

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

Application of Crown Castle NG West, Inc., formerly
NextG Networks of California, Inc., (U-6745-C) for
Authority to Construct and for Deviation From Public
Utilities Code Section 320 for San Mateo County DAS
Facilities

Application No. 13-02-007

**AMENDMENT TO APPLICATION OF CROWN CASTLE NG WEST, INC. (U-6745-C)
FOR AUTHORITY TO CONSTRUCT AND FOR DEVIATION FROM PUBLIC
UTILITIES CODE SECTION 320 FOR SAN MATEO COUNTY DAS FACILITIES**

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On behalf of Crown Castle NG West, Inc.

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TABLE OF CONTENTS

	Page
I. REASON FOR AMENDMENT.....	1
II. AMENDMENTS TO APPLICATION AND SUPPORTING EXHIBITS	2
A. Amendments to Application	2
B. Amended to PEA	5
C. Amended Economic Analysis.....	6
III. CONCLUSION.....	8

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Pursuant to Rule 1.12 of the Rules of Practice and Procedure of the California Public Utilities Commission (“Commission”), Crown Castle NG West, Inc., formerly NextG Networks of California, Inc., (U-6745-C) (“Crown Castle” or “the Company”), hereby files this amendment to its application (“Application”) for authority to construct distributed antenna system facilities in San Mateo County (the “Project”), for review and approval of the Project in compliance with the California Environmental Quality Act, Public Resources Code §§ 21000 *et seq.*, (“CEQA”), and for a deviation from Pub. Util. Code § 320 for the installation of certain of the facilities above ground on existing utility poles in existing utility rights-of-way in the vicinity of portions of California State Highway 1 (“Highway 1”) that have been designated a Scenic Highway.

I. Reason for Amendment

The Project as originally proposed in Crown Castle’s initial application to the Commission was intended to expand wireless voice and broadband services provided by Crown Castle’s customer, Verizon Wireless, to an unserved/underserved rural area along a heavily traveled portions of Highway 1 in San Mateo County. In order to do so, Crown Castle proposed

to install fiber optic cable and related node equipment (antennae, extender and equipment boxes) along and within the vicinity of Highway 1, primarily above ground on an existing utility pole line from the Santa Cruz County - San Mateo County line approximately 9.3 miles north of the county line into San Mateo County.

After its initial application for the Project was filed with the Commission, Crown Castle was asked by Verizon to provide backhaul services to a cellular tower currently under construction by Verizon at 440 Pigeon Point Road from the existing Verizon macro cellular tower at 1000 Bean Hollow Road near Pescadero. In Crown Castle's initial application, this newly constructed cellular tower on Pigeon Point Road was the planned end point of proposed facilities. As a result of this expansion request, Crown Castle has revised and expanded its Project to include the necessary facilities to accommodate Verizon's request. This increases the total overall length of the Project from 9.3 miles to 14.2 miles and alters the location to include an alignment extending from the vicinity of Highway 1 to the existing cellular tower at 1000 Bean Hollow Road.

These changes in the Project require revisions to Crown Castle's pending application including: (1) several substantive, but minor revisions to Crown Castle's application; (2) revisions to the comparison of the cost of undergrounding versus above ground construction, which was filed as an exhibit to its original application; and (3) revisions to the Proponent's Environmental Assessment ("PEA") previously filed as a separate exhibit to the application.

II. Amendments to Application and Supporting Exhibits

A. Amendments to Application

In its original application, Crown Castle included a description of the Project, including the overall length and length of the portion proposed to be constructed above ground within the view shed of portions of Highway 1 that have been designated a Scenic Highway, and several

other references to the Project and supporting exhibits that require revision to properly reflect the recent expansion of the Project. The specific provisions of Crown Castle's original application that require revision and the changes that are being made by this amendment to update the application are noted below.

(1) The last sentence on page 3 continuing over to the top of page 4 of the Application should be amended to read:

To improve such services in this area, Crown Castle plans to install DAS network facilities, including fiber optic cable, antennas, nodes and related facilities along approximately ~~9.3~~ 14.2 miles of existing highway rights-of-way, primarily along Highway 1 in San Mateo County.

(2) The last sentence in the first full paragraph on page 4 of the Application should be amended to read:

Approximately ~~4.67~~ 10.1 miles of fiber optic cable will be installed above ground in the vicinity of portions of Highway 1 that have been designated a Scenic Highway.

(3) There are similar references to the length of the fiber optic cable that is proposed to be installed above ground on pages 6 and 7 of the Application. These references should also be revised to read "10.1 miles" instead of "4.67 miles."

(4) On page 5 of the Application there is a reference to the "PEA filed as Exhibit 1 to this Application." This should be amended to read:

Amended PEA filed as Exhibit 1 to this Amendment to Application.

(5) There are similar references to the PEA on pages 14 and 16 of the Application. These references should also be revised to read "Amended PEA" instead of "PEA."

(6) The third full paragraph on page 7 of the Application contains a summary of Crown Castle's economic analysis of the cost of underground versus above ground construction. The

estimates should be revised to read:

Crown Castle estimates that installing these facilities aerially would cost approximately ~~\$63,334.66~~ \$136,076.00. Crown Castle estimates that to underground the fiber optic cable in this vicinity would, in contrast, cost approximately ~~\$753,984.00~~ \$1,630,665.00.

(7) At pages 13-14 of its original application, Crown Castle included a proposed schedule. The schedule Crown Castle proposed requires updating to reflect the additional time that has been required to complete and file this amendment. In light of the minor nature of the proposed construction, absence of any significant environmental impacts that cannot be avoided or mitigated, and prior Commission precedent approving similar projects, Crown Castle still believes that the Project could potentially qualify for approval through use of an exemption from CEQA. This would permit approval of the Project prior to the end of 2013. Should the Commission determine, however, to prepare a Negative Declaration (“ND”) or Mitigated Negative Declaration (“MND”), a longer schedule would be required. Crown Castle proposes schedules addressing each of these alternatives.

SCHEDULE FOR CEQA EXEMPTION	
Amendment to Application filed	September 6, 2013
Determination of Whether Project is Exempt from CEQA or ND or MND shall be prepared	October 5, 2013
Preparation of Notice of Exemption	October 5, 2013
ALJ Proposed Decision Issued	November 5, 2013
Comments on ALJ Proposed Decision due	December 5, 2013
Commission Final Decision	December 2013

Crown Castle requests approval by the end of 2013 through use of a CEQA exemption. Should the Commission determine, however, to prepare a ND or MND, Crown Castle proposes the following schedule.

SCHEDULE FOR NEGATIVE DECLARATION or MITIGATED NEGATIVE DECLARATION	
Amendment to Application filed	September 6, 2013
Consultation with Responsible Agencies Begins	September 6, 2013
Review of PEA for Completeness	September 20, 2013
Determination of Whether ND or MND shall be prepared	September 20, 2013
Issuance of Notice of Preparation	October 4, 2013
Prehearing Conference (if needed)	October 11, 2013
Draft ND or MND issued for Comment	November 12, 2013
Comments on Draft ND or MND due	December 12, 2013
Final ND or MND Issued	January 11, 2014
ALJ Proposed Decision Issued	January 25, 2014
Comments on ALJ Proposed Decision due	February 26, 2014
Commission Final Decision	February 2014

(8) Page 16 of the Application includes a list of exhibits supporting the application. The references to Exhibit 1 and Exhibit 2 should be revised to reference the Amended PEA and economic analysis as noted below.

Exhibit 1 – Amended Proponent’s Environmental Assessment [Filed Separately]

Exhibit 2 – Amended Comparison of Cost of Undergrounding Versus Above Ground Construction

B. Amended to PEA

The PEA filed as a separate exhibit supporting Crown Castle’s original application was based upon the scope and location of the Project as planned at the time the application was filed. Crown Castle has revised and expanded the scope of its environmental analysis to include the recently expanded scope and location of the Project. In order to address the expanded scope and location of the Project, revisions were required throughout the PEA, including: Chapter 1,

Executive Summary; Chapter 2, Project Purpose and Need; Chapter 3, Project Description; and Chapter 4, Environmental Setting, Impacts, and Mitigation Measures. As a result, Crown Castle has prepared and is filing an Amended PEA, dated August 2013, in support of this amendment.

The analysis contained in the Amended PEA confirms the findings and conclusions in the original PEA - installing the facilities as Crown Castle proposes will have no significant impact or the environmental impact that cannot be avoided or mitigated and will not result in any damage to “trees, historic buildings, rock outcroppings,” or any other “scenic resources” within the meaning of Pub. Resources Code § 21084 (c) or CEQA Guidelines § 15300.2 (d). It also demonstrates and confirms that Crown Castle’s proposed Project is the environmentally preferred alternative.

Crown Castle requests that the Amended PEA be used by the Commission in reviewing the potential environmental impacts of the Project, in lieu of the original PEA, in order to ensure compliance with CEQA.

C. Amended Economic Analysis

Crown Castle’s original application included an exhibit summarizing its economic analysis of the cost of installing the proposed facilities undergrounding versus above ground. This exhibit was prepared in support of Crown Castle’s request for a deviation from Pub. Util. Code § 320 and was based upon the original project scope and location of the Project as planned at the time the application was filed. As envisioned at that time, Crown Castle planned to install portions of the proposed Project above ground on an existing pole line in the vicinity of portions of Highway 1 that have been designated a Scenic Highway for an aggregate distance of approximately 4.67 miles. As a result of the subsequent extension of the Project, Crown Castle 11.5 miles of the proposed Project will be within the view shed of portions of Highway 1 that have been designated a Scenic Highway. Crown Castle plans to install approximately 1.4 miles

of the proposed Project underground in this area where there are no existing utility poles. Approximately 10.1 miles will be installed above ground on existing poles in this area.

Crown Castle has revised its economic analysis of the cost of undergrounding versus the cost of installing the facilities above ground to reflect this change in the Project. Its revised economic analysis is included in an Amended Comparison of Cost of Underground Versus Above Ground Construction filed as an exhibit to this application.

The revised economic analysis confirms the conclusion in Crown Castle's original application and demonstrates that the cost of installing the facilities underground significantly exceeds the cost of installing them above ground and is economically infeasible. Crown Castle now estimates that installing these facilities aerially would cost approximately \$136,976.00. Crown Castle estimates that to underground the fiber optic cable in this vicinity would, in contrast, cost approximately \$1,630,665.00. This is a conservative estimate that does not take into account unusual conditions, challenging terrain or potential unforeseen delays. As a result, the underground-to-aerial cost ratio for this installation is at least 11.9 to 1.

Crown Castle requests that the Amended Comparison of Cost of Underground Versus Above Ground Construction be used by the Commission in reviewing its request for a deviation from Pub. Util. Code § 320 rather than the analysis previously filed with its original application.

In prior resolutions of the Commission on advice letters for deviations from Pub. Util. Code § 320, the Commission has held cost differentials similar to or less than the differential estimated by Crown Castle for this Project to render undergrounding economically impractical and infeasible.¹ As a result the Commission should similarly find that the proposed aerial

¹ See, e.g., *Re ExteNet Highway 35 Project*, Resolution T-17354 (7:1 ratio); *Re Sunesys UC Santa Cruz Project, 320 Deviation re Highway 9*, Santa Clara County Resolution T-17140 (Jan. 29, 2009)(12:1 ratio); *Re NextG Networks Inc./Sprint Highway 50 Project*, Resolution T-17059 (Sept. 7, 2006) (5.994:1 ratio); and *Re AT&T Deviation re Highway 89 and Highway 50, El Dorado County*, Resolution E-3975 (5:1 ratio).

installation of the fiber optic cable for this Project in this vicinity is the environmentally preferred alternative and that undergrounding the fiber optic cable is economically infeasible.

III. Conclusion

WHEREFORE, Crown Castle Networks of California, Inc., respectfully requests that the Commission: (1) grant Crown Castle authority to construct its proposed Project as set forth in this Amendment to Application and supporting exhibits, including the authority to engage in ground-disturbing FFB outside plant construction in order to deploy a fiber-fed DAS network and supporting facilities and equipment in San Mateo County, California; (2) grant Crown Castle a deviation from Pub. Util. Code § 320 authorizing Crown Castle to install facilities above ground in existing rights-of-way in the vicinity of Highway 1; and (3) approve the proposed Project in compliance with CEQA pursuant to either: (a) a categorical exemption, finding that the Project will have no potentially significant impacts on the environment and will have no significant impacts on scenic resources or, alternatively, (b) upon approval and certification of a ND or MND finding that the proposed Project will have no potentially significant impacts on the environment that cannot be avoided or mitigated.

Respectfully submitted,

/s/

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Dated: September 6, 2013

On behalf of Crown Castle NG West, Inc.

EXHIBIT 1

(A.13-02-007)

**AMENDED PROPONENT'S ENVIRONMENTAL ASSESSMENT
(August 2013)**

[Filed Separately]

EXHIBIT 1

(A.13-02-007)

**AMENDED PROPONENT'S ENVIRONMENTAL ASSESSMENT
(August 2013)**

[Original filed in Paper Form and CD Rom]

EXHIBIT 2

AMENDED COMPARISON OF COST OF UNDERGROUNDING VERSUS ABOVE GROUND CONSTRUCTION

AMENDED COMPARISON OF COST OF UNDERGROUND VERSUS ABOVE GROUND CONSTRUCTION

The proposed Project includes approximately 10.1 miles of fiber optic cable that will be installed above ground in the vicinity of portions of Highway 1 that have been designated a Scenic Highway, either on the existing pole line within the Highway 1 corridor or nearby rights of way. Crown Castle estimates that installing these facilities aerially would cost approximately \$136,976.00. This estimate is based upon an average estimated cost of installing facilities above ground on existing poles in this area of approximately \$13,562 per mile.

Crown Castle estimates that to underground the fiber optic cable in this vicinity would, in contrast, cost approximately \$1,630,665.00. This is a conservative estimate that does not take into account unusual conditions, challenging terrain or potential unforeseen delays. This estimate is based upon an average estimated cost of installing facilities underground in this area of approximately \$161,452 per mile.

The resulting cost ratio for installing the facilities underground as opposed to aerially for this installation is at least 11.9 to 1.

ATTACHMENT A

AMENDMENT TO APPLICATION – EXHIBIT LIST

AMENDMENT TO APPLICATION
EXHIBIT LIST

**Exhibit 1 – Amended Proponent’s Environmental Assessment (August 2013)
[Filed Separately]**

**Exhibit 2 – Amended Comparison of Cost of Undergrounding Versus Above
Ground Construction**