south from Santa Rosa Valley Rd toward COSCA & KCLU tower.jpg



8_Looking north from COSCA & KCLU tower thru Santa Rosa Valley.jpg 9_Looking south from KCLU tower thru COSCA.jpg



10_Looking east thru COSCA toward Newbury Park.jpg

Christine McLeod
Project Manager - Regulatory Affairs
Regulatory Policy & Affairs Dept.
Southern California Edison
2244 Walnut Grove Avenue, Quad 3D, 388L
Rosemead, CA 91770
Phone (626) 302-3947 (PAX 23947)
Fax (626) 302-4332 (FAX 24332)

"Rosauer, Michael"
<FLY@cpuc.ca.gov>

11/12/2008 04:09 PM

To <Thomas.Burhenn@sce.com>

<Christine.Mcleod@sce.com>, "Lukins, Chloe"
cc <CLU@cpuc.ca.gov>, "Mulligan, Jack M."
<jm4@cpuc.ca.gov>

Subject RE: FW: Response_to_SCE_Letter_to_CPUC2.doc
t

Tom,

Area residents are claiming that impacts to listed species may result from the proposed construction. Can you provide studies and maps to indicate that potential impacts have been evaluated? Also, you refer to future 220kV facilities to be placed in the right-of-way; what is the time-frame for constructing those facilities? Finally, the City of Thousand Oaks has requested specific information regarding impacts within the designated open space zone. Do you intend to provide that information to the City?

Regarding a formal protest from the Ventura Board of Supervisors, I have not yet received word of that. Thanks.

Mike

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Moorpark-Newbury 66 kV Exempt Project

Update on Biological Surveys
August 26, 2008

Overview of Presentation

- Background of Moorpark-Newbury 66 kV Project
- Critical Habitat Overview
- Survey Results
- Next Steps

Background of Moorpark-Newbury

66 kV Project

- Purpose & Need: To correct a base case overload
 - 101% for 2008
 - 105% for 2009
 - 105% for 2010
- Project Construction Period: November 2008 – December 2010
- Scope:
 - Section 1 – New Construction. Install 32 new engineered 66 kV steel poles in Existing Ormond Beach-Moorpark 220 kV ROW parallel to existing 220 kV lines from Moorpark Substation to existing 66 kV ROW.
 - Section 2 – Rebuild/Reconductor. Replace 14 existing double-circuit LSTs with engineered steel poles (double-circuited) through easements in open space and hillside areas.
 - Section 3 – Existing Wood Pole Section. Replace 36 single-circuit wood poles with double-circuit LWS poles through easements in open spaces, terminating at Newbury Substation.

Critical Habitat Overview

- G.O. 131-D, Section III.B.2.a “override” provision
 - “There is a **reasonable** possibility that the activity may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped and officially adopted pursuant to law by federal, state, or local agencies..”

□ Lyon’s pentachaeta

- State & Federal endangered plant species
- Critical habitat along the project route
- 2003 lawsuit by Center for Biological Diversity
- Nov 2006: USFWS designated critical habitat
- SCE 2008 plant surveys show the plant is **not** present, and the override is therefore not triggered



Survey Results

- Focused Surveys Conducted in 2008
 - Focused botanical surveys were conducted for Lyon's pentacheata (USFWS critical habitat species) and federally listed Threatened Conejo dudleya along project alignment in May 2008 by Bonterra Consulting for SCE.
 - Lyon's pentacheata and Conejo dudlea were not observed in the survey area.
 - Focused surveys for the federally listed Threatened coastal California Gnatcatcher were conducted by Bonterra Consulting for SCE in May and June 2008.
 - No coastal California gnatcatchers were detected during the focused surveys.

Next Steps

- SCE to file Advice Letter (Exemption G) and post/notice per GO 131-D requirements in mid-September to prepare for November construction start date.

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MEMORANDUM

July 16, 2008

To: Paul A. Yamazaki
Natural/Cultural Resources Group
Southern California Edison
G.O.1, Quad 3A, 304B
2244 Walnut Grove Avenue
Rosemead, CA 91770

From: Marc T. Blain
Biological Resources Manager
BonTerra Consulting

Subject: Summary of Spring 2008 Biological Surveys and Recommendations for the Moorpark-Newbury Transmission Line Project, Ventura County, California

This memo presents a summary of recent (spring 2008) biological presence/absence surveys conducted for federally and state-listed Endangered Lyon's pentachaeta (*Pentachaeta lyonii*), federally listed Threatened Conejo dudleya (*Dudleya parva*), and other special status plant species, and federally listed Threatened coastal California gnatcatcher (*Polioptila californica californica*) along the Moorpark-Newbury Transmission Line project alignment in Ventura County, California. The project site is located along existing transmission lines that traverse open space and agricultural areas in the cities of Moorpark and Thousand Oaks.

The project site is located along existing transmission lines that traverse open space and agricultural areas in the cities of Moorpark and Thousand Oaks, Ventura County, California (Exhibit 1). A biological constraints survey performed in May 2007 resulted in a determination that there was potentially suitable habitat for the CAGN within the three segments of the project site. Potentially suitable coastal sage scrub vegetation occurs throughout the project site with the suitability for CAGN decreasing from Segment 1 to Segment 3. Segment 1 involves installation of 32 engineered steel poles from the Moorpark Substation to a point adjacent to Milepost 16 – Tower 5; poles will be installed adjacent to existing 220-kV towers with the same approximate span lengths (5.1 miles). Segment 2 involves replacement of 14 existing double-circuit 66-kV lattice steel towers with engineered steel poles (2.5 miles). Segment 3 involves replacement of 36 single-circuit wood poles with double-circuit lightweight steel poles (1.2 miles) (Exhibit 2). The project site is at an elevation of approximately 250 to 900 feet above mean sea level (msl) and is located on the Thousand Oaks and Simi Valley West U.S. Geological Survey (USGS) 7.5-minute quadrangle maps.

METHODS

Focused botanical surveys for Lyon's pentachaeta and Conejo dudleya were conducted along the project alignment in Spring, 2008 by BonTerra Consulting Botanist Andrea Edwards. A known reference population for each species was visited in the project vicinity immediately prior to the surveys. The survey area excluded agricultural, residential, and urban areas and included only those tower locations within or immediately adjacent to open spaces. The plant survey area included a minimum 30-foot buffer around each tower location, and the route between the main dirt access road and each tower. Meandering transects were used to search the survey area; slopes that were too steep to access on foot were carefully examined using binoculars. All plant species observed were recorded in field notes.

The U.S. Fish and Wildlife Service (USFWS) coastal California gnatcatcher survey protocol recommends six visits to all potentially occupied habitat areas for surveys conducted entirely within the breeding season, which extends from March 15 to June 30. All visits must take place during the morning hours, and no more than 80 acres of suitable habitat may be surveyed per visit. Following the USFWS protocol for the species, BonTerra Consulting Ecologist Lindsay Messett (USFWS Permit #067064-1) conducted all surveys on the project site on May 2, 13, 14, and 30, June 6, 13 and 20, 2008. Weather conditions during all surveys met the USFWS survey protocol requirements for optimal gnatcatcher detection. Surveys were conducted by slowly walking through all appropriate habitats while listening and watching for gnatcatcher activity. A combination of taped recordings of gnatcatcher vocalizations and "pishing" sounds were used to elicit responses from any gnatcatchers present. All bird species detected during the survey were recorded.

SURVEY RESULTS

Lyon's pentachaeta and Conejo dudleya were not observed within the survey area. One special status plant species was observed during the surveys: Catalina mariposa lily (*Calochortus catalinae*). This is a California Native Plant Society (CNPS) List 4.2 species, meaning it is on a "watch list" for plants of limited distribution, and considered "fairly threatened" in California (moderate degree/immediacy of threat). CNPS List 4 species often occur in large numbers on project sites and are considered relatively common within their range. Although it is considered special status species, impacts to Catalina mariposa lily would be considered adverse but would not meet the significance criteria under the California Environmental Quality Act (CEQA) to require mitigation. No coastal California gnatcatchers (or any other special status bird species) were observed in the survey area during the focused surveys.

RECOMMENDATIONS

The following recommendations may be implemented to avoid or minimize impacts to biological resources as a result of project-related activities within the survey area.

- Crews and project vehicles should remain on existing paved roads, parking lots, and dirt access roads to the extent feasible. Where portions of the project cannot be directly accessed by a vehicle from existing roads, off-road activities and overland travel should be minimized or be limited to previously disturbed areas and should avoid impacting vegetation to the extent practical.
- To protect migratory birds in compliance with the Migratory Bird Treaty Act, the vegetation within the survey area should be cleared between September 1 and January 31. If clearing occurs between February 1 and August 31, the applicant should have a pre-construction survey conducted by a qualified biologist to identify any active nesting locations. If the biologist finds an active nest within the construction area and determines that the nest may be impacted, the biologist will delineate an appropriate buffer zone around the nest depending on the species and the type of construction activity. Any active nests observed during the survey will be mapped on an aerial photograph. The biologist shall serve as a construction monitor during those periods when construction activities shall occur near active nest areas to ensure that no inadvertent impacts on these nests shall occur. Results of the pre-construction survey and any subsequent monitoring shall be provided to the California Department of Fish and Game.

Mr. Yamazaki
Page 3
July 16, 2008

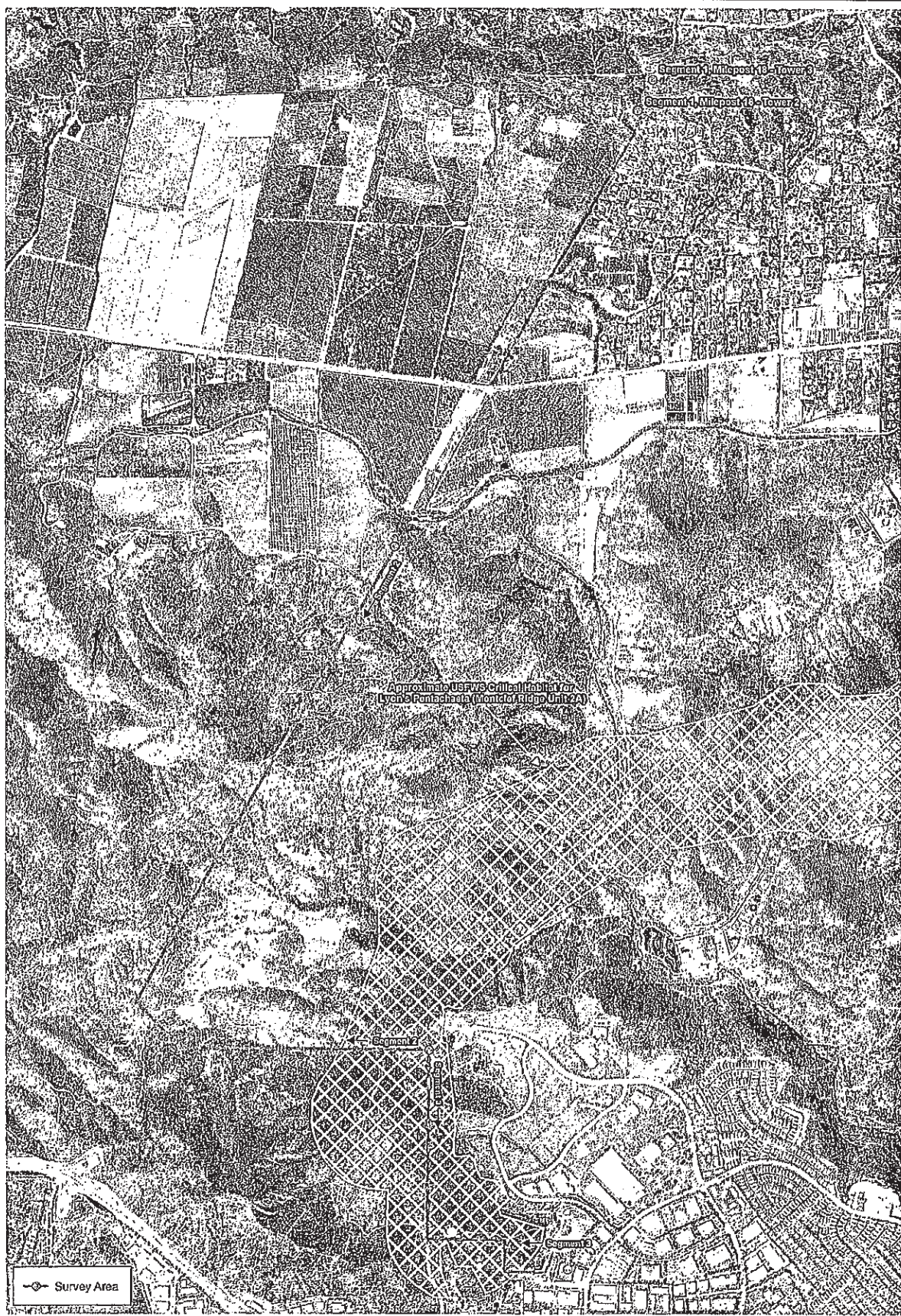
- A survey for active raptor nests is recommended 30 days prior to commencement of any construction activities during the raptor nesting season (February 1 to June 30). Restrictions may be placed on construction activities in the vicinity of any active nest observed until the nest is no longer active as determined by a qualified biologist. Typically, a 300- to 500-foot buffer zone is designated around a nest to allow construction to proceed while minimizing disturbance to the active nest. Once the nest is no longer active (chicks have fledged), construction can proceed within the buffer zone.

If you have any comments or questions, please call Marc Blain at (626) 351-2000.

Attachments

- Exhibit 1 – Survey Area and Critical Habitat
- Exhibit 2 – Local Vicinity

R:\PAS\Projects\Edison\JO16\Bio Summary Memo-071608.doc



Survey Area and Critical Habitat
Moorpark-Newbury 66-kV Transmission Line Project, Ventura County, California

Exhibit 1

Bentley
CONSULTING

Base Map: USGS 7.5 Minute Topographic Map, 1:25,000 Scale, 1984 Edition

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August 4, 2008

Paul A. Yamazaki
Southern California Edison
G.O.1, Quad 3A, 304B
2244 Walnut Grove Avenue
Rosemead, CA 91770

VIA EMAIL AND US MAIL
paul.yamazaki@sce.com

Subject: Results of Focused Plant Surveys for the Moorpark-Newbury 66 kV Project,
Ventura County, California

Dear Mr. Yamazaki:

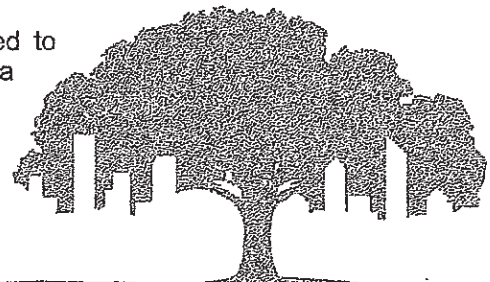
This letter report presents the findings of focused plant surveys conducted for federally and state-listed Endangered Lyon's pentachaeta (*Pentachaeta lyonii*) and federally listed Threatened Conejo dudleya (*Dudleya parva*) along the Moorpark-Newbury 66 kV project alignment in Ventura County, California (Exhibits 1 and 2). The project alignment is located along existing transmission lines that traverse open space and agricultural areas in the cities of Moorpark and Thousand Oaks, on the Newbury Park, California U.S. Geological Survey (USGS) 7.5-minute quadrangle; the alignment has an approximate elevation range of 240 to 1,150 feet above mean sea level.

The proposed Moorpark-Newbury 66 kV project consists of three segments (Exhibit 3). Segment 1 involves installation of 32 engineered steel poles from the Moorpark Substation to a point adjacent to Milepost 16 – Tower 5; poles will be installed adjacent to existing 220 kV towers with the same approximate span lengths (5.1 miles). Segment 2 involves replacement of 14 existing double-circuit 66 kV lattice steel towers with engineered steel poles (2.5 miles). Segment 3 involves replacement of 36 single-circuit wood poles with double-circuit lightweight steel poles (1.2 miles).

METHODS

Focused botanical surveys for Lyon's pentachaeta and Conejo dudleya were conducted along the project alignment on May 13 and 14, 2008 by BonTerra Consulting Botanist Andrea Edwards. Prior to conducting surveys, a known reference population of Lyon's pentachaeta was visited and observed to be flowering in the Thousand Oaks area on May 8, 2008. A known reference population of Conejo dudleya was also visited in the Thousand Oaks area on May 8, 2008; Conejo dudleya was not yet flowering, but was found to be easily detectable in its vegetative state. According to the Department of Water Resources, the Oxnard station (located closest to the project alignment) has received approximately 12.1 inches of precipitation during the period from Oct 1, 2007 to May 31, 2008, which is about 86 percent of the 14.0-inch average (State of California 2008).

Prior to the field surveys, a literature review was conducted to identify special status plants known from the survey area vicinity. This included a review of Newbury Park, Thousand Oaks, Moorpark, and Simi USGS 7.5-minute quadrangles in the California Department of Fish and



Game's (CDFG) California Natural Diversity Database (CDFG 2008) and the California Native Plant Society's Inventory (CNPS 2008). Table 1 lists the special status plant species known to occur in the vicinity of the survey area. In addition, a review of current Critical Habitat documents indicated that a portion of the survey area (the southeastern end of Segment 2 and most of Segment 3 – see Exhibit 3) overlaps with Critical Habitat (Montclef Ridge Unit 2a) for Lyon's pentachaeta designated by the U.S. Fish and Wildlife Service (USFWS 2006).

The survey area included all potentially suitable habitat located within the proposed project disturbance area; this excluded agricultural areas (most of Segment 1), and included only those tower locations within or immediately adjacent to open spaces: all of Segment 2 and Segment 3 tower locations, and two tower locations within Segment 1 (Milepost 18 - Tower 2 and Milepost 18 - Tower 3). The plant survey area included a minimum 30-foot buffer around each tower location, and the route between the main dirt access road and each tower. Meandering transects were used to search the survey area; slopes that were too steep to access on foot were carefully examined using binoculars. All plant species observed were recorded in field notes. Plant species were identified in the field or collected for subsequent identification using keys in Hickman (1993) and Munz (1974). Taxonomy follows Hickman (1993) and current scientific data (e.g., scientific journals) for scientific and common names.

SITE DESCRIPTION

The two Segment 1 towers located within the survey area were surrounded by coastal sage scrub vegetation. Segment 2 and 3 towers supported both coastal sage scrub and chaparral vegetation. Disturbed areas generally devoid of vegetation were also present, including dirt roads and a large clearing at the southern end of the survey area. Especially in the southern portion of the project alignment, the scrub habitat and edges of dirt access roads contained abundant non-native plant species. Soil types along the project alignment are mainly Gilroy very rocky clay loam, Hambricht very rocky loam, and Igneous rock land, but also include badland, Castaic-Balcom complex, Cropley clay, Diablo clay, Gilroy clay loam, and San Benito clay loam as shown in Exhibit 4 (USDA 2007).

SURVEY RESULTS

Lyon's pentachaeta and Conejo dudleya were not observed within the survey area. A list of all plants observed within the survey area during focused botanical surveys can be found in Attachment A. One special status plant species was observed during the surveys: Catalina mariposa lily (*Calochortus catalinae*); this is a CNPS List 4.2 species, meaning it is on a "watch list" for plants of limited distribution, and is considered "fairly threatened" in California (moderate degree/immediacy of threat).

TABLE 1
SPECIAL STATUS PLANT SPECIES KNOWN TO OCCUR
IN THE SURVEY AREA VICINITY

Species	Status			Habitat Suitability Within the Survey Area
	USFWS	CDFG	CNPS	
<i>Astragalus brauntonii</i> Braunton's milk—vetch	FE	—	1B.1	Limited suitable habitat present.** Not observed; however, this disturbance—following plant has potential to appear after soil disturbance, wildfire, etc.

TABLE 1 (Continued)
SPECIAL STATUS PLANT SPECIES KNOWN TO OCCUR
IN THE SURVEY AREA VICINITY

Species	Status			Habitat Suitability Within the Survey Area
	USFWS	CDFG	CNPS	
<i>California macrophylla</i> round-leaved filaree	—	—	1B.1	No suitable habitat present.
<i>Calochortus catalinae</i> Catalina mariposa lily	—	—	4.2	Suitable habitat present. Observed within the survey area.
<i>Calochortus plummerae</i> Plummer's mariposa lily	—	—	1B.2	Suitable habitat present.
<i>Centromadia parryi</i> ssp. <i>australis</i> southern tarplant	—	—	1B.1	No suitable habitat present.
<i>Delnandra minthornii</i> Santa Susana tarplant	—	SR	1B.2	No suitable habitat present.
<i>Delphinium parryi</i> ssp. <i>blochmaniae</i> dune larkspur	—	—	1B.2	No suitable habitat present.
<i>Dudleya blochmaniae</i> ssp. <i>blochmaniae</i> Blochman's dudleya	—	—	1B.1	Limited suitable habitat present.**
<i>Dudleya cymosa</i> ssp. <i>agourensis</i> Agoura Hills dudleya	FT	—	1B.2	Limited suitable habitat present.**
<i>Dudleya cymosa</i> ssp. <i>marcescens</i> marcescent dudleya	FT	SR	1B.2	Limited suitable habitat present.**
<i>Dudleya parva</i> Conejo dudleya	FT	—	1B.2	Limited suitable habitat present. Not observed during focused surveys.*
<i>Dudleya verityi</i> Verity's dudleya	FT	—	1B.2	Limited suitable habitat present.**
<i>Eriogonum crocatum</i> Conejo buckwheat	—	SR	1B.2	Limited suitable habitat present.**
<i>Hordeum intercedens</i> vernal barley	—	—	3.2	No suitable habitat present.
<i>Horkelia cuneata</i> ssp. <i>puberula</i> mesa horkelia	—	—	1B.1	Suitable habitat present.**
<i>Juglans californica</i> var. <i>californica</i> Southern California black walnut	—	—	4.2	Suitable habitat present.**
<i>Nolina dismontana</i> chaparral nolina	—	—	1B.2	Suitable habitat present.**
<i>Orcuttia californica</i> California Orcutt grass	FE	SE	1B.1	No suitable habitat present.
<i>Pentachaeta lyonii</i> Lyon's pentachaeta	FE	SE	1B.1	Suitable habitat present. Not observed during focused surveys.*
<i>Pseudognaphalium leucocephalum</i> white rabbit-tobacco	—	—	2.2	Suitable habitat present.
<i>Senecio aphanactis</i> chaparral ragwort	—	—	2.2	Suitable habitat present.

Mr. Yamazaki
Page 4
August 4, 2008

TABLE 1 (Continued)
SPECIAL STATUS PLANT SPECIES KNOWN TO OCCUR
IN THE SURVEY AREA VICINITY

Species	Status			Habitat Suitability Within the Survey Area	
	USFWS	CDFG	CNPS		
* Focused plant surveys were conducted for Lyon's pentachaeta and Conejo dudleya.					
** If present within the survey area, this perennial species would have been observed during focused plant surveys.					
LEGEND:					
Federal (USFWS)		State (CDFG)			
FE	Endangered	SE	Endangered		
FT	Threatened	ST	Threatened		
FC	Candidate	SR	Rare		
		SC	Candidate		
California Native Plant Society (CNPS) List Categories					
List 1A	Plants Presumed Extinct in California				
List 1B	Plants Rare, Threatened, or Endangered in California and Elsewhere				
List 2	Plants Rare, Threatened, or Endangered in California But More Common Elsewhere				
List 3	Plants About Which We Need More Information — A Review List				
List 4	Plants of Limited Distribution — A Watch List				
California Native Plant Society (CNPS) Threat Rank Extensions					
.1	Seriously threatened in California (high degree/immediacy of threat)				
.2	Fairly threatened in California (moderate degree/immediacy of threat)				
.3	Not very threatened in California (low degree/immediacy of threat or no current threats known)				

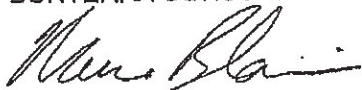
Catalina mariposa lily typically blooms between March and June (CNPS 2008). This bulbiferous perennial herb occurs in heavy soils on open grassy slopes and openings in brush, at elevations below about 2,000 feet, in valley grassland and chaparral habitats (Munz 1974). It is known from Ventura, Los Angeles, Orange, Santa Barbara, San Bernardino, San Diego, and San Luis Obispo counties, and Santa Catalina Island, Santa Cruz Island, and Santa Rosa Island (CNPS 2008). Hundreds of Catalina mariposa lilies were observed scattered along sides of the dirt access roads in Segment 2, and a few were located within the survey area (within 30 feet of a tower location).

CNPS List 4 species often occur in large numbers on project sites and are considered relatively common within their range; therefore the observation of a List 4 species is noted during focused surveys but not quantified or mapped in the survey results. Although it is considered a special status species, impacts to Catalina mariposa lily would be considered adverse but would not meet the significance criteria under the California Environmental Quality Act (CEQA) to require mitigation.

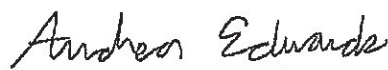
If you have any comments or questions, please call Marc Blain at (626) 351-2000.

Sincerely,

BONTERRA CONSULTING



Marc T. Blain
Biological Resources Manager



Andrea D. Edwards
Project Biologist

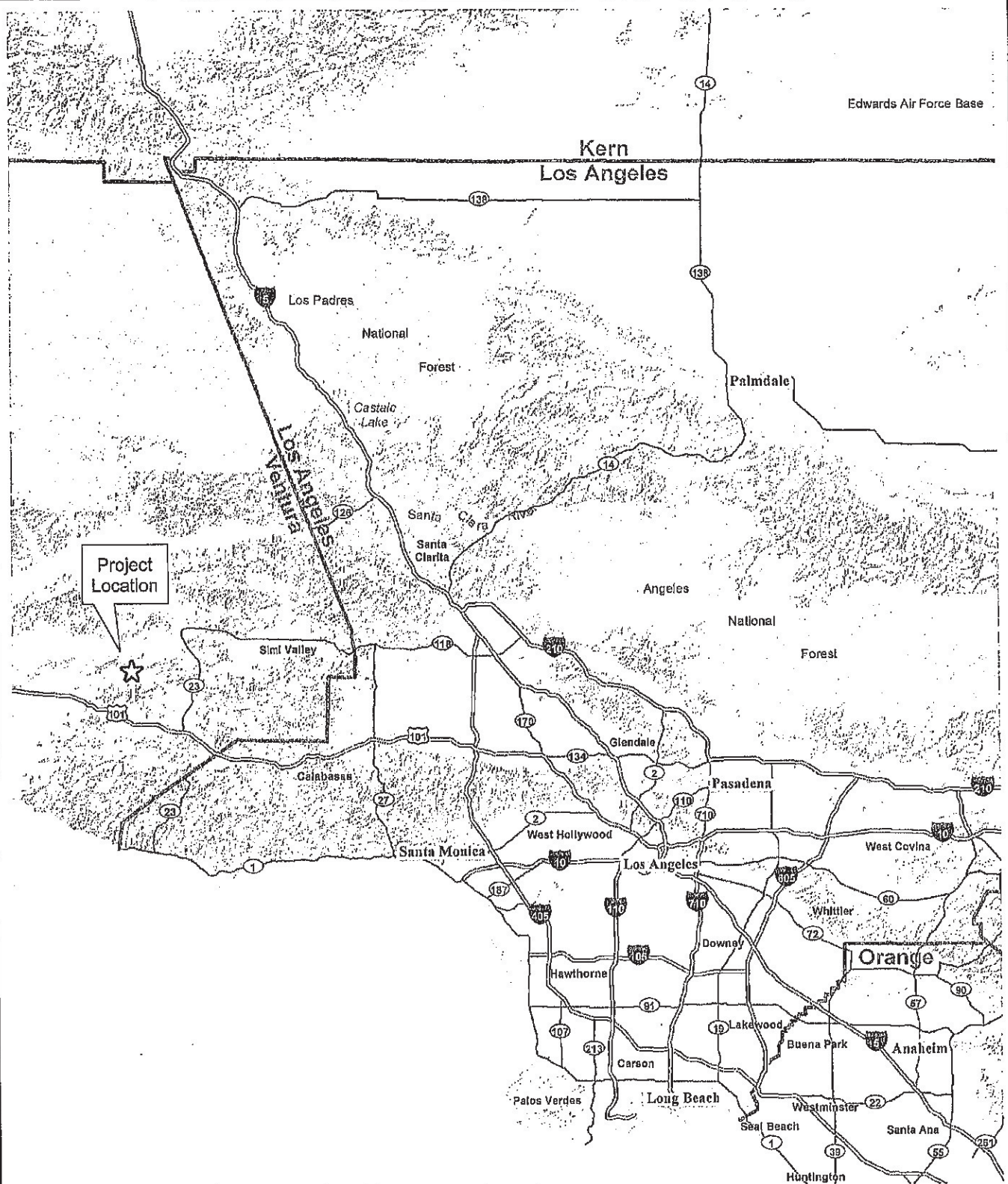
Mr. Yamazaki
Page 5
August 4, 2008

Enclosures: Exhibit 1 – Regional Location
Exhibit 2 – Local Vicinity
Exhibit 3 – Survey Area and Critical Habitat
Exhibit 4 – Soil Types
Attachment A – Plant Compendium

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Local Vicinity

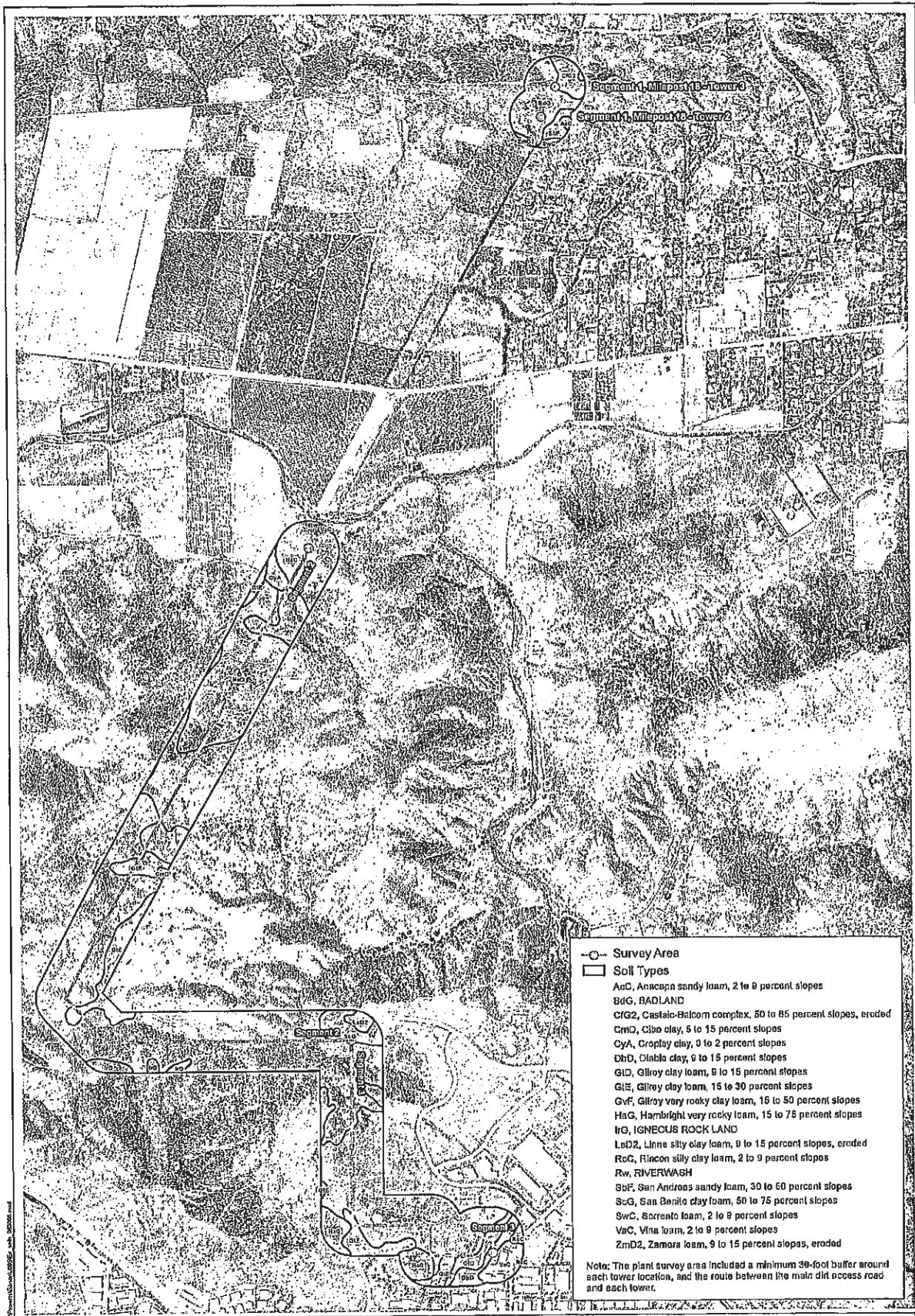
Moorpark-Newbury 85kV Project, Ventura County, California



Exhibit 2

Bentley
CONSULTING

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Soil Types

Moorpark-Newbury 66kV Project, Ventura County, California



Exhibit 4

Bortner
CONSULTING

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ATTACHMENT A
PLANT COMPENDIUM

ATTACHMENT A PLANT COMPENDIUM

FERNS AND FERN ALLIES
PTERIDACEAE - BRAKE FAMILY
<i>Adiantum jordanii</i> California malden-hair
SELAGINELLACEAE - SPIKE-MOSS FAMILY
<i>Selaginella bigelovii</i> Bigelow's spike-moss / bushy spike-moss
FLOWERING PLANTS
CLASS DICOTYLEDONES (DICOTS)
ANACARDIACEAE - SUMAC FAMILY
<i>Malosma laurina</i> laurel sumac
<i>Rhus integrifolia</i> lemonadeberry
<i>Rhus ovata</i> sugar bush
<i>Schinus molle</i> * Peruvian pepper tree
<i>Toxicodendron diversilobum</i> western poison oak
APIACEAE (UMBELLIFERAE) - CARROT FAMILY
<i>Aplastrum angustifolium</i> wild celery
<i>Daucus pusillus</i> rattlesnake weed
<i>Foeniculum vulgare</i> * sweet fennel
<i>Lomatium dasycarpum</i> ssp. <i>dasycarpum</i> woolly-fruited lomatium
<i>Sanicula tuberosa</i> tuberous sanicle
ASCLEPIADACEAE - MILKWEED FAMILY
<i>Asclepias fascicularis</i> narrow-leaved milkweed
ASTERACEAE (COMPOSITAE) - SUNFLOWER FAMILY
<i>Acourtia microcephala</i> sacapellote
<i>Ambrosia acanthicarpa</i> annual bursage
<i>Ambrosia psilostachya</i> western ragweed
<i>Artemisia californica</i> California sagebrush

**ATTACHMENT A
PLANT COMPENDIUM
(Continued)**

<i>Artemisia douglasiana</i> mugwort
<i>Baccharis pilularis</i> coyote brush
<i>Baccharis salicifolia</i> mule fat
<i>Brickellia californica</i> California brickellbush
<i>Carduus pycnocephalus</i> * Italian thistle
<i>Centaurea melitensis</i> * tocalote
<i>Chamomilla suaveolens</i> * common pineapple weed
<i>Cirsium vulgare</i> * bull thistle
<i>Conyza canadensis</i> common horseweed
<i>Encelia californica</i> bush sunflower
<i>Erigeron foliosus</i> fleabane daisy
<i>Eriophyllum confertiflorum</i> golden yarrow
<i>Filago californica</i> fluffweed
<i>Filago gallica</i> * narrow-leaved filago
<i>Gazania linearis</i> * gazania
<i>Gnaphalium californicum</i> California everlasting
<i>Gnaphalium canescens</i> everlasting
<i>Grindelia camporum</i> var. <i>bracteosum</i> white-stem gum-plant
<i>Hazardia squarrosa</i> saw-toothed goldenbush
<i>Hemizonia fasciculata</i> fascioled tarweed
<i>Heterotheca grandiflora</i> telegraph weed
<i>Hypochaeris glabra</i> * smooth cat's ear

**ATTACHMENT A
PLANT COMPENDIUM
(Continued)**

<i>Lactuca serriola</i> * prickly lettuce
<i>Lasthenia californica</i> California goldfields
<i>Malacothrix saxatilis</i> cliff malacothrix
<i>Picris echinoides</i> * bristly ox tongue
<i>Rafinesquina californica</i> California chicory
<i>Silybum marianum</i> * milk thistle
<i>Sonchus oleraceus</i> * common sow-thistle
<i>Stylidium gnaphalodes</i> everlasting nest straw
<i>Uropappus lindleyi</i> silver puffs
BORAGINACEAE - BORAGE FAMILY
<i>Amsinckia menziesii</i> rancher's fiddleneck
<i>Cryptantha</i> sp. cryptantha
<i>Heliotropium curassavicum</i> salt heliotrope / alkali heliotrope
BRASSICACEAE (CRUCIFERAE) - MUSTARD FAMILY
<i>Brassica nigra</i> * black mustard
<i>Hirschfeldia incana</i> * shortpod mustard
<i>Sisymbrium altissimum</i> * tumble mustard
CACTACEAE - CACTUS FAMILY
<i>Opuntia littoralis</i> coastal prickly pear
<i>Opuntia prolifera</i> proliferous prickly pear / coastal cholla
CAPPARACEAE - CAPER FAMILY
<i>Isomeris arborea</i> bladderpod
CAPRIFOLIACEAE - HONEYSUCKLE FAMILY
<i>Sambucus mexicana</i> elderberry

**ATTACHMENT A
PLANT COMPENDIUM
(Continued)**

CARYOPHYLLACEAE - PINK FAMILY
<i>Silene gallica</i> * windmill pink / common catchfly
<i>Silene laciniata</i> ssp. <i>major</i> Mexican pink / southern pink
CHENOPODIACEAE - GOOSEFOOT FAMILY
<i>Chenopodium album</i> * lamb's quarters
<i>Salsola tragus</i> * Russian thistle
CONVOLVULACEAE - MORNING-GLORY FAMILY
<i>Calystegia macrostegia</i> morning-glory
CRASSULACEAE - STONECROP FAMILY
<i>Crassula connata</i> pigmy-weed
<i>Dudleya lanceolata</i> lance-leaved dudleya / coastal live-forever
<i>Dudleya pulverulenta</i> chalk dudleya / chalky live-forever
CUCURBITACEAE - GOURD FAMILY
<i>Marah macrocarpus</i> wild cucumber / man-root
EUPHORBIACEAE - SPURGE FAMILY
<i>Chamaesyce albomarginata</i> rattlesnake weed
<i>Croton californicus</i> California croton
FABACEAE (LEGUMINOSAE) - LEGUME FAMILY
<i>Lotus salsuginosus</i> ssp. <i>salsuginosus</i> alkali lotus
<i>Lotus scoparius</i> deerweed / California broom
<i>Lupinus succulentus</i> arroyo lupine
<i>Medicago polymorpha</i> * California burclover
<i>Mellilotus alba</i> * white sweet-clover
<i>Mellilotus indica</i> * sourclover
FAGACEAE - OAK / BEECH FAMILY
<i>Quercus agrifolia</i> coast live oak

**ATTACHMENT A
PLANT COMPENDIUM
(Continued)**

<i>Quercus berberidifolia</i> scrub oak / California scrub oak
GERANIACEAE - GERANIUM FAMILY
<i>Erodium cicutarium</i> * red-stemmed filaree
GROSSULARIACEAE - GOOSEBERRY FAMILY
<i>Ribes speciosum</i> fuchsia-flowered gooseberry
HYDROPHYLLACEAE - WATERLEAF FAMILY
<i>Emmenanthe penduliflora</i> whispering bells
<i>Eucrypta chrysanthemifolia</i> common eucrypta
<i>Phacelia distans</i> common phacelia
<i>Phacelia viscidula</i> viscid phacelia
LAMIACEAE (LABIATAE) - MINT FAMILY
<i>Marrubium vulgare</i> * common horehound
<i>Salvia leucophylla</i> purple sage
<i>Salvia mellifera</i> black sage
MALVACEAE - MALLOW FAMILY
<i>Malacothamnus fasciculatus</i> chaparral bushmallow
MYRTACEAE - MYRTLE FAMILY
<i>Eucalyptus</i> sp.* gum
NYCTAGINACEAE - FOUR-O'CLOCK FAMILY
<i>Mirabilis californica</i> wishbone bush / California wishbone bush
ONAGRACEAE - EVENING PRIMROSE FAMILY
<i>Camissonia bistorta</i> California sun cup
<i>Camissonia californica</i> mustard-like evening primrose
<i>Clarkia purpurea</i> ssp. <i>quadrivulnera</i> four-spot clarkia
<i>Clarkia unguiculata</i> elegant clarkia

ATTACHMENT A PLANT COMPENDIUM (Continued)

PAPAVERACEAE - POPPY FAMILY
<i>Eschscholzia californica</i> California poppy
PLANTAGINACEAE - PLANTAIN FAMILY
<i>Plantago erecta</i> dwarf plantain / California plantain
POLEMONIACEAE - PHLOX FAMILY
<i>Eriastrum densifolium</i> ssp. <i>elongatum</i> woolly-star
<i>Leptodactylon californicum</i> prickly phlox
POLYGONACEAE - BUCKWHEAT FAMILY
<i>Eriogonum cinereum</i> gray coast buckwheat
<i>Eriogonum elongatum</i> var. <i>elongatum</i> wand buckwheat
<i>Eriogonum fasciculatum</i> var. <i>polifolium</i> rosemary flat-topped buckwheat
<i>Pterostegia drymaroides</i> pterostegia / notch leaf
<i>Rumex crispus</i> * curly dock
PRIMULACEAE - PRIMROSE FAMILY
<i>Anagallis arvensis</i> * scarlet pimpernel
RANUNCULACEAE - CROWFOOT FAMILY
<i>Delphinium parryi</i> ssp. <i>parryi</i> Parry's larkspur / blue larkspur
RHAMNACEAE - BUCKTHORN FAMILY
<i>Ceanothus megacarpus</i> ssp. <i>megacarpus</i> bigpod ceanothus
<i>Rhamnus crocea</i> spiny redberry
ROSACEAE - ROSE FAMILY
<i>Adenostoma fasciculatum</i> chamise
<i>Cercocarpus betuloides</i> mountain mahogany
<i>Heteromeles arbutifolia</i> toyon / christmas berry
<i>Prunus ilicifolia</i> holly-leaved cherry
<i>Rosa californica</i> California wild rose

**ATTACHMENT A
PLANT COMPENDIUM
(Continued)**

RUBIACEAE - MADDER FAMILY
<i>Galium angustifolium</i> narrow-leaved bedstraw
<i>Galium nuttallii</i> ssp. <i>nuttallii</i> San Diego bedstraw
SALICACEAE - WILLOW FAMILY
<i>Salix laevigata</i> red willow
SCROPHULARIACEAE - FIGWORT FAMILY
<i>Keckiella cordifolia</i> heart-leaved bush-penstemon
<i>Mimulus aurantiacus</i> bush monkeyflower
SOLANACEAE - NIGHTSHADE FAMILY
<i>Nicotiana glauca</i> * tree tobacco
<i>Solanum xanthi</i> chaparral nightshade
URTICACEAE - NETTLE FAMILY
<i>Urtica dioica</i> ssp. <i>holosericea</i> hoary nettle
CLASS MONOCOTYLEDONES (MONOCOTS)
IRIDACEAE - IRIS FAMILY
<i>Sisyrinchium bellum</i> blue-eyed grass
LILIACEAE - LILY FAMILY
<i>Allium peninsulare</i> var. <i>peninsulare</i> peninsular onion
<i>Bloomeria crocea</i> common goldenstar
<i>Calochortus catalinae</i> Catalina mariposa lily
<i>Calochortus clavatus</i> ssp. <i>pallidus</i> yellow mariposa lily
<i>Chlorogalum pomeridianum</i> wavy-leaved soap plant
<i>Dichelostemma capitatum</i> blue dicks
<i>Yucca whipplei</i> Our Lord's candle
POACEAE (GRAMINEAE) - GRASS FAMILY
<i>Avena barbata</i> * slender wild oat

ATTACHMENT A PLANT COMPENDIUM (Continued)

<i>Avena fatua</i> *
wild oat
<i>Bromus diandrus</i> *
ripgut grass
<i>Bromus hordeaceus</i> *
soft chess
<i>Bromus madritensis</i> ssp. <i>rubens</i> *
foxtail chess
<i>Hordeum murinum</i> *
foxtail barley
<i>Koeleria macrantha</i>
Junegrass
<i>Lamarckia aurea</i> *
goldentop grass
<i>Leymus condensatus</i>
giant wild rye
<i>Lolium multiflorum</i> *
Italian ryegrass
<i>Melica imperfecta</i>
small-flowered melic grass
<i>Nassella cernua</i>
nodding needlegrass
<i>Nassella lepida</i>
foothill needlegrass
<i>Pennisetum setaceum</i> *
African fountain grass
<i>Phalaris minor</i> *
little-seed canary grass
<i>Schismus barbatus</i> *
Mediterranean schismus
<i>Vulpia microstachys</i>
fescue
<i>Vulpia myuros</i> *
foxtall fescue
* indicates non-native species

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July 15, 2008

Mr. Chris Kofron
U.S. Fish and Wildlife Service
2493 Portola Road, Suite B
Ventura, California 93003

VIA EMAIL
Chris_Kofron@fws.gov

Subject: Results of Coastal California Gnatcatcher Survey for the Proposed Moorpark-Newbury Transmission Line Project in the Cities of Moorpark and Thousand Oaks, Ventura County, California

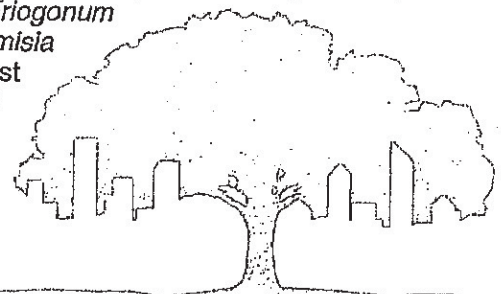
Dear Mr. Kofron:

This letter report presents the results of focused surveys for the coastal California gnatcatcher (*Poliophtila californica californica*) at the Proposed Moorpark-Newbury Transmission Line project site (hereafter referred to as the project site) in the Cities of Moorpark and Thousand Oaks, Ventura County, California (Exhibit 1). The purpose of the surveys was to determine the presence or absence of the coastal California gnatcatcher (CAGN) on or immediately adjacent to the project site. Surveys were conducted according to guidelines established by the U.S. Fish and Wildlife Service (USFWS) by biologists holding the necessary federal Endangered Species Act (ESA) survey permit.

Project Site

The project site is located along existing transmission lines that traverse open space and agricultural areas in the cities of Moorpark and Thousand Oaks, Ventura County, California (Exhibit 1). A biological constraints survey performed in May 2007 resulted in a determination that there was potentially suitable habitat for the CAGN within the three segments of the project site. Potentially suitable coastal sage scrub vegetation occurs throughout the project site with the suitability for CAGN decreasing from Segment 1 to Segment 3. Segment 1 involves installation of 32 engineered steel poles from the Moorpark Substation to a point adjacent to Milepost 16 – Tower 5; poles will be installed adjacent to existing 220-kV towers with the same approximate span lengths (5.1 miles). Segment 2 involves replacement of 14 existing double-circuit 66-kV lattice steel towers with engineered steel poles (2.5 miles). Segment 3 involves replacement of 36 single-circuit wood poles with double-circuit lightweight steel poles (1.2 miles) (Exhibit 2). The project site is at an elevation of approximately 250 to 900 feet above mean sea level (msl) and is located on the Thousand Oaks and Simi Valley West U.S. Geological Survey (USGS) 7.5-minute quadrangle maps.

Vegetation types within the study area include coastal sage scrub and chaparral (Exhibit 3). The Segment 1 towers located within the survey area were surrounded by coastal sage scrub, dominated by rosemary flat-topped buckwheat (*Eriogonum fasciculatum* var. *polifolium*), California sagebrush (*Artemisia californica*), black sage (*Salvia mellifera*), and gray coast buckwheat (*Eriogonum cinereum*). Segment 2 and segment 3 also contained coastal sage scrub characterized by the



species listed above, but were also co-dominated by coastal prickly pear (*Opuntia littoralis*), and purple sage (*Salvia leucophylla*) in some areas. Other native species found in this vegetation type include bladderpod (*Isomeris arborea*), bush sunflower (*Encelia californica*), lemonadeberry (*Rhus integrifolia*), coyote brush (*Baccharis pilularis*), western poison oak (*Toxicodendron diversilobum*), bush monkeyflower (*Mimulus aurantiacus*), laurel sumac (*Malosma laurina*), and deerweed (*Lotus scoparius*).

Segments 2 and 3 also supported chaparral, dominated by chamise (*Adenostoma fasciculatum*), and bigpod ceanothus (*Ceanothus megacarpus*); other native species in this vegetation type included laurel sumac, lemonadeberry, elderberry (*Sambucus mexicana*), and toyon (*Heteromeles arbutifolia*). Disturbed areas generally devoid of vegetation due to mechanical disturbance were also present, including dirt roads and a large clearing at the southern end of the survey area. In the southern portion of the survey area, the scrub habitat and edges of the dirt access roads contained abundant invasive species, including black mustard (*Brassica nigra*), foxtail chess (*Bromus madritensis* ssp. *rubens*), ripgut grass (*Bromus diandrus*), soft chess (*Bromus hordeaceus*), tocalote (*Centaurea melitensis*), and slender wild oat (*Avena barbata*). Photos of representative habitat on the project site are provided in Exhibit 3.

Background

Recent taxonomic studies indicate the California gnatcatcher consists of four subspecies that extend from southwestern California to southern Baja California, Mexico (Atwood and Lerman 2006; Mellink and Rea 1994). The coastal California gnatcatcher, the northern-most gnatcatcher subspecies, is restricted to lowland areas from central Ventura County through Los Angeles, San Bernardino, Riverside, Orange, and San Diego counties to the Baja California, Mexico border (Atwood and Lerman 2006; Mellink and Rea 1994). Formerly, the coastal California gnatcatcher was common from the San Fernando Valley east along the base of the San Gabriel Mountains to Claremont (Atwood 1990). The coastal California gnatcatcher is now rare in the northern part of its range with a handful of sightings from Santa Clarita to Tujunga Wash, though a small population persists near Moorpark, Ventura County. The coastal California gnatcatcher has been recorded from sea level to approximately 3,000 feet above msl (USFWS 2003); however, greater than 90 percent of gnatcatcher records are from elevations below 820 feet msl along the coast (Atwood and Bolsinger 1992, MBA 1991), and below 1,800 feet above msl inland. Recent estimates by the USFWS regarding the population size of the coastal California gnatcatcher in southern California have been about 3,000 pairs (Atwood and Bontrager 2001).

The coastal California gnatcatcher typically occurs within coastal and inland sage scrub vegetation types. Sage scrub often occurs in a patchy distribution pattern throughout the range of the gnatcatcher. Coastal California gnatcatchers also use chaparral, grassland, and riparian habitats that are in proximity to sage scrub. These non-sage scrub habitats are used for dispersal and foraging (Atwood *et al.* 1998, Campbell *et al.* 1998, USFWS 2003). Availability of these non-sage scrub areas is essential during certain times of the year, particularly during drought conditions, or for dispersal, foraging, or nesting (USFWS 2003).

The coastal California gnatcatcher was designated a Threatened species by the USFWS on March 25, 1993. A Special Rule was issued that would allow incidental take of coastal California gnatcatcher under Section 9 of the federal ESA if the take results from activities conducted in accordance with the state's Natural Community Conservation Plan (NCCP) Act (USFWS 1993). For those not participating in the state's NCCP, any activity that may result in the take of coastal California gnatcatcher requires formal consultation with the USFWS under Sections 7 or 10 of the federal ESA. On December 19, 2007, the USFWS published a final rule revising critical habitat for the coastal California gnatcatcher. The revised critical habitat designates

Mr. Kofron
July 15, 2008
Page 3

197,303 acres of land in San Diego, Orange, Riverside, San Bernardino, Los Angeles, and Ventura counties as critical habitat for the coastal California gnatcatcher (USFWS 2007). Although distant from the survey area, proposed USFWS Critical Habitat for the coastal California gnatcatcher is located adjacent to the northern terminus of Segment 1.

Survey Methodology

The USFWS coastal California gnatcatcher survey protocol recommends six visits to all potentially occupied habitat areas for surveys conducted entirely within the breeding season, which extends from March 15 to June 30 (USFWS 1997ab). All visits must take place during the morning hours, and no more than 80 acres of suitable habitat may be surveyed per visit. Following the USFWS protocol for the species, BonTerra Consulting Ecologist Lindsay Messett (USFWS Permit #067064-1) conducted all surveys on the project site. Surveys for the coastal California gnatcatcher were conducted on May 2, 13, 14, 30, June 6, 13 and 20, 2008.

Weather conditions met the USFWS survey protocol requirements for optimal gnatcatcher detection. Weather conditions that were too cold (below 55 degrees Fahrenheit), too hot (above 95 degrees Fahrenheit), or too windy (wind speed greater than 15 miles per hour) were avoided. Surveys were conducted by slowly walking through all appropriate habitats while listening and watching for gnatcatcher activity. A combination of taped recordings of gnatcatcher vocalizations and "pishing" sounds were used to elicit responses from any gnatcatchers present. The frequency of vocalization playback and "pishing" varied depending on conditions such as habitat patch size and topography in each area. All bird species detected during the survey were recorded, including notable observations of special status species or other birds (Appendix A).

Survey Results


No coastal California gnatcatchers were detected during the focused surveys. A complete list of wildlife species observed or detected during the surveys is included as Appendix A. No special status bird species were observed during these surveys.

BonTerra Consulting has appreciated the opportunity to assist with this project. Please contact Marc Blain or Lindsay Messett at (626) 351-2000 if you have questions or comments.

Sincerely,

BONTERRA CONSULTING



Marc T. Blain
Biological Resources Manager


Lindsay A. Messett
Ecologist

Attachments: Exhibits 1-3
Appendix A – Wildlife Compendium

Mr. Kofron
July 15, 2008
Page 4

I certify that the information in this survey report and enclosed exhibits fully and accurately present my work.


Lindsay A. Messett
Ecologist
(TE-067064-1)

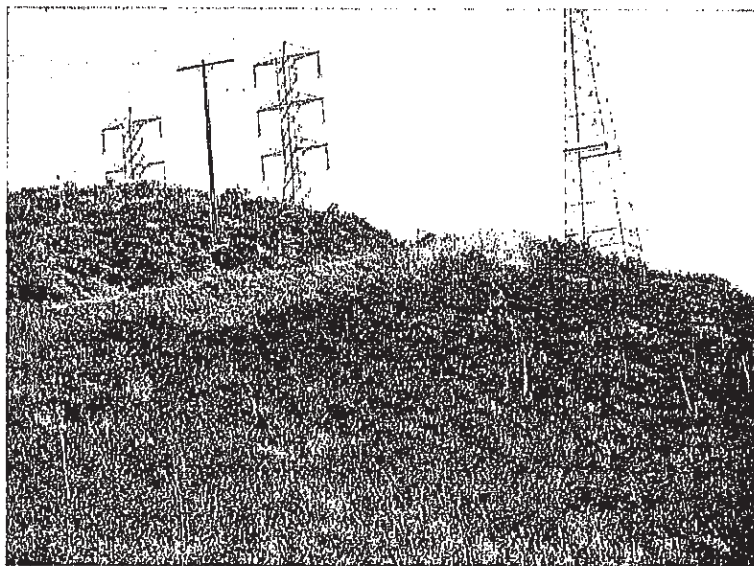
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Representative site photograph depicting coastal sage scrub vegetation within the survey area.



Representative site photograph depicting coastal sage scrub vegetation within the survey area.

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Site Photographs

Exhibit 3

Moorpark-Newbury 66-kV Transmission Line Project, Ventura County, California

Bonterra
CONSULTING

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APPENDIX A WILDLIFE COMPENDIUM

Species
Amphibians
HYLIDAE - TREEFROGS
<i>Pseudacris [Hyla] regilla</i> Pacific treefrog
Reptiles
PHRYNOSOMATIDAE - ZEBRA-TAILED, FRINGE-TOED, SPINY, TREE, SIDE-BLOTCHED, AND HORNED LIZARDS
<i>Sceloporus occidentalis</i> western fence lizard
<i>Uta stansburiana</i> side-blotched lizard
TEIIDAE - WHIPTAIL LIZARDS
<i>Aspidoscelis [Cnemidophorus] tigris stejnegeri</i> coastal western whiptail
Birds
ODONTOPHORIDAE - QUAILS
<i>Callipepla californica</i> California quail
CATHARTIDAE - NEW WORLD VULTURES
<i>Cathartes aura</i> turkey vulture
ACCIPITRIDAE - HAWKS
<i>Accipiter striatus</i> sharp-shinned hawk
<i>Buteo jamaicensis</i> red-tailed hawk
CHARADRIIDAE - PLOVERS
<i>Charadrius vociferus</i> killdeer
COLUMBIDAE - PIGEONS & DOVES
<i>Zenaidura macroura</i> mourning dove
CUCULIDAE - CUCKOOS & ROADRUNNERS
<i>Geococcyx californianus</i> greater roadrunner
APODIDAE - SWIFTS
<i>Aeronautes saxatalis</i> white-throated swift
TROCHILIDAE - HUMMINGBIRDS
<i>Calypte anna</i> Anna's hummingbird
<i>Calypte costae</i> Costa's hummingbird
PICIDAE - WOODPECKERS
<i>Melanerpes formicivorus</i> acorn woodpecker
TYRANNIDAE - TYRANT FLYCATCHERS
<i>Sayornis nigricans</i> black phoebe

WILDLIFE COMPENDIUM (Continued)

Species
<i>Myiarchus cinerascens</i> ash-throated flycatcher
<i>Tyrannus verticalis</i> western kingbird
CORVIDAE - JAYS & CROWS
<i>Aphelocoma californica</i> western scrub-jay
<i>Corvus brachyrhynchos</i> American crow
<i>Corvus corax</i> common raven
HIRUNDINIDAE - SWALLOWS
<i>Petrochelidon pyrrhonota</i> cliff swallow
AEGITHALIDAE - BUSHTITS
<i>Psaltirparus minimus</i> bushtit
TROGLODYTIDAE - WRENS
<i>Campylorhynchus brunneicapillus</i> cactus wren
<i>Catherpes mexicanus</i> canyon wren
<i>Thryomanes bewickii</i> Bewick's wren
TURDIDAE - THRUSHES & ROBINS
<i>Turdus migratorius</i> American robin
TIMALIIDAE - WRENTITS
<i>Chamaea fasciata</i> wrentit
MIMIDAE - THRASHERS
<i>Mimus polyglottos</i> northern mockingbird
<i>Toxostoma redivivum</i> California thrasher
EMBERIZIDAE - SPARROWS & JUNCOS
<i>Pipilo maculatus</i> spotted towhee
<i>Pipilo crissalis</i> California towhee
<i>Amphiphila ruficeps</i> rufous-crowned sparrow
<i>Amphispiza belli</i> sage sparrow
CARDINALIDAE - GROSBEAKS & BUNTINGS
<i>Passerina amoena</i> lazuli bunting
ICTERIDAE - BLACKBIRDS
<i>Euphagus cyanocephalus</i> Brewer's blackbird
<i>Icterus bullockii</i> Bullock's oriole

WILDLIFE COMPENDIUM (Continued)

Species
FRINGILLIDAE - FINCHES
<i>Carpodacus mexicanus</i> house finch
<i>Carduelis psaltria</i> lesser goldfinch
PASSERIDAE - OLD WORLD SPARROWS
<i>Passer domesticus</i> house sparrow *
Mammals
LEPORIDAE - HARES & RABBITS
<i>Sylvilagus audubonii</i> desert cottontail
SCIURIDAE - SQUIRRELS
<i>Spermophilus beecheyi</i> California ground squirrel
GEOMYIDAE - POCKET GOPHERS
<i>Thomomys bottae</i> Botta's pocket gopher
CANIDAE - WOLVES & FOXES
<i>Canis latrans</i> coyote
CERVIDAE - DEER
<i>Odocoileus hemionus</i> mule deer
Invertebrates
PAPILIONIDAE - SWALLOWTAIL BUTTERFLIES
<i>Papilio eurymedon</i> pale tiger swallowtail
<i>Papilio zelicaon</i> anise swallowtail
PIERIDAE - WHITES, SULFURS, & ORANGETIPS
<i>Anthocharis sara</i> Sara orangetip
<i>Pontia protodice</i> common (checkered) white
<i>Collas eurytheme</i> alfalfa butterfly (orange sulphur)
NYMPHALIDAE - BRUSH-FOOTED BUTTERFLIES
<i>Vanessa cardui</i> painted lady
DANAIDAE - MILKWEED BUTTERFLIES
<i>Danaus plexippus</i> monarch
HESPERIIDAE - SKIPPERS
<i>Pyrgus ablescens</i> western checkered skipper
* introduced species

Appendix G-2 – SCE's Response to Questions from CPUC Staff Regarding
Additional Information To Support The Project's Qualification For Exemption g

**September 2009 Email and State Laws Regarding
Brush Clearance**

{In Archive} Follow up Information on Moorpark-Newbury - Brush Clearance [Notes Link](#)

Christine McLeod to: Mulligan, Jack M. jm4

Cc: "Lukins, Chloe", Thomas.Burhenn, Beth Gaylord

Dear Jack,

This email is in follow up to your question about the claims made at the hearing on September 18, that the project as proposed would require the clearing of native brush outside of SCE's right-of-way. The claim was that current fire regulations require 100 feet of brush clearing from the base of the poles, which would include 40 feet outside of Edison's right-of-way, and your question was, "*Would the proposed facilities require the clearing of vegetation outside of Edison's right-of-way?*"

We have discussed this concern with one of our SCE Fire Management Representatives, and have reviewed pertinent codes and regulations, as well as Ventura County Fire Department documents.

The answer to the question, "*Would the proposed facilities require the clearing of vegetation outside of Edison's right-of-way?*" is No:

- The residents are not obliged to ensure that 100 feet away from our poles/towers is cleared of brush (meaning, if we assume our poles will be 60 feet from their property line, they are not obliged to clear an additional 40 feet)
- The residents are misunderstanding and/or misrepresenting the regulations and the applicable requirements. A utility tower or pole does not fall under the definition of a "structure" in the regulations. In fact, the regulations show there are distinct requirements for electric utility facilities and the regulations show that the word "structure" is to be understood in the same context of building.

The California Public Resources Code (PRC) specifies the brush clearance for persons who own/operate/control/maintain electrical transmission or distribution lines upon any mountainous land, or forest-covered land, brush-covered land, or grass-covered land:

- The basic requirement for clearances around poles and towers is contained in PRC Section 4292. This section requires clearing of flammable fuels for a 10 foot radius from the outer circumference of certain poles and towers. Clearance requirements are based on the type of hardware affixed to the line at the pole or tower. Distances are measured horizontally, not along the surface of sloping ground.
- PRC Section 4293 specifies clearance radii for various voltages of lines. Depending on the voltage, type of line/tower (distribution vs. subtransmission vs. transmission), the radius can range between 4 - 10 feet.

In addition, the PRC specifies the brush clearance requirements for persons who own, lease, control, operate, or maintain a building or structure in, upon, or adjoining a mountainous area, forest-

covered lands, brush-covered lands, grass-covered lands, or land that is covered with flammable material.

- This section basically sets forth the defensible space homeowners or building owners should have between their homes/other building type structures.
- It states that they are to maintain no greater than 100 feet from each side of the structure (structure meaning their home or building, not a utility pole/tower structure).

Attached are the relevant PRC codes.

In addition, here is a link to the CalFire website's "Power Line Fire Prevention Field Guide", a joint document published by CalFire, the Office of State Fire Marshal, USDA Forest Service, PG&E, SCE and SDG&E. This document describes all applicable statutes and regulations relating to brush clearance (and other required clearances such as utility line clearing) for electric transmission and distribution facilities. This document also discusses clearance requirements for buildings and homes, such as the requirement mentioned above in PRC 4291.

<http://osfm.fire.ca.gov/codedevelopment/pdf/firesafetyplanning/powerline/powerlinefirepreventionguide.pdf>

CalFire also has a joint document on its website that was published in conjunction with the USDA Forest Service, Office of State Fire Marshall, and the BLM called a "Property Inspection Guide." It refers to PRC 4291 (clearances from building/residential "structures") and states as follows regarding PRC 4291: "This law was enacted to prevent fire that originates in structures or on premises to spread into forested areas. It was also created to minimize the chances of a forest fire entering into populated areas and destroying improved property and endangering human life. This document also has a table of all excerpts from State of California laws on brush clearance, etc. **You will see on this table that State Law clearly differentiates between Clearance Around Structures (meaning buildings) from Power Line Right of Way clearances:**

<http://osfm.fire.ca.gov/codedevelopment/pdf/firesafetyplanning/property/propertyinspectionguide.pdf>

Further, the Ventura County Fire Department's own documents, as well as other County of Ventura documents, clearly state that the 100 foot brush clearance requirement is a requirement relating to a property owner's (e.g. homeowner, building owner) obligation to ensure 100 feet of brush clearance from the home/building/structure (structure as in building, garage, shed, or other type of "utility" as in an auxiliary building or outhouse on a property, not as in electric utility).

Please refer to the following documents:

- **Hazards Appendix to the Ventura County General Plan** - The residents cited the Ventura County General Plan at the hearing with respect to the "100 foot requirement from structures" comments. Page 61 of this document states, "For example, Ventura County's Fire Protection District requires annual 100-foot brush clearance around structures in the chaparral /sage areas." http://www.ventura.org/rma/planning/pdf/plans/General_Plan_Hazards_Appendix.pdf
- **Ventura County Fire Department Ordinance 26** - Section H105 Clearance of Brush or Vegetative Growth from Structures states, "Any person owning, leasing, controlling, operating or maintaining any building in, upon, or adjoining any hazardous fire area, and any person owning, leasing or controlling any land adjacent to such buildings, shall at all times maintain around and adjacent to such building an effective firebreak made by removing and clearing away all combustible material for a distance not less than 100 feet from all portions of the building.." **Again, the focal point of the 100 foot clearance is FROM the building not FROM a utility tower or pole.**
<http://fire.countyofventura.org/LinkClick.aspx?fileticket=GpSPpp%2BxS1g%3D&tabid=58>

Even though electric utility transmission lines are not governed by this code, a review of the

Ventura County Building Code indicates "structures" are buildings and not utility towers/poles.
http://www.ventura.org/rma/build%5Fsafe/pdf/building_code/2007_Ventura_County_Building_Code.pdf

- States its purpose is: "The Board of Supervisors expressly finds that the purpose of this Code is to provide minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location, relocation, and maintenance of **all buildings and structures** within the County and certain equipment specifically regulated herein."
- Discusses permitting requirements for a **"building or structure"**. Throughout the document, it is clear the term structure does not apply to an electric distribution or transmission pole or tower, but rather to buildings.

Further, the County's own Zone Change application/document (*County of Ventura Discretionary Entitlement, Zone Change, and Subdivision Application Packet*) shows the intent of the 100 foot requirement is for **building owners to clear brush FROM their buildings**:
http://www.ventura.org/rma/planning/pdf/permits/Disc_Application_Packet.pdf (refer to table on page 9)

"s. Areas of vegetation removal including (but not limited to) what is required for:

(1) **Fire protection purposes. Delineate the 100' brush clearance limit line around all buildings if there is natural brush within 100' of any building.**

Delineate the limit line on adjacent lots if the 100' zone crosses a lot line.

(2) Buildings and structures.

(3) Landscaping"

Please let me know if this answers your questions.

Thanks,
Christine McLeod
Project Manager - Regulatory Affairs
Regulatory Policy & Affairs Dept.
Southern California Edison
2244 Walnut Grove Avenue, Quad 3D, 388L
Rosemead, CA 91770
Phone (626) 302-3947 (PAX 23947)
Fax (626) 302-4332 (FAX 24332)

"Mulligan, Jack M." <jm4@cpuc.ca.gov>

09/21/2009 12:21 PM

To <Christine.Mcleod@sce.com>, <Thomas.Burhenn@sce.com>
cc "Lukins, Chloe" <clu@cpuc.ca.gov>
Subject RE: Article Regarding Friday's Hearing

Good Morning Christine and Tom,

Thanks for following through on your presentation at the meeting last Friday. I thought that the Southern California Edison Company addressed each of the issues that the Commission requested be addressed.

I wanted to follow up with you regarding one of the comments raised at the hearing. There was a claim

that the project as proposed would require the clearing of native brush outside of SCE's right-of-way. The claim was that current fire regulations require 100 foot of brush clearing from the base of the poles, which would include 40 feet outside of Edison's right-of-way. Would the proposed facilities require the clearing of vegetation outside of Edison's right-of-way?

Regards,

Jack Mulligan

Staff Attorney
California Public Utilities Commission

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CALIFORNIA CODES
PUBLIC RESOURCES CODE
SECTION 4291-4299

4291. (a) A person who owns, leases, controls, operates, or maintains a building or structure in, upon, or adjoining a mountainous area, forest-covered lands, brush-covered lands, grass-covered lands, or land that is covered with flammable material, shall at all times do all of the following:

(1) Maintain defensible space no greater than 100 feet from each side of the structure, but not beyond the property line unless allowed by state law, local ordinance, or regulation and as provided in paragraph (2). The amount of fuel modification necessary shall take into account the flammability of the structure as affected by building material, building standards, location, and type of vegetation. Fuels shall be maintained in a condition so that a wildfire burning under average weather conditions would be unlikely to ignite the structure. This paragraph does not apply to single specimens of trees or other vegetation that are well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to a structure or from a structure to other nearby vegetation. The intensity of fuels management may vary within the 100-foot perimeter of the structure, the most intense being within the first 30 feet around the structure. Consistent with fuels management objectives, steps should be taken to minimize erosion.

(2) A greater distance than that required under paragraph (1) may be required by state law, local ordinance, rule, or regulation. Clearance beyond the property line may only be required if the state law, local ordinance, rule, or regulation includes findings that such a clearing is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite the structure, and there is no other feasible mitigation measure possible to reduce the risk of ignition or spread of wildfire to the structure. Clearance on adjacent property shall only be conducted following written consent by the adjacent landowner.

(3) An insurance company that insures an occupied dwelling or occupied structure may require a greater distance than that required under paragraph (1) if a fire expert, designated by the director, provides findings that such a clearing is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite the structure, and there is no other feasible mitigation measure possible to reduce the risk of ignition or spread of wildfire to the structure. The greater distance may not be beyond the property line unless allowed by state law, local ordinance, rule, or regulation.

(4) Remove that portion of any tree that extends within 10 feet of the outlet of a chimney or stovepipe.

(5) Maintain any tree, shrub, or other plant adjacent to or overhanging a building free of dead or dying wood.

(6) Maintain the roof of a structure free of leaves, needles, or other vegetative materials.

(7) (a) Prior to constructing a new building or structure or rebuilding a building or structure damaged by a fire in an area subject to this section, the construction or rebuilding of which requires a building permit, the owner shall obtain a certification from the local building official that the dwelling or structure, as proposed to be built, complies with all applicable state and local

building standards, including those described in subdivision (b) of Section 51189 of the Government Code, and shall provide a copy of the certification, upon request, to the insurer providing course of construction insurance coverage for the building or structure. Upon completion of the construction or rebuilding, the owner shall obtain from the local building official, a copy of the final inspection report that demonstrates that the dwelling or structure was constructed in compliance with all applicable state and local building standards, including those described in subdivision (b) of Section 51189 of the Government Code, and shall provide a copy of the report, upon request, to the property insurance carrier that insures the dwelling or structure.

(b) A person is not required under this section to manage fuels on land if that person does not have the legal right to manage fuels, nor is a person required to enter upon or to alter property that is owned by any other person without the consent of the owner of the property.

(c) (1) Except as provided in Section 18930 of the Health and Safety Code, the director may adopt regulations exempting a structure with an exterior constructed entirely of nonflammable materials, or, conditioned upon the contents and composition of the structure, the director may vary the requirements respecting the removing or clearing away of flammable vegetation or other combustible growth with respect to the area surrounding those structures.

(2) An exemption or variance under paragraph (1) shall not apply unless and until the occupant of the structure, or if there is not an occupant, the owner of the structure, files with the department, in a form as the director shall prescribe, a written consent to the inspection of the interior and contents of the structure to ascertain whether this section and the regulations adopted under this section are complied with at all times.

(d) The director may authorize the removal of vegetation that is not consistent with the standards of this section. The director may prescribe a procedure for the removal of that vegetation and make the expense a lien upon the building, structure, or grounds, in the same manner that is applicable to a legislative body under Section 51186 of the Government Code.

(e) The Department of Forestry and Fire Protection shall develop, periodically update, and post on its Internet Web site a guidance document on fuels management pursuant to this chapter. Guidance shall include, but not be limited to, regionally appropriate vegetation management suggestions that preserve and restore native species, minimize erosion, minimize water consumption, and permit trees near homes for shade, aesthetics, and habitat; and suggestions to minimize or eliminate the risk of flammability of nonvegetative sources of combustion such as woodpiles, propane tanks, wood decks, and outdoor lawn furniture.

(f) As used in this section, "person" means a private individual, organization, partnership, limited liability company, or corporation.

4291.1. (a) Notwithstanding Section 4021, a violation of Section 4291 is an infraction punishable by a fine of not less than one hundred dollars (\$100), nor more than five hundred dollars (\$500). If a person is convicted of a second violation of Section 4291 within five years, that person shall be punished by a fine of not less than two hundred fifty dollars (\$250), nor more than five hundred dollars (\$500). If a person is convicted of a third violation of Section 4291 within five years, that person is guilty of a misdemeanor and

shall be punished by a fine of not less than five hundred dollars (\$500). If a person is convicted of a third violation of Section 4291 within five years, the department may perform or contract for the performance of work necessary to comply with Section 4291 and may bill the person convicted for the costs incurred, in which case the person convicted, upon payment of those costs, shall not be required to pay the fine. If a person convicted of a violation of Section 4291 is granted probation, the court shall impose as a term or condition of probation, in addition to any other term or condition of probation, that the person pay at least the minimum fine prescribed in this section.

(b) If a person convicted of a violation of Section 4291 produces in court verification prior to imposition of a fine by the court, that the condition resulting in the citation no longer exists, the court may reduce the fine imposed for the violation of Section 4291 to fifty dollars (\$50).

4291.3. Subject to any other applicable provision of law, a state or local fire official, at his or her discretion, may authorize an owner of property, or his or her agent, to construct a firebreak, or implement appropriate vegetation management techniques, to ensure that defensible space is adequate for the protection of a hospital, adult residential care facility, school, aboveground storage tank, hazardous materials facility, or similar facility on the property. The firebreak may be for a radius of up to 300 feet from the facility, or to the property line, whichever distance is shorter.

4292. Except as otherwise provided in Section 4296, any person that owns, controls, operates, or maintains any electrical transmission or distribution line upon any mountainous land, or forest-covered land, brush-covered land, or grass-covered land shall, during such times and in such areas as are determined to be necessary by the director or the agency which has primary responsibility for fire protection of such areas, maintain around and adjacent to any pole or tower which supports a switch, fuse, transformer, lightning arrester, line junction, or dead end or corner pole, a firebreak which consists of a clearing of not less than 10 feet in each direction from the outer circumference of such pole or tower. This section does not, however, apply to any line which is used exclusively as telephone, telegraph, telephone or telegraph messenger call, fire or alarm line, or other line which is classed as a communication circuit by the Public Utilities Commission. The director or the agency which has primary fire protection responsibility for the protection of such areas may permit exceptions from the requirements of this section which are based upon the specific circumstances involved.

4293. Except as otherwise provided in Sections 4294 to 4296, inclusive, any person that owns, controls, operates, or maintains any electrical transmission or distribution line upon any mountainous land, or in forest-covered land, brush-covered land, or grass-covered land shall, during such times and in such areas as are determined to be necessary by the director or the agency which has primary responsibility for the fire protection of such areas, maintain a

clearance of the respective distances which are specified in this section in all directions between all vegetation and all conductors which are carrying electric current:

- (a) For any line which is operating at 2,400 or more volts, but less than 72,000 volts, four feet.
- (b) For any line which is operating at 72,000 or more volts, but less than 110,000 volts, six feet.
- (c) For any line which is operating at 110,000 or more volts, 10 feet.

In every case, such distance shall be sufficiently great to furnish the required clearance at any position of the wire, or conductor when the adjacent air temperature is 120 degrees Fahrenheit, or less. Dead trees, old decadent or rotten trees, trees weakened by decay or disease and trees or portions thereof that are leaning toward the line which may contact the line from the side or may fall on the line shall be felled, cut, or trimmed so as to remove such hazard. The director or the agency which has primary responsibility for the fire protection of such areas may permit exceptions from the requirements of this section which are based upon the specific circumstances involved.

4294. A clearing to obtain line clearance is not required if self-supporting aerial cable is used. Forked trees, leaning trees, and any other growth which may fall across the line and break it shall, however, be removed.

4295. A person is not required by Section 4292 or 4293 to maintain any clearing on any land if such person does not have the legal right to maintain such clearing, nor do such sections require any person to enter upon or to damage property which is owned by any other person without the consent of the owner of the property.

4296. Sections 4292 and 4293 do not apply if the transmission or distribution line voltage is 750 volts or less.

4296.5. (a) Any person or corporation operating a railroad on forest, brush, or grass-covered land shall, if ordered by the director or the agency having primary responsibility for fire protection of the area, destroy, remove, or modify so as not to be flammable any vegetation or other flammable material defined by regulation of the director to be a fire hazard on the railroad right-of-way. The director shall adopt regulations establishing fire prevention hazard reduction standards for broad geographic areas by fuel type, slope, and potential for ignition from hot or flaming exhaust, carbon particles, hot metal, burning signal devices, burning tobacco, and other similar potential sources of ignition.

(b) The order to destroy, remove, or modify vegetation or other flammable material shall specify the location of the hazard to be destroyed, removed, or modified within the right-of-way, the width of the hazard which shall not exceed the width of the right-of-way, and the time within which compliance with the order is required.

(c) The director or the agency having primary responsibility for

fire protection of the area shall allow a reasonable period of time for compliance with an order to destroy, remove, or modify vegetation or other flammable material.

4297. Upon the showing of the director that the unrestricted use of any grass-covered land, grain-covered land, brush-covered land, or forest-covered land is, in the judgment of the director, a menace to life or property due to conditions tending to cause or allow the rapid spread of fires which may occur on such lands or because of the inaccessible character of such lands, the Governor through the director, may, by a proclamation, which declares such condition and designates the area to which, and the period during which the proclamation shall apply, require that such area be closed to hunting and fishing and to entry by any person except a person that is within one of the following classes:

- (a) Owners and lessees of land in the area.
- (b) Bona fide residents in the area.
- (c) Persons engaged in some bona fide business, trade, occupation, or calling in the area and persons employed by them in connection with such business, trade, occupation, or calling.
- (d) Authorized agents or employees of a public utility entering such area for the purpose of operating or maintaining public utility works or equipment within the area.
- (e) Members of any organized firefighting force.
- (f) Any federal, state or local officer in the performance of his duties.
- (g) Persons traveling on public roads or highways through the area.

4298. The proclamation by the Governor shall be released to the wire news services in the state, and shall be published at least once in a newspaper of general circulation in each county which contains any lands covered by the proclamation. Notice of closure shall also be posted on trails or roads entering the area covered by the proclamation. The closure shall be effective upon issuance of the proclamation by the Governor. Each notice shall clearly set forth the area to be subject to closure and the effective date of such closure. The closure shall remain in full force and effect until the Governor shall by order terminate it. The notice of such termination shall follow the same procedure by which such closure was effected. The order of termination shall be effected upon issuance.

4299. A person who violates Section 4297 or 4298 is guilty of a misdemeanor and shall be punished by a fine of not less than one hundred dollars (\$100) nor more than two thousand dollars (\$2,000) or by imprisonment in the county jail for not less than 10 days nor more than 90 days or both the fine and imprisonment. All state and county law enforcement officers shall enforce orders of closure.

APPENDIX G-3

**Documents Demonstrating That The Project Has
Independent Utility, Separate From SCE's
Presidential Substation Project Which Is Under
Separate CPUC Review**

Appendix G-3: Documents Demonstrating That The Project Has Independent Utility, Separate From SCE's Presidential Substation Project Which Is Under Separate CPUC Review

**Submittals of Electric System Load Flow Information Provided By SCE
To CPUC During Late June 2009 and Early July 2009**

Original Submittal to the CPUC on 6/30/2009 is in the email below.

Christine McLeod/SCE/EIX

06/30/2009 09:32 AM

To "Michael Manka" <MManka@esassoc.com>
"Gruen, Darryl (Intern)" <darryl.gruen@cpuc.ca.gov>,
cc "Mosley, Juralynne B." <JBM@cpuc.ca.gov>, "Jennifer
Johnson" <JJohnson@esassoc.com>, "P G Scheuerman"
<pgs@starstream.net>
Subject RE: Clarifying question for tomorrow's Independent Utility
t Call.Notes Link

Mike and Lynne,

Enclosed for our call this afternoon call at 2pm are the requested load flow scenarios. We have also provided the 2009 case to provide some context about the situation this year. In addition, we have a summary table enclosed. Note, I will be in Irvine at a presentation until this afternoon, so I will have limited opportunity to respond to you until we have the call. Jack Haggemiller, Tom Burhenn, Kathryn Enright and I will be on the call.



2010 - 2011 Moopark.pdf



Moorpark2009.pdf



Table.pdf

Christine McLeod
Project Manager - Regulatory Affairs
Regulatory Policy & Affairs Dept.
Southern California Edison
2244 Walnut Grove Avenue, Quad 3D, 388L
Rosemead, CA 91770
Phone (626) 302-3947 (PAX 23947)
Fax (626) 302-4332 (FAX 24332)

"Michael Manka"
<MManka@esassoc.com>

06/29/2009 12:44 PM

To <Christine.Mcleod@sce.com>
"Gruen, Darryl (Intern)" <darryl.gruen@cpuc.ca.gov>,
cc "Mosley, Juralynne B." <JBM@cpuc.ca.gov>, "Jennifer
Johnson" <JJohnson@esassoc.com>, "P G Scheuerman"
<pgs@starstream.net>
Subject RE: Clarifying question for tomorrow's Independent Utility
t Call.

Christine
ESA will have Jen Johnson, Paul Sheuerman, and Mike Manka on the call.
Mike

Mike Manka
ESA

From: Christine.Mcleod@sce.com [mailto:Christine.Mcleod@sce.com]
Sent: Monday, June 29, 2009 11:15 AM
To: Michael Manka
Cc: Gruen, Darryl (Intern); Mosley, Juralynne B.; Jennifer Johnson; P G Scheuerman
Subject: Re: Clarifying question for tomorrow's Independent Utility Call.

Mike,

Jack is at our Irwindale facility all day on other business, but I will call him and confirm what he can put together in the morning to send over to you.

Lynne,
Is Ken Lewis going to be on the call? If so, Tom Burhenn would like to know so that he can join since Tom and Ken have been in communication about this issue as well. Please confirm who from ESA and CPUC will be on the call. Right now, it's just Jack and me from SCE.

Also, as a reminder, please review the SCE reply to protest both for details on the Moorpark-Newbury project, but also for the key arguments about Moorpark-Newbury vs. Presidential. The discussion explaining why Moorpark-Newberry and Presidential are separate projects begins on page 27.

Please note that both prongs of the improper segmentation test must be met in order for the Commission to find that there is just a single project. In this instance both prongs fail, confirming the projects are separate.

Jack and I will look forward to talking to you tomorrow.

Christine McLeod
Project Manager - Regulatory Affairs
Regulatory Policy & Affairs Dept.
Southern California Edison
2244 Walnut Grove Avenue, Quad 3D, 388L
Rosemead, CA 91770
Phone (626) 302-3947 (PAX 23947)

Fax (626) 302-4332 (FAX 24332)

"Michael Manka"
<MManka@esassoc.com>

06/29/2009 11:04 AM

To: <Christine.Mcleod@sce.com>, "Mosley, Juralynne B." <JBM@cpuc.ca.gov>,
"Gruen, Darryl (Intern)" <darryl.gruen@cpuc.ca.gov>
"Jennifer Johnson" <JJohnson@esassoc.com>, "P G Scheuerman"
cc: <pgs@starstream.net>
Subject: Clarifying question for tomorrow's Independent Utility Call.

Christine,

I exchanged some emails with our engineer in order to clarify our data needs for the Moorpark-Newbury connected action question and wanted to send you the following in advance of our call tomorrow. We are seeking the planning study results supporting the need for the Moorpark-Newbury line. In particular, the power flow modeling results which SCE is basing the project need for the Moorpark-Newbury line on, not actual metered data. For example: based on forecasted area loads without Presidential substation the expected flow on the existing line will be XXX, with the Pres sub it will be YYY. We are also seeking the same modeling data assuming the second line is built. This data will be the basis on which we make our determination of the independent utility of the Presidential Substation Project.

Thanks in advance,
Mike

Mike Manka
ESA
1425 N. McDowell Boulevard, Suite 200 (Please note suite change)
Petaluma, CA 94954
707.795-0900 | 707.795-0902 fax
mmanka@esassoc.com

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Moorpark – Newbury 66 kV Line Justification

Year	Scenario	Line Loading on the existing Moorpark-Newbury-Pharmacy 66 kV Line	Comments
2009	Base case with Moorpark-Newbury Project not in service and Presidential Substation Project not in service	102.6%	Projected load exceeds existing Moorpark – Newbury – Pharmacy 66 kV line rating. Load is at risk of being dropped if normal or above normal temperatures are experienced.
2010	Base case with Moorpark-Newbury Project not in service and Presidential Substation Project not in service	103.4%	Projected load exceeds existing Moorpark – Newbury – Pharmacy 66 kV line rating. Load is at risk of being dropped if normal or above normal temperatures are experienced.
2011	Base case with Presidential Substation Project in service and Moorpark-Newbury Project not in service	103.8%	Projected load exceeds existing Moorpark – Newbury – Pharmacy 66 kV line rating. Load is at risk of being dropped if normal or above normal temperatures are experienced. With Presidential Substation in service, the Moorpark – Newbury – Pharmacy 66 kV line remains overloaded.
2011	Base case with Presidential Substation Project in service and Moorpark-Newbury Project in service	60.8%	With the new Moorpark – Newbury 66 kV line in service, it reduces the Moorpark – Newbury- Pharmacy 66 kV line load to a level below the existing Moorpark – Newbury – Pharmacy 66 kV line rating and meets criteria.

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**Moorpark-Newbury –
Electrical System Load Flow Information – 2010-2011 Moorpark**

**THIS DOCUMENT HAS BEEN PROVIDED IN ITS ENTIRETY UNDER
SEPARATE CONFIDENTIAL COVER (3 PAGES)**

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**Moorpark-Newbury –
electrical system load information – Moorpark 2009**

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SEPARATE CONFIDENTIAL COVER (1 PAGE)**

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Moorpark – Newbury 66 kV Line Justification

Year	Scenario	Line Loading on the existing Moorpark-Newbury-Pharmacy 66 kV Line	Comments
2009	Base case with Moorpark-Newbury Project not in service and Presidential Substation Project not in service	102.6%	Projected load exceeds existing Moorpark – Newbury – Pharmacy 66 kV line rating. Load is at risk of being dropped if normal or above normal temperatures are experienced.
2010	Base case with Moorpark-Newbury Project not in service and Presidential Substation Project not in service	103.4%	Projected load exceeds existing Moorpark – Newbury – Pharmacy 66 kV line rating. Load is at risk of being dropped if normal or above normal temperatures are experienced.
2011	Base case with Moorpark-Newbury Project not in service and Presidential Substation Project not in service	104.3%	Projected load exceeds existing Moorpark – Newbury – Pharmacy 66 kV line rating. Load is at risk of being dropped if normal or above normal temperatures are experienced.
2011	Base case with Presidential Substation Project in service and Moorpark-Newbury Project not in service	103.8%	Projected load exceeds existing Moorpark – Newbury – Pharmacy 66 kV line rating. Load is at risk of being dropped if normal or above normal temperatures are experienced. With Presidential Substation in service, the Moorpark – Newbury – Pharmacy 66 kV line remains overloaded.
2011	Base case with Presidential Substation Project in service and Moorpark-Newbury Project in service	60.8%	With the new Moorpark – Newbury 66 kV line in service, it reduces the Moorpark – Newbury- Pharmacy 66 kV line load to a level below the existing Moorpark – Newbury – Pharmacy 66 kV line rating and meets criteria.

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**Moorpark-Newbury –
Requested Later Load Flow for 2011**

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SEPARATE CONFIDENTIAL COVER (1 PAGE)

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Appendix G-3: Documents Demonstrating That The Project Has Independent Utility, Separate From SCE's Presidential Substation Project Which Is Under Separate CPUC Review

June 2009 Memo From ESA



1425 N. McDowell Boulevard
Suite 200
Petaluma, CA 94954
707.795.0900 phone
707.795.0902 fax

www.esassoc.com

memorandum

date 6/30/09

to Darryl Gruen and Juralynne Mosley

from Mike Manka and Paul Scheuerman

subject Independent utility assessment for the Presidential Substation Project and Moorpark-Newbury Project.

ESA in conjunction with its engineering subconsultant (Mr. Paul Scheuerman) has conducted its assessment of the independent utility of the Presidential Substation and Moorpark-Newbury projects. Based on the *Moorpark-Newbury 66kV Line Justification* data provided by SCE to ESA on June 30, 2009 (attached), we have concluded that the two projects have independent utility.

The justification for this conclusion is based on the line loading modeling results presented for the existing Moorpark-Newbury-Pharmacy 66kV lines. The modeling results presented by SCE show no significant difference in line loading on the Moorpark-Newbury-Pharmacy 66kV line under the Presidential Substation Project scenario and the without Presidential Substation Project scenario. The data indicates the Moorpark-Newbury line loading to be essentially independent from the inclusion of the Presidential Substation. Thus the two projects do not exhibit interdependence, supporting the conclusion that the two projects are not connected.

Please feel free to call Mike Manka if you have any questions or concerns (707) 795-0908.

APPENDIX G-4

**Documents Containing Additional Information
In Response To Issues Raised By Protesting
Parties**

Appendix G-4: Documents Containing additional information In Response To
Issues Raised By Protesting Parties

**SCE's October 31, 2008 letter from Akbar Jazayeri to
Mr. Honesto Gatchalian**

October 31, 2008

Mr. Honesto Gatchalian
Energy Division
California Public Utilities Commission
505 Van Ness Avenue, 4th Floor
San Francisco, CA 94102

Re: Response of Southern California Edison Company (U338-E) to
Protests to Advice Letter No. 2272-E

Dear Mr. Gatchalian:

Pursuant to Section XIII of California Public Utilities Commission (Commission or CPUC) General Order (GO) 131-D, Southern California Edison Company (SCE) hereby provides its response to the protests to SCE's Advice Letter No. 2272-E (Protests).

I.
INTRODUCTION

On October 2, SCE provided notice and filed Advice Letter No. 2272-E stating that its Moorpark-Newbury 66 kV Subtransmission Line project (Project) is exempt from the requirements of Section IX of GO 131-D pursuant to Section III.B.1.g. (Exemption g.). This exemption states that compliance with GO 131-D, Section IX.B. (requiring a utility to apply for a permit to construct from the Commission) is not required for: "power line facilities or substations to be located in an existing franchise, road-widening setback easement, or public utility easement;"

SCE received numerous protests during the 20 day protest period which closed on October 22, 2008, and several late-filed protests.¹ Due to the large volume of protests received, the Commission granted SCE an extension, beyond the normal 5 day period, to respond to the Protests.

¹ A complete list of the Protests received by SCE is attached as Attachment A. The majority of the Protests were an identical form letter referred to herein as the "Supple Protest".

October 31, 2008

Page 2

Mr. Honesto Gatchalian

Following receipt of SCE's response, the Executive Director of the Commission, upon consultation with the Energy Division (formerly CACD), must issue an Executive Resolution either granting or denying the Protest. (GO 131-D, Section XIII.) The narrow issue to be decided by the Executive Director is whether the Protests state a valid reason to believe that either: (1) SCE has incorrectly applied for an exemption pursuant to Section III. of GO 131-D, or (2) the conditions described in Section III.B.2 of GO 131-D exist (GO 131-D, Section XIII.) In this response, SCE demonstrates that the Protests fail to satisfy these criteria and therefore should be dismissed.

II. THE PROTESTS FAIL TO MEET THE REQUIREMENTS OF SECTION XIII OF GO 131-D

A protest must be dismissed by the Executive Director if the entity filing the protest fails to state a valid reason to believe that the utility has incorrectly applied an exemption as defined in Section III or any of the conditions described in Section III.B.2. exist (GO 131-D, Section XIII.)

A. SCE Correctly Applied Exemption g. To The Permit To Construct Requirement For The Project.

SCE correctly applied an exemption to the permit to construct requirement for the Project. Exemption g. provides that an electric public utility is not required to obtain a permit to construct from the Commission prior to constructing "power line facilities or substations to be located in an existing franchise, road-widening setback easement, or public utility easement; . . ."

The Project consists of the construction of a 66 kilovolt (kV) subtransmission line to address a base case overload condition on the Moorpark tap of the existing Moorpark-Newbury-Pharmacy 66 kV subtransmission line. The new Moorpark-Newbury 66 kV subtransmission line will be constructed between SCE's Moorpark Substation, located at the northwest corner of Gabbert Road and Los Angeles Avenue in the City of Moorpark, and SCE's Newbury Substation, located at 1295 Lawrence Drive in the City of Thousand Oaks. Advice Letter No. 2272-E, filed by SCE, as well as SCE's Notice of Proposed Construction, state:

"The project, which will involve both the construction of new facilities and replacement and reconductor of existing facilities, is approximately 9 miles in length, and will traverse portions of the City of Moorpark, unincorporated areas of Ventura County, and

the City of Thousand Oaks, all within existing easements, rights-of-way (ROW) and SCE fee-owned property."

Since the Project is to be constructed in existing SCE fee-owned rights-of-way, property and easements, the Project qualifies for the exemption pursuant to Section III.B.1.g. (absent the conditions specified in CEQA Guidelines § 15300.2, discussed in Section II.C. below).

B. The Protests Fail To State A Valid Reason To Believe That SCE Has Incorrectly Applied An Exemption To The Permit To Construct Requirement

Identical protests filed by Alan and Peggy Ludington, Steven and Marie Smith, Renee and Eric Weider, and Donald and Phoebe Thomas, (collectively, the "Ludington Protest"), a protest filed by Danalynn Pritz and a protest filed by the City of Moorpark, allege that the project is not entitled to Exemption g. status. However, none of these Protests state a valid reason to believe that SCE has incorrectly applied Exemption g. to the Project.

1. The Ludington Protest Fails To Allege A Valid Reason To Believe SCE Incorrectly Applied Exemption g. To The Project.

The Ludington Protest alleges that the Project is not entitled to Exemption g. status because "[c]onstructing a subtransmission power line facility in the shadow of a 220 kV transmission line creates hazards . . . not contemplated in the granting of exemption under Section III.B.1." This statement is incorrect. For a portion of the Project, SCE proposes to construct the new Moorpark-Newbury 66 kV line adjacent to existing 220 kV lines. Contrary to the Ludington Protest assertion, a standard electric facility siting practice in the State of California is to co-locate electric lines, of the same or different voltages, in the same right-of-way. This practice is consistent with the policy of the Commission, as reflected in the Garamendi Principles (SB 2431, Chapter 1457, Statutes of 1988, Garamendi), to encourage use of existing rights-of-ways when construction of new lines is required.

Co-locating electric facilities in the same right-of-way maximizes the use of utility property and minimizes the potential environmental impacts that could be caused if each line were to be constructed in a separate right-of-way. Additionally, co-locating transmission and subtransmission lines in the same right-of-way does not create any additional hazards. As required by the CPUC, SCE designs and constructs its overhead transmission, subtransmission and distribution facilities to meet or exceed the requirements of General Order 95 (GO 95), Rules for Overhead Electric Line Construction. GO 95 establishes the minimum design and construction requirements, including necessary clearance requirements between lines, for overhead electric facilities within the State of California. In addition to the requirements of GO 95, SCE utilizes other applicable industry standards in the design of its overhead electric facilities. The Project will meet or exceed the requirements of GO 95 and these other applicable industry standards.

2. The Pritz Protest Fails To Allege A Valid Reason To Believe SCE Has Incorrectly Applied Exemption g. To The Project.

The Protest filed by Danalynn Pritz (Pritz Protest) also fails to state a valid reason to believe that SCE has incorrectly applied Exemption g. to the Project. First, the Pritz Protest alleges that Exemption g. "does not appear to exempt "subtransmission" lines" because Exemption g. refers to "power line facilities," defined in GO 131-D as lines "designated to operate between 50 and 200 kV." A subtransmission line is a power line facility. Since the Moorpark-Newbury line is a 66 kV line, it is a power line designed to operate between 50 and 200 kV and is clearly subject to the exemption. Second, the Pritz Protest argues that since the Moorpark-Newbury line is a "new subtransmission line", it should be subject to the requirement to obtain a permit to construct and undergo CEQA review. The Pritz Protest fails to recognize that GO 131-D governs the construction of new, and modifications to, all electric utility facilities designed to operate above 50 kV. However, the Commission in adopting GO 131-D, recognized that certain categories of electric facility construction projects were not likely to have adverse environmental impacts and exempted these projects from the permit to construct process. (See Section III.B.1.) Since no permit to construct is required from the Commission, these projects are exempt from CEQA review. Since the Project falls squarely within the Section III.B.1.g. exemption, no permit to construct and no CEQA review are required.

3. The City of Moorpark and A-B Properties' Protests Fail To Allege A Valid Reason To Believe SCE Has Incorrectly Applied Exemption g. To The Project.

The Protests filed by the City of Moorpark and Paul Burns on behalf of AB Properties, a California General Partnership, (A-B Properties), discuss in great detail a dispute between SCE and the City of Moorpark and A-B Properties regarding the validity of an alleged access road easement across a portion of an existing SCE easement. One pole will be installed as part of the Project in the existing SCE easement approximately 150 feet away from the closest boundary of the disputed access road. The City of Moorpark's protest states that:

"SCE's reliance on exemption (g) is erroneous because SCE's right to use the SCE Easement for the Project has been and in the future may be impacted."

Additionally, both Protesters state,

"There is insufficient information available to determine whether or not the proposed construction of the 66 kV subtransmission line is in conflict with construction of the access road."

It is clear that both the City of Moorpark and A-B Properties reviewed a copy of SCE's Notice of Proposed Construction. The notice clearly identifies the names and contact information of two SCE representatives for the public to contact for additional project information. SCE did

October 31, 2008

Page 5

Mr. Honesto Gatchalian

not receive any inquiries from the City of Moorpark or A-B Properties regarding the proximity of the Project to the disputed access road. The fact is that the portion of the existing SCE easement to be utilized for the Project is not in the vicinity of the disputed access road. The single pole that will be constructed within this portion of the SCE easement will be located approximately 150 feet away from the disputed access road. Consequently, the Project will have no impact on the location of the alleged access road as identified in the City of Moorpark's Protest. Because the Project will not affect the disputed access road in any way, the Protests of the City of Moorpark and A-B Properties fail to allege a valid belief that SCE incorrectly applied Exemption g., and should be dismissed.

None of the other Protests allege that SCE incorrectly applied Exemption g. to the Project.

C. The Conditions Specified In CEQA Guidelines § 15300.2 Do Not Exist

Pursuant to GO 131-D, Section III.B.2., an exemption shall not apply when any of the following conditions specified in CEQA Guidelines § 15300.2 exist:

- a. there is a reasonable possibility that the activity may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped and officially adopted pursuant to law by federal, state, or local agencies; or
- b. the cumulative effect of successive projects of the same type in the same place, over time, is significant; or
- c. there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstance; or
- d. the project may result in damage to scenic resources; or
- e. the project is located on a hazardous waste site; or
- f. the project may cause a substantial adverse change in the significance of a historical resource.

None of the Protests makes a specific, valid claim that any of the CEQA Guidelines § 15300.2 conditions pertain to the Project. Although they do not specifically reference CEQA Guidelines § 15300.2, only the Supple and Pritz Protests use certain language from the section to support their Protests. The Supple Protest makes a general allegation that "[t]here is reasonable possibility that the proposed 66 Kilovolt Subtransmission Project or cumulative effects or unusual circumstances associated with the Project, may adversely impact the environment in the following ways:" and identifies concerns related to EMF exposure, brush fire hazard potential,

earthquake hazard, decreased property values, and threats to sensitive habitat for several local endangered species of birds. Similarly, the Pritz Protest makes a general allegation that "[t]here is a reasonable possibility that the proposed project could result in individual and cumulative significant impacts on the environment," and raises concerns regarding aesthetics, biological resources, geology, climate change, EMF and fire safety. While the "cumulative effect" and "unusual circumstance" words are referenced in the Supple and Pritz Protests, neither Protest alleges any facts or evidence to support the existence of the CEQA Guideline § 15300.2(b) and (c) conditions. SCB addresses each of the issues raised in the Supple and Pritz Protests in the context of the CEQA Guideline § 15300.2(b) and (c) conditions below. Because none of these issues qualifies as a condition specified in CEQA Guidelines § 15300.2, SCE urges the Executive Director to dismiss the Protests expeditiously so that this important project can be constructed in time to serve the electric needs of the community.

1. EMF Exposure Is Not A Sufficient Basis For A Protest.

The Supple and Pritz Protests allege that the Project will result in cumulative EMF exposure. The Commission has previously found that a protester's concern about EMF is not a valid reason to sustain a protest. The Commission addressed this issue in D.96-04-094, at p. 5:

"Concern about possible EMF exposure resulting from a project is not sufficient basis for finding that an exception under Section III.B.2(a), (b), or (c) exists. To find otherwise would be to render meaningless the Section III.B.1(g) exemption for powerline facilities to be located in an existing franchise or public utility easement because it can be argued that all powerline facilities or substations have the potential for generating EMFs. In creating G.O. 131-D, it was not our intention to create a procedure that could be used to require a utility to go through environmental review solely to address concerns about potential exposure to electric and magnetic fields generated by a proposed facility."

An integrated action plan has been developed in California in response to concerns about the potential health impacts of power frequency EMF from electric utility facilities. This plan was established by the Commission in Decision (D.)93-11-013, in adopting a policy requiring investor-owned electric utilities operating within the state to incorporate various "no-cost and low-cost" measures into the construction of new or upgraded power lines and substations, and requiring each utility to develop and publish guidelines to implement this policy. The Decision acknowledged that scientific research had not demonstrated that exposure to EMF causes health hazards and that it was inappropriate to set numeric standards that would limit exposure.

Furthermore, in 2006, the CPUC updated its EMF Policy in D.06-01-042, re-affirming that health hazards from exposure to EMF have not been established and that state and federal public health regulatory agencies have determined that setting numeric exposure limits is not

appropriate. The CPUC also affirmed that the existing 'no-cost/low-cost' precaution-based EMF policy be continued.

In accordance with the CPUC's EMF decisions, SCE will implement, among other measures, the following "no-cost and low-cost" magnetic field reduction measures for the Project:

- Use pole heights that meet or exceed the "preferred" 66 kV design criteria specified in SCE's EMF Design Guidelines.
- Use a compact pole-head configuration that creates lower magnetic fields than other designs.
- Phase circuits to reduce magnetic fields.

By implementing "no-cost and low-cost" magnetic field reduction measures, SCE attempts to reduce magnetic fields to levels lower than they would be if SCE had not considered various magnetic field reduction measures.

Comments from the Santa Rosa Valley Municipal Advisory Council ask for a review of "the increases in EMF to homes in the immediate area" because "representatives from SCE were not able to guarantee how the EMF at local residences might be affected." The City of Thousand Oaks requested similar information. However, SCE's EMF studies are not intended to predict future magnetic field levels or specific field reductions created by new electric facilities. This is due to the nature of power line magnetic fields. These fields fluctuate as the load flowing on these lines changes. Future electrical load flowing on these lines at a given time in the future cannot be predicted with accuracy due to unknown factors such as variations in day-to-day customer usage. Because load is a major input to computer models, these models cannot accurately predict future power line magnetic field levels at a given time. The Commission recognized this in D.06-01-042, stating:

"Our review of the modeling methodology provided in the utility design guidelines indicates that it accomplishes its purpose, which is to measure the relative differences between alternative mitigation measures. Thus, the modeling indicates relative differences in magnetic field reductions between different transmission line construction methods, but does not measure actual environmental magnetic fields."

SCE provides free EMF information packages and home/business measurements upon request. SCE also invites its customers to attend a workshop on EMF at its EMF Education Center located in the City of Irwindale.

2. Brush Fire and Earthquake Risks Are Not Cumulative Impacts or Unusual Circumstances Giving Rise to Significant Environmental Impacts.

The Pritz and Supple Protests claim that the Project has the potential to result in increased fire hazards because the Santa Rosa Valley experiences very strong winds during Santa Ana conditions. Additionally, the Protests allege that the Project will result in significant health and safety impacts as a result of the Project's proximity to earthquake faults. Application of CEQA Guidelines § 15300.2(c) to override an exemption involves two distinct inquiries: (1) whether the project presents unusual circumstances and (2) whether there is a reasonable possibility of a significant environmental impact due to those unusual circumstances. (Banker's Hill, Hillcrest, Park West Community Preservation Group v. City of San Diego, 130 Cal. App. 4th 249, 261 (2006).) "A negative answer to either question means the exception does not apply." (Santa Monica Chamber of Commerce v. City of Santa Monica, 101 Cal. App. 4th 786, 800 (2002).) The answer to both these questions as they pertain to the Project in the context of both fire and earthquake risk is "no". As such, the Protests must be dismissed.

a. The Project Does Not Present Unusual Circumstances.

Whether a circumstance is "unusual" is judged relative to the typical circumstances related to an otherwise typically exempt project (Id., 801.) "It is extremely likely that any SCE subtransmission project exempt from GO 131-D, Section III.B.1.g. would be constructed in a high wind/high fire area or an earthquake fault zone due to the nature of SCE's service territory. This service territory encompasses both mountainous and desert areas and with the exception of coastal areas, the vast majority of SCE's service territory contains high wind/high fire areas. In fact, almost 50 percent of Ventura County is designated by the California Department of Forestry and Fire Protection (2006) as either "Wildland Area That May Contain Substantial Fire Risks and Hazards" or "Very High Fire Hazard Severity Zone - AB 337." Approximately 1.5 miles of the southern portion of the Project passes through a Very High Fire Hazard Severity Zone. A typical exempt subtransmission project in Ventura County would have almost a 50/50 chance of being constructed in a high fire area. Given the presence of other overhead subtransmission lines throughout high wind/high fire areas within SCE's service territory, the Project does not present an "unusual" circumstance. The Commission came to this same conclusion in Resolution No. E-4165 in approving SCE's Advice Letter 2204-E which was protested on this exact "unusual circumstances" ground. The same analysis applies to earthquake fault zones. Southern California is crisscrossed by earthquake fault zones. It is very likely that a typical exempt subtransmission project in Southern California would be built in proximity to an earthquake fault zone. Therefore, the Project does not present an "unusual" circumstance because of the presence of earthquake fault zones in the area.

b. Even If "Unusual Circumstances" Were Found To Exist, There Is No Possibility Of A Significant Impact Due To Unusual Circumstances.

For purposes of the "unusual" circumstances exception "significant effect on the environment" would mean a change in the environment existing at the time of the agency's determination. (Bloom v. McGurk, 26 Cal. App. 4th 1307, 1315 (1994).) Since the baseline for determining significant impact due to unusual circumstances for the Project is existing utility

October 31, 2008

Page 9

Mr. Honesto Gatchalian

right-of-way with either existing 220 kV or 66 kV structures to which 66 kV structures will either be added or replaced, no significant or cumulative impacts as a result of the Project would occur. In fact, the Project will pose no increased fire or earthquake risk.

Additional line placement in a right-of-way is designed and engineered so that in the event of a high wind condition, the circuits maintain the same sag and swing together in the same direction. Adequate distance is maintained between lines. The lines are designed so that they do not swing into each other and cause arcing. As discussed previously, SCE designs and constructs its overhead transmission, subtransmission and distribution facilities to meet or exceed the requirements of GO 95 Rules for Overhead Electric Line Construction. SCE's wind loading criteria far exceed GO 95 requirements.

In addition, SCE participates with the California Department of Forestry and Fire Protection, the California Office of Emergency Services, the U.S. Forest Service and various city and county fire agencies in the Red Flag Fire Prevention Program. SCE also complies with California Public Resources Code §§ 4292 and 4293 related to vegetation management in transmission line corridors and has operating procedures in place for distribution lines traversing fire hazard areas.

The northern portion of the proposed Moorpark-Newbury line crosses several documented fault traces in the Las Posas Hills near Moorpark as well as additional fault traces near Thousand Oaks. SCE electric lines commonly cross active faults in many areas throughout southern California. Electric lines are designed and engineered to account for ground movement associated with crossing active faults and to minimize potential damage to structures during earthquakes. Overhead fault crossings are commonly designed to be made at oblique angles to a fault trace in order to accommodate anticipated movement along these faults. Structures (towers or poles) are placed at locations on opposite sides of the fault to accommodate anticipated future offset during a major seismic event. No significant impacts will result because of the presence of earthquake fault traces in the Project area.

3. The Project Will Not Have A Significant Effect On Aesthetics or Property Values.

The Pritz Protest claims that the construction of additional power lines will have a significant impact on scenic views and the existing visual character and quality of the sites and surroundings. According to CEQA, potential aesthetic impacts could occur if the Project was to (i) adversely impact scenic vistas or damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway, (ii) substantially degrade the existing visual character or quality of the site and its surroundings, or (iii) create a new source of substantial light or glare adversely impacting day or night-time views in the area. None of these CEQA thresholds are triggered by the Project; therefore, the Project would not result in a significant aesthetic impact.

Replacing the existing single-circuit 66 kV subtransmission line in one portion of the existing utility right-of-way with a double-circuit 66 kV line, and adding a 66 kV line to an existing right-of-way next to 220 kV lines would result in some change to the views from

neighboring properties. However, the general visual character of the area will remain unchanged since the single-circuit 66 kV line and the 220 kV lines already exist. While the Project would result in a small incremental aesthetic change, it would not substantially impact scenic vistas, damage scenic resources or degrade the existing visual character or quality of the existing line route and its surroundings. No additional sources of light or glare would be created.

Electric utility lines are present in communities throughout southern California. While there are a range of views about the advantages and disadvantages of these facilities from an aesthetic perspective, a systematic impact on property value due to proximity to utility facilities has not been established. For example, some nearby residents may value the additional open space provided by the utility right-of-way, while other residents may not share this view. In any event, converting an existing single-circuit 66 kV line to a double-circuit 66 kV line and adding the 66 kV line next to existing 220 kV lines should not noticeably change the market value or desirability of properties proximate to the right-of-way. In establishing an exemption to the permit to construct requirements for projects to be constructed completely within existing public street and utility rights-of-way, and easements, the CPUC made a determination that since these projects would be constructed within disturbed areas, these projects would not have a significant impact on the environment. Where proposed project impacts are less than significant or have been mitigated to less than significant levels, the Commission has concluded that any associated impacts on property values are unlikely to be significant. (See Jefferson-Martin 230 kV Transmission Line Project Final EIR, October 2003, pp. D.13-24.)

4. The Project Will Not Impact Sensitive Plant and Animal Species.

For purposes of claiming that an exception to Exemption g. exists for impacts to biological resources under CEQA Guidelines § 15300.2, there must be a reasonable possibility that Project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped and officially adopted pursuant to law by federal, state or local agencies. (CEQA Guidelines § 15300.2(a).) None of the Protest makes this claim. Instead, the Supple Protest alleges that the Project will threaten sensitive habitat for local endangered species of birds, including the Least Bell's vireo, and the Pritz Protest claims native chaparral will be impacted.

The Least Bell's vireo is not impacted by the Project because habitat for this species will not be affected. This species lives in dense riparian vegetation along creeks and rivers. The Project will span the Arroyo Simi and Arroyo Conejo drainages and will not affect the riparian vegetation within them, avoiding impacts to the Least Bell's vireo and their habitat. This species is not expected along the Project route and is not recorded in the California Department of Fish and Game Natural Diversity Database for the project area. The coastal California gnatcatcher is the only sensitive bird species identified as having the potential to be in the project area, due to the presence of suitable coastal sage scrub habitat. As a result, U.S. Fish and Wildlife Service protocol surveys were conducted in Spring 2008 leading to a finding that the California gnatcatchers were not present in the project area.

5. Climate Change Is Currently Not A Relevant Factor For Application Of CEQA Guidelines § 15300.2.

The Pritz Protest argues that the Project will generate greenhouse gases that will incrementally contribute to a cumulatively significant global warming impact and therefore the impact is significant. This argument runs contrary to case law that holds that it is not necessarily true that even where cumulative impacts are significant, any level of incremental contribution must be deemed cumulatively considerable. (Communities for a Better Env't v. Cal. Res. Agency, 103 Cal. App. 4th 98 (2002).) Since there is currently no State or local air district criteria for assessing the climate change impacts of projects at this time, any determination that the Project would have a significant impact on climate change is premature.

Since the Project does not result in significant cumulative impacts or present unusual circumstances, the Protests must be dismissed.

**III.
DISCUSSION OF OTHER PROTEST ISSUES**

The Protests make additional generalized allegations about the Project in the following areas: (1) Project noticing; (2) Project need; (3) Project alternatives; (4) tree removal; and (5) Project construction impacts. Although SCE addresses each of the issues raised in the Protests below, none of these issues qualifies as a condition specified in CEQA Guidelines § 15300.2.

A. Notice

Several of the Protests allege that inadequate notice was provided for the Project. SCE's noticing activities for the Project fully complied with the requirements of GO 131-D.

Section XI.B. of GO 131-D requires utilities to give notice of the construction of any project exempt pursuant to Section III, not less than 30 days before the date when construction is intended to begin by (i) mail to each county or city in which the proposed facilities would be located and the Executive Director of the California Energy Commission; (ii) advertisement in local newspapers; and (iii) posting a notice on the project site and filing an advice letter with the Energy Division [CACD]. In accordance with the Commission's General Order, notice is not required to be mailed to individual property owners.

On September 29, 2008, SCE mailed the Notice of Proposed Construction to the cities of Moorpark and Thousand Oaks, the County of Ventura, and the Executive Director of the California Energy Commission. On October 2, 2008, SCE filed Advice Letter 2272-E with the CPUC and posted its Notice of Proposed Construction in approximately 56 locations along the 9-mile Project route. The notice was printed on 11" x 14" paper laminated on both sides and stapled to wooden stakes. The Notice of Proposed Construction was also published in the

Ventura County Star on October 2, 2008, and on October 9, 2008. In addition to providing the required noticing, SCE also met and discussed the Project with the Director of the Conejo Open Space Conservation Agency (COSCA) on July 22, 2008, discussed the Project with the County of Ventura's Real Estate Services Manager on approximately August 29, 2008, and briefed the City of Moorpark Public Works Director about the Project on September 25, 2008.

B. Project Need

Several Protests question the need for the Project. The Project is not needed to address future possible overload conditions. Rather, the Project is needed to address current possible overload conditions during periods of peak customer demand. As a regulated public utility, SCE has a responsibility to maintain electric service reliability and to expand and improve its electric system infrastructure when necessary to serve its customers. SCE has determined that the electric facilities that currently serve the Project area may not have sufficient capacity to provide reliable service during periods of peak electric demand. Consequently, the Project is needed to address these reliability issues.

C. Project Alternatives

Several Protests requested that alternative locations and undergrounding the 66 kV line be evaluated. The Ludington Protest requests that the 66 kV line be constructed in a 66 kV right-of-way located 1800 feet to the west of the 220 kV right-of-way. This alternative was not selected by SCE because of cost, lack of right-of-way and reduced reliability of the 66 kV line in this location. To construct the Moorpark-Newbury 66 kV line in this right-of-way, the Moorpark-Newbury line would be added to the same poles which currently carry the Moorpark-Newbury-Pharmacy 66 kV lines. The lines would run together the entire length of the Project from Moorpark Substation to Newbury Substation. This would result in two major source lines to Newbury Substation being exposed to simultaneous outages caused by any number of circumstances both natural and man made. Normal maintenance would also be hampered by the necessity to have outages on both lines for routine maintenance. Having the lines separate for the greatest distance possible, greatly enhances reliability to Newbury Substation. In addition, right-of-way would need to be acquired to connect Moorpark Substation to the single circuit section of the Moorpark-Newbury-Pharmacy 66 kV line.

Other protesters suggested placing the 66 kV line on the west side of the existing 220 kV lines instead of on the east. This alternative was not selected by SCE because the placement of the 66 kV line on the west side of the right-of-way would require the 66 kV line to cross under the 220 kV line multiple times to enter and exit the substations. These crossings would introduce engineering, construction and engineering hurdles. In addition, utilizing both sides of the right-of-way for the 66 kV line would reduce the remaining available width of the right-of-way for future construction consideration.

It was suggested that the 66 kV line could be built on the same structures as the existing 220 kV lines. This is not a feasible alternative because the existing 220 kV towers are not

designed to accommodate a third circuit. Lastly, the City of Thousand Oaks' Protest requests consideration of undergrounding the new 66 kV lines. Undergrounding the 66 kV lines is not a viable alternative because of the steep terrain along the Project route and the proximity of earthquake fault zones. The fault zone and anticipated offset could not be accommodated by reasonable engineering designs to prevent severing of the buried subtransmission line, or to allow for rapid repairs of a ruptured underground subtransmission line in the event of an earthquake.

D. Tree Removal

Several protesters raise concerns over the potential need to remove a eucalyptus tree near Presilla Road in unincorporated Ventura County. SCE anticipates that the height and position of the tree would interfere with the construction of the Moorpark-Newbury 66 kV line. Pursuant to State Vegetation Management laws and CPUC GO 35, SCE is obligated to ensure that proper clearances exist between vegetation and power lines. Based on Section 8107-25.1 Tree Protection Regulations of the Ventura County Non-Coastal Zoning Ordinance, Division 8, Chapter 1 of the Ventura County Ordinance Code, a eucalyptus tree is not listed on the table of protected trees, but may qualify as a heritage tree depending on its size. Before the tree is removed, SCE will obtain any applicable ministerial permits from the County for such purpose.

E. Construction Impacts

The Protest of the City of Thousand Oaks is also concerned about construction impacts occurring outside of the right-of-way specifically road grading and staging areas. An access road currently exists within and outside of the right-of-way. Additional or rehabilitated spur roads would be needed to access each new tower location. Because most of the spur roads are already in existence in disturbed areas and require rehabilitation only, impacts associated with road access are expected to be minimal. During the past few weeks, SCE has conducted various meetings and site visits with the City of Thousand Oaks Community Development Director and the COSCA Executive Director to review these conditions and address any concerns. SCE is planning to utilize Moorpark Substation as a staging area for construction equipment and materials.

IV.

HEARINGS ARE NOT APPROPRIATE OR NECESSARY

The Protests requests a hearing in this matter. GO 131-D does not require public hearings in all instances in which hearings are requested. (D.97-03-058, at p. 4.) Those protesting claimed exemptions have a less formal opportunity to seek a public hearing than do

October 31, 2008
Page 14
Mr. Honesto Gatchalian

those objecting to the granting of an application for a permit to construct. "Certainly, there is nothing in Section XIII to support a claim that [the Commission is] required to hold a public hearing simply because a hearing is requested by one protesting a utility's exemption claim." (D.97-03-058, at p. 5.) Since the Protests fail to establish adequate grounds to overturn SCE's claim of exemption, hearings on this matter are not appropriate or necessary.

V.
CONCLUSION

It is incumbent upon the party filing a protest to state "valid" reasons as to why an exemption provided by Section III of GO 131-D does not apply, or why one of the conditions specified in CEQA Guidelines Section 15300.2 applies. The protesters fail to carry this burden. As a result, the Protests must be dismissed.

Southern California Edison Company

/s/ AKBAR JAZAYERI

Akbar Jazayeri

cc: Ken Lewis -- CPUC Energy Division
Don Lafrenze -- CPUC Energy Division
Maria Salinas -- CPUC Energy Division

[Doc #1580711]

Appendix G-4: Documents Containing additional information In Response To
Issues Raised By Protesting Parties

**SCE's April 29, 2010 Response of SCE to Application of Alan and
Peggy Ludington**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE
STATE OF CALIFORNIA

Application for Rehearing of Energy Division)
Resolution E-4243 Affirming Resolution E-4225)
Related to Southern California Edison's Proposed)
Moorpark-Newbury 66kV Subtransmission Line)
Project)

A.10-04-020

[Advice Letter 2272-E
filed October 2, 2008]

RESPONSE OF SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) TO
APPLICATION OF ALAN AND PEGGY LUDINGTON, DANALYNN PRITZ, AND
DAVID J. TANNER FOR REHEARING OF RESOLUTION E-4243

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Dated: April 29, 2010

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

Application for Rehearing of Energy Division)
Resolution E-4243 Affirming Resolution E-4225)
Related to Southern California Edison's Proposed)
Moorpark-Newbury 66kV Subtransmission Line)
Project)

A. 10-04-020

Advice Letter 2272-E
filed October 2, 2008]

**RESPONSE OF SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) TO
APPLICATION OF ALAN AND PEGGY LUDINGTON, DANALYNN PRITZ, AND
DAVID J. TANNER FOR REHEARING OF RESOLUTION E-4243**

I.

INTRODUCTION

Pursuant to Section 16.1(d) of the California Public Utilities Commission's (Commission) Rules of Practice and Procedure, Southern California Edison Company (SCE) hereby submits its Response to the Application of Alan and Peggy Ludington, Danalynn Pritz and David J. Tanner for Rehearing of Resolution E-4243.

II.

BACKGROUND

On October 2, 2008, SCE provided notice and filed Advice Letter No. 2272-E stating that its Moorpark-Newbury 66 kV Subtransmission Line Project (Project) was exempt from the requirements of Section IX of General Order (GO) 131-D pursuant to Section III.B.1.g. (Exemption g.). This exemption states that compliance with GO 131-D, Section IX.B (requiring a utility to apply for a permit to construct from the Commission) is not required for: "power line facilities or substations to be located in an existing franchise, road-widening setback easement, or public utility easement; . . . "

SCE received numerous protests to the Advice Letter. The protests raised questions about the Project in the following areas: (1) noticing; (2) the application of Exemption g. to the Project; (3) electric and magnetic fields (EMF); (4) safety, including concerns related to wind, earthquake and potential fire hazard; (5) aesthetics and property values; (6) impacts to sensitive plant and animal species; (7) project need; (8) project alternatives; (9) tree removal; (10) climate change; and (11) project construction impacts. SCE responded to each of the claims raised in the protests on October 31, 2008 (Response to Protests). Since the protests failed to demonstrate that either: (1) SCE incorrectly applied for an exemption pursuant to GO 131-D, Section III, or (2) any of the conditions described in GO 131-D, Section III.B.2. existed which would have required SCE to file for a Permit to Construct, SCE argued that the protests should be dismissed.

Executive Director Resolution No. E-4225, dated February 24, 2009, addressed each of the claims raised in the protests and found that (i) SCE's Advice Letter 2272-E was exempt from the Permit to Construct requirements; and (ii) none of the facts alleged in the protests supported a finding that any of the exception criteria contained in GO 131-D Section III. B.2.a-c applied to the Project. Executive Director Resolution No. E-4225 dismissed the protests.

On March 24, 2009, Mr. and Mrs. Ludington appealed Executive Director Resolution No. E-4225 and on March 25, 2009, Ms. Pritz and Mr. Tanner appealed the Executive Director Resolution. (Ludington, Pritz and Tanner are collectively referred to herein as "Appellants".)

On March 11, 2010, the Commission issued Resolution No. E-4243 affirming Executive Director Resolution No. E-4225. Resolution No. E-4243 found that (1) SCE complied with the notice requirements for the proposed construction of the Project; (2) the Project is exempt from the Permit to Construct requirements; and (3) facts claimed by the Appellants do not support a finding that GO 131-D exception criteria apply to the Project. Lastly, Resolution E-4243 dismissed Appellants' appeals of Executive Director Resolution No. E-4225.

Appellants have now filed an Application for Rehearing of Resolution E-4243 dated April 13, 2010 (Application). With limited exception, the Application seeks to overturn Resolution E-4243 on all of the same grounds as were argued in the protests, in the appeals to

Executive Resolution No. E-4225 and in the Commission's public hearing held in Ventura County on September 18, 2009. Except as addressed herein, each of Appellants' arguments has been addressed by SCE in the Response to Protests and also addressed and dismissed by both the Executive Director and the Commission in Executive Director Resolution No. E-4225 and Resolution No. E-4243, respectively. Since neither the facts nor the law have changed since SCE filed the Response to Protests or since Executive Director Resolution E-4225 or Resolution No. E-4243 was issued, SCE believes these allegations have been sufficiently addressed and does not readdress them herein. Instead, SCE incorporates herein by reference, the Response to Protests, Executive Resolution E-4225 and Resolution E-4243.

The Application makes the following claims in support of rehearing that have not been previously addressed by SCE: (i) the Project exceeds the scope of the right-of-way; (ii) Exemption g. is not available because of the Project's "potential and substantial impact on historical resources"; and (iii) Commission approval of E-4243 is unlawful because SCE did not "incorporate the County's land use goals and concerns into its design and location of the [Project]". SCE refutes each of these allegations below.

III.

DISCUSSION

A. The Project Does Not Exceed The Scope Of The Right Of Way.

Appellants argue that the Project exceeds the rights granted to SCE in a condemnation order that created part of the right of way to be utilized for the Project. SCE acquired easement rights in the right of way through two condemnation orders. Although Appellants do not give a specific reference to the condemnation order they question, both condemnation orders grant SCE the following identical rights. The condemnation orders provide as follows:

There is hereby condemned to plaintiff rights of way and easements in, on, over, along and across the real property hereinafter described as Parcel 1 to construct, reconstruct, suspend, use, operate, maintain, repair, renew, relocate, enlarge, replace and

patrol, thereon and thereover, electric transmission lines consisting of lines of metal towers with the necessary foundations, crossarms, insulators, and other appurtenances...; [and] to prohibit the building or placing on said Parcel 1 of any building or structure other than farming fences . . . provided that [such facilities do not] endanger or interfere with the operation of plaintiff's aforesaid electric transmission lines;

Appellants allege that the language in the condemnation order allowing "transmission lines consisting of lines of metal towers" does not provide SCE with sufficient easement rights to construct the Project consisting of a "subtransmission" line on tubular steel poles. SCE uses this type of easement language for its rights of ways regardless of the voltage of the transmission line to be constructed within the easement. The use of the term "subtransmission" in the notice to construct conforms to the Commission's use of the term for permitting requirements but has no relevance to the acquisition of rights of way. Similarly, SCE uses the term "towers" to encompass a variety of support structures that may be utilized in the right of way including, . lattice steel towers, tubular steel poles, or H-frames. The easements SCE acquires are intended to be to be held in perpetuity and support utility operations over the long-term. It is intended that the easements will continue to serve electricity transmission and distribution operations as electrical needs change, technology advances and improvements occur over time. The condemnation orders grant SCE sufficient rights to construct the Project within the existing right of way.

The condemnation order gives SCE the right, among other things, to construct, reconstruct, maintain, operate, enlarge, improve, and repair electric transmission lines within the right of way. The plain language of the order contemplates that the facilities within the right of way will change over time and are not "fixed" as Appellants argue. The condemnation order does not contain any restrictions on the number or voltage of the transmission lines that may be placed within the right of way and no limiting language that would support a finding of an overburdening of the easement exists therein. That the County of Ventura and surrounding neighborhoods became accustomed to the existing use of the right of way has no legal bearing.

SCE's property rights are of record, and any prudent buyer reviewing the record was put on notice that the lines and the towers could increase along this corridor through express language of the easement.

The fact that certain uses are allowed in the right of way as long as they do not interfere with SCE's rights, also does not imply that the facilities are "fixed" and cannot be modified or added to. SCE consistently evaluates secondary uses of its rights of way and either consents to uses that do not interfere with SCE's easement rights or requires clearance of encumbrances that do interfere. Contrary to Appellants assertions, secondary uses of the right of way do not ripen into prescriptive easements. California Civil Code Section 1007 provides that prescriptive rights can not be gained against property "dedicated to public use by a public utility, or dedicated to or owned by the state or any public utility."

B. The Project Will Not Cause A Substantial Adverse Change In The Significance Of A Historical Resource.

Appellants present no facts to support their claim that Exemption g. is not available because of the Project's "potential and substantial impact on historical resources". In fact, the Project will not cause a substantial adverse change in the significance of a historic resource because all known historic resources will be avoided.

As with all of SCE's projects, including those exempt from the Commission's Permit to Construct requirements, SCE complies with all applicable laws and regulations to ensure protection of the environment. In 2007, SCE contracted Compass Rose Archaeological Inc. (Compass Rose) to conduct the cultural resource assessment for the Project. As part of that task, Compass Rose conducted a record search at the South Central Coastal Information Center, conducted an intensive pedestrian archaeological survey, an extended phase I archaeological investigation, and Native American consultation.

An archival review that included all cultural resource locations and investigations recorded within a one-quarter mile radius of the Project was conducted on June 11, 2007. The

following references were searched for this review: the National Register of Historic Places, California State Historic Resources Inventory, California Historic Landmarks, and California Points of Historic Interest. Based on this record search, 28 cultural resource investigations were previously conducted and five cultural resources are recorded within the Project study area. Seventeen of the investigations cross, intersect or abut the Project survey corridor. None of the investigations encountered any evidence of prehistoric or historical cultural resources in the immediate Project vicinity. The recorded prehistoric cultural resources include four lithic scatters and a habitation site with a well developed midden deposit. All are described and depicted well outside of the Project structures and avenues of approach.

The intensive pedestrian field survey covered a 100-foot wide expanse centered on the Project line route. It included all structural locations, construction lay down areas, existing access roads and spurs and corridors. Based on the archaeological field surveys, three new archaeological resources were identified.

In order to ascertain the ability for each site to yield significant information in prehistory, Compass Rose conducted an extended phase I archaeological investigation. The investigation used shovel test pits and one meter by one meter test units to observe data potential. The phase I investigation found that only one site contained sufficient archaeological information to yield significant information in prehistory. The phase I investigation determined that a hearth feature was present within a close proximity to an existing structure and could potentially be impacted by the Project. In order to avoid impacts to this site, an Environmentally Sensitive Area (ESA) was established. The ESA was based on a series of shovel test pits that resulted in negative findings. A Native American monitor was present during all ground disturbing activities.

The Native American Heritage Commission (NAHC) was consulted on the presence of documented Native American cultural resources. A response from the NAHC was received on December 13, 2007 that failed to indicate the presence of Native American cultural resources in the immediate Project area.

The following measures will be implemented during Project construction to avoid impacts to cultural resources:

- An archaeological monitor will be on site during all ground disturbing activity in the vicinity of the 3 new archaeological resources.
- A preconstruction meeting to orient construction crews to sensitive areas is required prior to any ground disturbing activity within the vicinity of the 3 sites.
- If cultural material that may yield sensitive information is uncovered during construction then all work within a 15-meter radius of the discovery shall halt until the find can be evaluated by a qualified archaeologist. If human remains are unearthed during excavation, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and distribution pursuant to Public Resources Code Section 5097.98.
- If construction is halted because of an archaeological discovery, no work shall begin within that area until written notification from a qualified archaeologist is given to the project manager or construction foreman.
- An archaeological monitoring report is required at the end of Project construction.

As a result of implementation of SCE's avoidance and mitigation plan, the Project will not cause a substantial adverse change in the significance of a historic resource because all known historic resources will be avoided.

C. SCE Did Comply With The Mandates Of GO 131-D, Section XIV.B.

Appellants argue that the Commission committed "prejudicial abuse of discretion" in passing Resolution E-4243 because SCE did not incorporate the County's land use goals and concerns into the design and location of the Project. To the contrary, SCE did design and locate the Project consistent with the land use policies of Ventura County. (See September 18, 2009 Hearing Transcript pps-3-6). Appellants are really alleging that, in accordance with GO 131-D,

Section XIV.B, SCE can only construct a project if it is approved by the local agencies.

Appellants misconstrue GO 131-D, Section XIV.B.

GO 131-D, Section XIV.B. states as follows:

This General Order clarifies that local jurisdictions acting pursuant to local authority are preempted from regulating electric power line projects, distribution lines, substations, or electric facilities constructed by public utilities subject to the Commission's jurisdiction. However, in locating such projects, the public utilities shall consult with local agencies regarding land use matters. In instances where the public utilities are unable to resolve their differences, the Commission shall set a hearing no later than 30 days after the utility or local agency has notified the Commission of the inability to reach agreement on land use matters.

Appellants' argument completely contradicts the clarifying language of Section XIV.B: "local agencies acting pursuant to local authority are preempted from regulating . . . electric facilities constructed by public utilities subject to the Commission's jurisdiction." As CPUC Decision 94-06-014 made clear, the CPUC's overriding jurisdiction is "necessary to ensure that decisions made on the basis of strictly local concerns do not impede or impair the placement of facilities necessary for the rational development of a statewide public utility system." (D.94-06-014, p.19.)

Section XIV.B requires utilities to consult local agencies on land use matters. As set forth in the Response to Protests, SCE met and discussed the Project with the Director of the Conejo Open Space Conservation Agency on July 22, 2008, discussed the Project with the County of Ventura's Real Estate Services Manager on approximately August 29, 2008, and briefed the City of Moorpark Public Works Director on September 25, 2008, all before filing Advice Letter No. 2272-E on October 2, 2008. In addition, SCE participated in the CPUC's hearing on land use matters and met several times with the County of Ventura in an attempt to resolve the land use matters. Contrary to Appellants' assertions, SCE acted in good faith throughout these discussions and provided the additional documentation requested by Mr. Tanner, not the County, to Mr. Tanner. (See March 8, 2010 email from Mr. Thomas Burhenn to

Mr. Tanner attached as Exhibit A). Unfortunately, despite SCE's repeated explanations as to why the County's and Appellants' proposed alternatives were not feasible, the County and Appellants continued to assert they were. Despite Appellants' claims, the CPUC has the legal authority to approve Resolution E-4243.

IV.

CONCLUSION

For the reasons stated herein, Appellants' Petition for Rehearing should be dismissed.

Respectfully submitted,

BETH A. GAYLORD

/s/Beth A. Gaylord

By: Beth A. Gaylord

Attorney for
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April 29, 2010

EXHIBIT A



Response to your information request, re: Moorpark-Newbury Exempt Project
03/08/2010 10:30 AM
Thomas Burhenn to: dave
Bcc: Thomas Burhenn

From: Thomas Burhenn/SCE/EIX
To: dave@earsl.com
Bcc: Thomas Burhenn/SCE/EIX
History: This message has been forwarded.

Dear Mr. Tanner,

My colleagues and I enjoyed meeting with you, other community members, and Ventura County Supervisor Linda Parks on February 19th. I am writing to respond to your request for information related to the Moorpark-Newbury exempt project.

First, regarding your question about the need for a California Department of Fish & Game Streambed Alteration Agreement (1602 Permit), we have re-confirmed with our biologist that a permit is not required, since the project will not impact drainages or associated vegetation. Further, there are no other permits needed from CDFG that would require CEQA review from that agency.

Second, you asked for information about the need for project, and asked that SCE limit its response to information that SCE is allowed to make available to the public without restriction. The information listed below (and in attachments to this email) meets those conditions and is responsive to your question:

1. SCE's Reply to Protests to the Moorpark-Newbury Advice Letter (filed October 29, 2008)
2. SCE Reply to Protests to Presidential Substation Project (A. 08-12-033) (dated March 2, 2009)
3. A table SCE provided the CPUC Energy Division in July 2009, summarizing power flow data provided to the CPUC in response to their request for information about Moorpark-Newbury and the proposed Presidential Substation Project. I have not included the detailed power flow data as it is subject to federal statutes limiting its distribution unless a Nondisclosure Agreement is executed.

Lastly, you had asked for a map of "sensitive uses" along the existing SCE right of way. After conferring with SCE's land use and mapping personnel, we have determined that we do not have a map of this ROW identifying those specific uses. However, our proposed use of taller subtransmission structures and optimal phasing to reduce magnetic fields at the edge of the right of way will ensure that the entire line route, including areas where it may be adjacent to any sensitive uses, will be in full compliance with the magnetic field policies adopted by the CPUC.

If you have any further questions please contact me.



A.08-12-023 Presidential PTC_ SCE Response to Protests.pdf SCE Reply to Protest to Advice 2272-E.pdf



MN v Pres Table Revised 7-10-09.pdf

Best regards,

Thomas A. Burhenn
Director, Regulatory Operations
Southern California Edison

General Office, Room 388q
2244 Walnut Grove Avenue
Rosemead, CA 91770
Phone 626.302.9652
Fax 626.302.4332
Thomas.Burhenn@SCE.com

CERTIFICATE OF SERVICE

I hereby certify that, pursuant to the Commission's Rules of Practice and Procedure, I have this day served a true copy of the **RESPONSE OF SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) TO APPLICATION OF ALAN AND PEGGY LUDINGTON, DANALYNN PRITZ AND DAVID J. TANNER FOR REHEARING OF RESOLUTION E-4243** on all parties identified on the attached service list(s). Service was effected by one or more means indicated below:

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Executed this 29th day of April, 2010, at Rosemead, California.

/s/Henry Romero

Henry Romero

Project Analyst

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Appendix G-4: Documents Containing additional information In Response To
Issues Raised By Protesting Parties

**SCE's June 16, 2010 Response of SCE to Motion of Alan and Peggy
Ludington**

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

Application for Rehearing of Energy Division)
Resolution E-4243)
)
)
)
)
)
)
_____)

A.10-04-020

[Advice Letter 2272-E
filed October 2, 2008]

**RESPONSE OF SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) TO
MOTION OF ALAN AND PEGGY LUDINGTON, DANALYNN PRITZ, AND
DAVID J. TANNER FOR PERMISSION TO FILE APPELLANTS' REPLY BRIEF TO
SOUTHERN CALIFORNIA EDISON COMPANY'S RESPONSE FOR REHEARING OF
RESOLUTION E-4243**

BETH A. GAYLORD

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Dated: **June 16, 2010**

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

Application for Rehearing of Energy Division)
Resolution E-4243)
)
)
)
)
)
)
_____)

A.10-04-020

[Advice Letter 2272-E
filed October 2, 2008]

**RESPONSE OF SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) TO
MOTION OF ALAN AND PEGGY LUDINGTON, DANALYNN PRITZ, AND
DAVID J. TANNER FOR PERMISSION TO FILE APPELLANTS' REPLY BRIEF TO
SOUTHERN CALIFORNIA EDISON COMPANY'S RESPONSE FOR REHEARING OF
RESOLUTION E-4243**

I.

INTRODUCTION

Pursuant to Rule 11.1 (e) of the California Public Utilities Commission's (Commission) Rules of Practice and Procedure, Southern California Edison Company (SCE) hereby submits its Response to the Motion of Alan and Peggy Ludington, Danalynn Pritz, and David J. Tanner for Permission to File Appellants' Reply Brief to Southern California Edison Company's Response for Rehearing of Resolution E-4243.

II.

BACKGROUND

On April 13, 2010, the Ludingtons, Ms. Pritz and Mr. Tanner (collectively, Appellants), filed an Application for Rehearing of Resolution E-4243 (Application) on virtually the same grounds included in their previous protests to SCE's Advice Letter No. 2272-E, their appeals of Executive Resolution No. E-4225 and their arguments made at the Commission's public hearing held in Ventura on September 18, 2009. On May 3, 2010, SCE filed its response to Appellants' Application.

On May 28, 2010, Appellants attempted to file a reply brief to SCE's response to Appellants' Application pursuant to Rule 16.1 of the Commission's Rules of Practice and Procedure (Rules). The Docket Office rejected Appellants' reply brief on the ground that Rule 16.1 does not expressly allow a party to file a reply to a response to an application for rehearing. On June 1, 2010, Appellants filed a motion for permission to file Appellants' reply brief to SCE's response to Appellant's Application and their reply brief (collectively, Motion) pursuant to Rule 11.1. For the reasons set forth below, the Commission should deny the Motion on both procedural and substantive grounds.

III.

THE COMMISSION'S RULES DO NOT ALLOW APPELLANTS TO FILE A REPLY TO A RESPONSE TO AN APPLICATION FOR REHEARING

The Rules governing the Commission's rehearing procedures are set forth in Rule 16. As the Docket Office correctly recognized in rejecting Appellants' May 28, 2010 filing, Rule 16 does not allow a party to file a reply to a response to an application for rehearing. Rule 16 clearly reflects that at some point an end to the parties' participation in the rehearing process needs to be drawn. The Commission clearly drew this end point in Rule 16 by allowing an application for rehearing and a response to be filed, and nothing more. Appellants should not now be permitted to file the same reply under Rule 11.1 that was rejected under Rule 16.1.

Permitting Appellants to do so would circumvent the Commission's rehearing procedures and lead to an endless series of party replies and responses. Appellants' Motion should be denied.

IV.

THE MOTION SHOULD BE DENIED FOR APPELLANTS' FAILURE TO IDENTIFY ANY VALID GROUNDS UPON WHICH RESOLUTION E-4243 IS UNLAWFUL OR ERRONEOUS

In the event the Commission does not deny the Motion on procedural grounds, the Motion should be dismissed as Appellants' arguments are without merit. Appellants fail to identify a single valid ground upon which Resolution E-4243 is unlawful or erroneous. Except as addressed herein, each of Appellants' arguments has been addressed by SCE in SCE's Response to Protests, and its Response to Appellants' Application and also addressed and dismissed by both the Executive Director and the Commission in Executive Director Resolution E-4225 and Resolution E-4243, respectively. Since neither the facts nor the law have changed, SCE believes that these allegations have been sufficiently addressed and does not readdress them herein. Instead, SCE incorporates herein by reference, the Response to Protests, the Response to Appellants' Application, Executive Resolution E-4225 and Resolution E-4243.

A. SCE Has Sufficient Right Of Way (ROW) Rights To Construct The Moorpark-Newbury Project (Project).

Appellants argue that SCE lacks sufficient ROW rights to construct the Project because the condemnation order that condemned certain of the ROW to SCE for transmission lines allows for the construction of pasture fencing and other structures within 50 feet of the tower footings. Therefore, Appellants argue, once a pasture fence or other permitted facility is built in the ROW, SCE can not build another electric line in the ROW in perpetuity. This argument is without merit. Appellants fail to point out that the condemnation order also provides that such permitted facilities cannot "endanger or interfere with the operation of plaintiff's aforesaid transmission lines" In the event a non-SCE use of the ROW interferes with SCE's

exercise of its rights in the ROW, which include the right to build multiple transmission lines, SCE would make arrangements to have the interfering use removed or relocated pursuant to this condemnation order provision.

B. The Project Will Have No Impact On Archeological Resources.

As discussed in great detail in SCE's Response to Appellants' Application, the Project will not cause a substantial adverse change in the significance of a historic resource (CEQA Guidelines § 15300.2) because all known historic resources will be avoided. In the event unknown resources are discovered during construction, mitigation measures will be implemented to avoid these resources. Consequently, the Project is exempt from the permitting requirements of GO 131-D, is not a "project" under CEQA, and does not require preparation of an EIR.

SCE discussed the general findings of the archeological surveys it had prepared for the Project for the first time in its Response to Appellants' Application. Why Appellants attempt to make an issue of this fact is unclear to SCE as Appellants tried for the first time in this proceeding to create an archeological impact issue in their Application. In the Application, Appellants argue that they have "raised the issue of the vast Chumash archeological resources . . . at the public hearing and again in a [sic] letters to the Commission." Contrary to these assertions, SCE has found that Appellants made no such mention of any archeological resource concerns in Appellants' October 2008 protests, November 2008 letters in response to SCE's Protest Response, March 2009 appeals of the Executive Director Resolution or June 2009 Comments on Draft Resolution E-4243. In response to the Application, which included a general reference only to potential archeological resource concerns in the "Hill Canyon" area, SCE provided extensive information about SCE's archeological surveys for the entire Project route. The existence of these surveys is not a secret, as SCE conducts archeological reviews for all of its projects. However, SCE is precluded from sharing the survey reports or detailed findings with Appellants pursuant to California Public Resources Code § 6254.10 which exempts distribution of detailed archeological site information from public disclosure to avoid the

potential for site location or site constituent details to become known to the general public and thus enhance the potential for site looting or vandalism.

C. SCE Fully Complied With All Requirements of GO 131-D.

Although not required by GO 131-D, Appellants allege that SCE somehow failed to comply with GO 131-D because SCE did not adequately respond to Appellants' requests for additional information. Appellants' list of requested information and documentation appears to have grown significantly from the filing of their Application to the filing of their Motion and is at odds with SCE's recollection and documentation of the meeting. (See March 8, 2010 email from Mr. Thomas Burhenn to Mr. Tanner attached to SCE's Response to Appellants' Application.) In fact, each of the issues for which Appellants claim they requested additional information has been addressed at some point in this proceeding by SCE or is a matter of public record.

D. CEQA Guideline § 15064 (h) (1) Is Inapplicable To The Project.

Since the Project is exempt from GO 131-D pursuant to Section III.B.1.g., no discretionary approvals are required to construct the Project. Since no discretionary approvals are required, CEQA (including CEQA Guidelines § 15064 (h)(1) is inapplicable to this Project (Pub.Res.Code § 21065). Additionally, the Commission has already determined that there is no connection between SCE's proposed Presidential Substation Project and the Moorpark-Newbury Project and that SCE's future 220 kV project is speculative. Consequently, there is no cumulative impact analysis required for greenhouse gas emissions.

V.

CONCLUSION

For the reasons stated herein, Appellants' Motion should be denied and its Application for Rehearing should be dismissed.

Respectfully submitted,

BETH A. GAYLORD

/s/Beth A. Gaylord

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CERTIFICATE OF SERVICE

I hereby certify that, pursuant to the Commission's Rules of Practice and Procedure, I have this day served a true copy of the **RESPONSE OF SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) TO MOTION OF ALAN AND PEGGY LUDINGTON, DANALYNN PRITZ, AND DAVID J. TANNER FOR PERMISSION TO FILE APPELLANTS' REPLY BRIEF TO SOUTHERN CALIFORNIA EDISON COMPANY'S RESPONSE FOR REHEARING OF RESOLUTION E-4243** on all parties identified on the attached service list(s). Service was effected by one or more means indicated below:

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Executed this **16th** day of June, **2010**, at Rosemead, California.

/s/Meraj Rizvi

Meraj Rizvi

Project Analyst

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I hereby certify that, pursuant to the Commission's Rules of Practice and Procedure, I have this day served a true copy of **APPLICATION OF SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) FOR A PERMIT TO CONSTRUCT ELECTRICAL FACILITIES WITH VOLTAGES BETWEEN 50 KV AND 200 KV: MOORPARK-NEWBURY 66 KV SUBTRANSMISSION LINE PROJECT** . Service was effected by one or more means indicated below:

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**Chief ALJ Karen Clopton
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/s/Monica L. Romero

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