

January 10, 2002

PUC 110
X - R.00-01-005

ADVICE LETTER 1385-E
(U 902-E)

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

**SUBJECT: DRAFT ELECTRIC RULE 20 MODEL TARIFF FILED IN COMPLIANCE WITH
DECISION 01-12-009**

PURPOSE

The purpose of this filing is to submit the attached draft Rule 20, Replacement of Overhead with Underground Electric Facilities, Model Tariff in compliance with Ordering Paragraph 2 of California Public Utilities Commission (Commission) Decision (D). 01-12-009 in the Underground Rulemaking proceeding (R.00-01-005). The draft Model Tariff revises Rule 20, Sections A and B, by: (1) expanding the Rule 20A criteria to include arterial streets or major collector roads as defined in the Governor's Office of Planning and Research General Plan Guidelines (Section A.1.a.(4)), (2) allowing the use of Rule 20A funds to be used in combination with Rule 20B funds for engineering/design costs (Section B.4), and (3) allowing cities with a positive allocation balance to mortgage Rule 20A allocations up to a maximum of five years (Section A.2.e.).

SDG&E's proposed revisions to Rule 20, Sections A and B, are consistent with the revisions being proposed by Southern California Edison Company and Pacific Gas & Electric Company.¹

BACKGROUND

On January 6, 2000, the Commission issued an Order Instituting Rulemaking to look into the implementation of Assembly Bill (AB) 1149. AB 1149 requires the Commission to study ways to amend, revise, and improve the rules for the conversion of existing overhead electric and communications lines to underground service. In 2000, eight public workshops and eight public participation hearings were held throughout the state.

On December 11, 2001, the Commission adopted D.01-12-009 to revise the rules governing the State's program to convert overhead electric and communications distribution and transmission lines to underground. D.01-12-009 orders that Rule 20, Sections A and B, be expanded to include arterial streets or major collectors; allows Rule 20A funds to be used in combination with Rule 20B funds to promote more conversion projects; and allows cities to mortgage Rule 20A

¹ In D.01-12-009, footnote 18, the Commission requested a Joint Recommendation as to the Model Tariff Rule 20, but if the utilities cannot agree on a joint proposal, separate proposals will be accepted. This filing represents a Joint Recommendation by the three IOUs in this proceeding.

allocations for up to five years. In addition, the order requires the utilities to design a standardized reporting mechanism for collecting data on conversion projects; create a formalized process to improve communications between the utilities, cities, and residents; and orders update the 1996 Undergrounding Planning Guide.

EFFECTIVE DATE

SDG&E respectfully requests that this Advice Letter become effective on February 19, 2002, which is 40 calendar days after the date filed.

PROTEST

Anyone may protest this Advice Letter to the Commission. The protest must state the grounds upon which it is based, including such items as financial and service impact, and should be submitted expeditiously. The protest must be made in writing and received within 20 days of the date this Advice Letter was filed with the Commission. There is no restriction on who may file a protest. The address for mailing or delivering a protest to the Commission is:

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

Copies should also be sent via e-mail to the attention of both Jerry Royer (jjr@cpuc.ca.gov) and Honesto Gatchallian (jni@cpuc.ca.gov) of the Energy Division. It is also requested that a copy of the protest be sent via both e-mail and facsimile to the address shown below on the same date it is mailed or delivered to the Commission.

Attn: C. Richard Swanson
Regulatory Tariff Manager
101 Ash Street - HQ14D
San Diego, CA 92101-3017
Facsimile No. (619) 696-4027
E-mail: rswanson@sempra.com

NOTICE

In accordance with Section III-G of General Order 96-A, a copy of this filing has been served on the utilities and interested parties shown on the attached list, including interested parties in R.00-01-005, by either providing them a copy electronically or by mailing them a copy hereof, properly stamped and addressed.

Address changes should be directed to Martha Ulloa by facsimile at (619) 696-4027 or by e-mail to mulloa@sempra.com.

LEE SCHAVRIEN
Vice President
Regulatory Affairs

Enclosures
(cc list attached)



RULE 20

REPLACEMENT OF OVERHEAD WITH UNDERGROUND ELECTRIC FACILITIES

A. The utility will, at its expense, replace its existing overhead electric facilities with underground electric facilities along public streets and roads, and on public lands and private property across which rights-of-way satisfactory to the utility have been obtained by the utility, provided that:

1. The governing body of the city or county in which such electric facilities are and will be located has:

a. Determined, after consultation with the utility and after holding public hearings on the subject, that such undergrounding is in the general public interest for one or more of the following reasons:

(1) Such undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities;

(2) The street or road or right-of-way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic;

(3) The street or road or right-of-way adjoins or passes through a civic area or public recreation area or an area of unusual scenic interest to the general public; or

(4) The street, road, or right-of-way is considered an arterial street or major collector, as defined in the Governor's Office of Planning and Research General Plan Guidelines and identified in the mandatory circulation element of the city or county general plan pursuant to the California Government Code.

b. Adopted an ordinance creating an underground district in the area in which both the existing and new facilities are and will be located, requiring among other things, (1) that all existing overhead communication and electric distribution facilities in such district shall be removed, (2) that each property served from such electric overhead facilities shall have installed, in accordance with the utility's rules for underground service, all electrical facility changes on the premises necessary to receive service from the underground facilities of the utility as soon as it is available, and (3) authorizing the utility to discontinue its overhead service.

2. The utility's total annual budgeted amount for undergrounding within any city or the unincorporated area of any county, shall be allocated as follows:

a. The amount allocated to each city and county in 1990 shall be the highest of:

(1) The amount allocated to the city or county in 1989, which amount shall be allocated in the same ratio that the number of overhead meters in such city or unincorporated area of any county bears to the total system overhead meters; or

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Vice President
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RULE 20

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A. 2. a. (Continued)

(2) The amount the city or county would receive if the utility's total annual budgeted amount for undergrounding provided in 1989 were allocated in the same ratio that the number of overhead meters in each city or the unincorporated area of each county bears to the total system overhead meters based on the latest count of overhead meters available prior to establishing the 1990 allocations; or

(3) The amount the city or county would receive if the utility's total annual budgeted amount for undergrounding provided in 1989 were allocated as follows:

(a) Fifty percent of the budgeted amount allocated in the same ratio that the number of overhead meters in any city or the unincorporated area of any county bears to the total system overhead meters; and

(b) Fifty percent of the budgeted amount allocated in the same ratio that the total number of meters in any city or the unincorporated area of any county bears to the total system meters.

b. Except as provided in Section 2.c., the amount allocated for undergrounding within any city or the unincorporated area of any county in 1991 and later years shall use the amount actually allocated to the city or county in 1990 as the base, and any changes from the 1990 level in the utility's total annual budgeted amount for undergrounding shall be allocated to individual cities and counties as follows:

(1) Fifty percent of the change from the 1990 total budgeted amount shall be allocated in the same ratio that the number of overhead meters in any city or unincorporated area of any county bears to the total system overhead meters.

(2) Fifty percent of the change from the 1990 total budgeted amount shall be allocated in the same ratio that the total number of meters in any city or the unincorporated area of any county bears to the total system meters.

c. When a city incorporates, resulting in a transfer of utility meters from the unincorporated area of a county to the city, there shall be a permanent transfer of a prorata portion of the county's 1990 allocation base referred to in Section 2.b. to the city. The amount transferred shall be determined:

(1) Fifty percent based on the ratio that the number of overhead meters in the city bears to the total system overhead meters; and

(2) Fifty percent based on the ratio that the total number of meters in the city bears to the total system meters.

(Continued)



RULE 20

REPLACEMENT OF OVERHEAD WITH UNDERGROUND ELECTRIC FACILITIES

A. 2. c. (2) (Continued)

When territory is annexed to an existing city, it shall be the responsibility of the city and county affected, in consultation with the utility serving the territory, to agree upon an amount of the 1990 allocation base that will be transferred from the county to the city; and thereafter to jointly notify the Utility in writing.

d. However, Section 2 a, b and c shall not apply to any utility where the total amount available for allocation under Rule 20-A is equal to or greater than 1.5 times the previous year's statewide average on a per customer basis. In such cases, the utility's total annual budgeted amount for undergrounding within any city or the unincorporated area of any county shall be allocated in the same ratio that the number of overhead meters in the city or unincorporated area of any county bears to the total system overhead meters.

e. Upon request by a city or county with a positive allocation balance, the amounts allocated may be exceeded for such city or county by an amount up to a maximum of five years' allocation at then current levels where the Utility establishes that additional participation on a project is warranted and resources are available. Such allocated amounts may be carried over for a reasonable period of time in communities with active undergrounding programs. In order to qualify as a community with an active undergrounding program the governing body must have adopted an ordinance or ordinances creating an underground district and/or districts as set forth in Section A.1.b. of this Rule. Where there is a carry-over or additional requested participation as discussed above, the Utility has the right to set, as determined by its capability, reasonable limits on the rate of performance of the work to be financed by the funds carried over. When amounts are not expended or carried over for the community, to which they are initially allocated, they shall be assigned when additional participation on a project is warranted or be reallocated to communities with active undergrounding programs.

3. The undergrounding extends for a minimum distance of one block or 600 feet, whichever is the lesser.

Upon request of the governing body, the utility will pay from the existing allocation of that entity for:

a. The installation of no more than 100 feet of each customer's underground electric service lateral occasioned by the undergrounding; and/or

b. The conversion of a customer's meter panel to accept underground service occasioned by the undergrounding, excluding permit fees.

The utility or the governing body may establish a lesser allowance, or may otherwise limit the amount of money to be expended on a single customer's electric service, or the total amount to be expended on all electric service installations in a particular project.

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RULE 20

REPLACEMENT OF OVERHEAD WITH UNDERGROUND ELECTRIC FACILITIES

A. (Continued)

4. The utility may, at its sole discretion, enter into agreements with a governing body of a city or county to reduce the amount of funding for undergrounding of overhead facilities (see Form 142-1659). The governing body will, at the time of entry into the agreement, be entitled to an agreement for a minimum of one (1) year or as long as five (5) years. Upon entry into the agreement, any specific projects that the governing body and the utility have previously agreed to will not be subject to the agreement. Any expenses incurred by the utility due to performance of agreements, as set forth in this sub-section, shall be booked as normal utility expenses.

B. In circumstances other than those covered by A. above, the utility will replace its existing overhead electric facilities with underground electric facilities along public streets and roads or other locations mutually agreed upon when requested by an applicant or applicants when all of the following conditions are met:

1. a. All property owners served from the overhead facilities to be removed, first agree in writing to have the wiring changes made on their premises so that service may be furnished from the underground distribution system in accordance with the utility's rules, and that the utility may discontinue its overhead service upon completion of the underground facilities, or
- b. Suitable legislation is in effect requiring such necessary wiring changes to be made and authorizing the utility to discontinue its overhead service.

2. The applicant has:

- a. Furnished and installed the pads and vaults for transformers and associated equipment, conduits, ducts, boxes, pole bases, and performed other work related to structures and substructures including breaking of pavement, trenching, backfilling, and repaving required in connection with the installation of the underground system, all in accordance with the utility's specifications, or, in lieu thereof, paid the utility to do so;
- b. Transferred ownership of such facilities, in good condition, to the utility; and
- c. Paid a nonrefundable sum equal to the excess, if any, of the estimated costs, including transformers, meters and services, of completing the underground system and building a new equivalent overhead system.

3. The area to be undergrounded includes both sides of a street for at least one block or 600 feet, whichever is the lesser, and all existing overhead communication and electric distribution facilities within the area will be removed.

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B. (Continued)

4. The Utility may, when requested and authorized by the city or county and mutually agreed upon by such government entity and the Utility, initially fund any required engineering/design costs for conversion projects under this Section. In the event such a project proceeds, the requesting city or county shall reimburse the Utility for such engineering/design costs before the Utility shall be required to commence further work on the project. In the event the project is not approved within one year of the Utility's delivery of such engineering/design study, the requesting city or county shall upon demand reimburse the Utility for its costs of such engineering/design study. In the event a city or county does not reimburse the Utility within 90 days of its demand for reimbursement, the Utility shall be permitted to expense the costs as an operational cost and shall reduce the city or county's allocations provided under Section A of this Schedule by the like amount.

C. In circumstances other than those covered by A. or B. above, when mutually agreed upon by the utility and an applicant, overhead electric facilities may be replaced with underground electric facilities, provided the applicant requesting the change pays in advance, a nonrefundable sum equal to the estimated cost of the underground facilities less the estimated net salvage value and depreciation of the replaced overhead facilities. Underground services will be installed and maintained as provided in the utility's rules applicable thereto.

D. The term "underground electric system" means an electric system with all wires installed underground, except those wires in surface mounted equipment enclosures.

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