

Comment Set 7
Letter from Dane and Julie Taylor dated March 20, 2004



March 20, 2004

Mr. Michael Rosauer
 California Public Utility Commission
 c/o Aspen Environmental Group
 30423 Canwood Street Suite 216
 Agura Hills, CA 91301

Mr. Rosauer:

I am totally opposed to the proposed Southern California Edison Viejo System Project. Close to 3,000 signatures have been gathered on petitions objecting to not only the proposed additional overhead lines but also the present overhead lines. These lines should be buried!!!! 7-1

From the very beginning of this project it was poorly conceived. Edison has attempted to pass the many requirements by the California Public Utility Commission---this is not acceptable. In the City of Mission Viejo's letter of transmittal and brief-- they cite example after example of Edison's failure to follow proper process and compliance with the multitude of requirements by the CPUC. In deed **Beth Gaylord Edison's lawyer even attempted--wrongly--- to block the televising of the Prehearing.** Fortunately the Administrative Law Judge dismissed Beth Gaylord's back door attempt to stop the televising of one of the most significant events for the citizens of Mission Viejo. 7-2

Both Edison and the CPUC failed to justify the Mitigated Negative Declaration. Legal brief have been filed by both the NOPE legal team and the City of Mission Viejo. 7-3

The following is an outline of the material I intend to present at the Prehearing on March 25, 2004 in the City of Mission Viejo:

Proposed Mitigated Negative Declaration

- Submitted March 2004 by Aspen Environmental Group--three times postponed Prehearings
 - Fails to recognize significant impacts of Viejo Project on Aesthetics (Appearance and Views) and Public Health (EMF Exposure)
 - Fails to identify adequate mitigation measures for Aesthetics and Public Health
 - Fails to recognize need for EIR
- 7-4

Example of SCE & CPUC lack of attention to economic issues and its impact is sited by The City of Mission Viejo in their brief to the CPUC specifically noted this delinquency. 7-5

My analysis would indicate the following:

- Viejo System Project benefits 250,000 households—but only 40,000 of those households are in a built out Mission Viejo. Communities to the East of Mission viejo benefit--and it will mean predetermined growth by Edison.
- Edison has over 4.4 Million rate payers
 - **Loss in Property Values** to the close by residents of Mission Viejo from overhead lines is **\$300 Million**

- o Potential Costs \$500 Million
- o Cost for Edison to Underground proposed lines is \$7.2 Million and that is questionable due to Edison's poor choice of routes.

That would equal \$1.63 per rate Payer.

Value to future Generation--Priceless

NOPE Requests

- The Commission should not adopt the Proposed Mitigated Negative Declaration
- The Commission should require an EIR in order that Aesthetics and Public Health mitigation can be adequately and appropriately addressed through consideration of **available undergrounding options in the existing SCE right-of-way**
- The Commission should require SCE to apply for a Certificate of Public Convenience and Necessity (CPCN) as is appropriate for the scope of the Viejo Project
- The Commission should schedule Hearings to address Environmental Impacts/Mitigation and Economic Impacts/Mitigation

7-6

CPUC Visual Perspective

- The SCE PEA and Aspen Report are inadequate to visualize the current and proposed corridor perspective
- The CPUC Administrative Law Judge and Staff are encouraged to gain a first hand personal perspective of the current significant impacts from the Mission Viejo Transmission Corridor and visualize the proposed overhead additions as the corridor goes from a wall-of-wires to a mountain-of-wires.

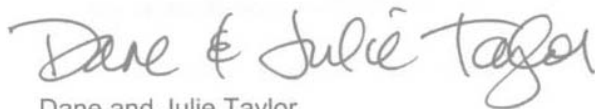
7-7

In the early 1980's there were six wires on the Edison towers. Over the years more wires and poles have been added. I was never contacted, and I doubt anyone else has been contacted by Edison while they added 14 more wires to the present Edison corridor that runs though Northwest Mission Viejo. I did not buy into these added wires--never had a say in the issue. Now Edison wants to add three more wires--with a potential capacity to add three more in the future. The present 20 wires hanging in the horizon is totally unacceptable. Twenty six wires will constitute a wall of wires--time to bury the wires.

7-8

Thank you for your time.

Very Truly Yours,



Dane and Julie Taylor

Response to Comment Set 7

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- 7-1 Comment noted.
- 7-2 Comment noted.
- 7-3 Please see responses to Comment Set 1, Letter from the City of Mission Viejo.
- 7-4 The CPUC Pre-Hearing Conference process is a formal process driven by CPUC Rule 17.1. Pre-Hearing conferences are organized by the CPUC Public Advisor's Office at the direction of presiding Administrative Law Judge for the case being reviewed. Aspen Environmental Group was not responsible for scheduling or canceling any Prehearing Conferences for the proposed project. Please see General Response GR-4 regarding aesthetic impacts, General Response GR-1 regarding EMF, and General Response GR-5 regarding Public Notification.
- Adoption of a Mitigated Negative Declaration (MND) is appropriate when the lead agency determines that any potentially significant impacts can be avoided or reduced to a less-than-significant level with mitigation measures incorporated into the project. Preparation of an EIR is only required when there is substantial evidence in the record indicating that a project may have a significant adverse impact. At this time, the CPUC's conclusion is that all potentially significant impacts can be mitigated to less-than-significant levels by measures presented in the MND. Please refer to General Response GR-6 for more information. . The public's concerns will be considered by the Commission in deciding whether to approve or deny the proposed project, but the existence of public controversy over the environmental effects of a project is not an adequate basis for a decision to prepare an EIR [CEQA Guidelines § 15064(f)(4)].
- 7-5 Potential economic effects, such as effects on property values, cannot be considered significant under CEQA (CEQA Guidelines Section 15131) and, therefore, are not addressed in the MND/IS. Please see General Response GR-2. However, such issues can be considered by the CPUC in its General Proceeding.
- 7-6 Please see response to Comment 7-4 regarding decision to prepare a MND and General Response GR-6. Please also see General Response GR-4 regarding the aesthetic impacts of the proposed project and General Response GR-1 regarding EMF. Also see General Response GR-3 regarding undergrounding within the existing right-of-way.
- A Certificate of Public Convenience and Necessity (CPCN) is not required for the proposed project. As stated in Section III of General Order No. 131-D, a Permit to Construct is required for "electric power line facilities or substations which are designed for immediate or eventual operation at any voltage between 50 kV or 200 kV or *new or upgraded substations with high side voltage exceeding 50 kV* [emphasis added]". A Permit to Construct is the appropriate approval for the proposed project. A CPCN would only be required for the project if the electric transmission line facilities were are designed for immediate or eventual operation at 200 kV or more. The new transmission line facilities associated with the proposed project are 66 kV.
- The Administrative Law Judge will determine whether public hearings are required for the proceeding.
- 7-7 Please see responses to Comments 1-9 and 1-11 regarding aesthetics impacts, as well as General Response GR-4.
- 7-8 Thank you for providing your concerns and opinions.