



## *City of St. Helena*

June 12, 2019

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

**RE: Advice 5500-E  
Late Comment from the City of St. Helena; G.O. 96-B, General Rule 7.4.  
60kV Power Line Reconductoring Project in the City of St. Helena; counties of  
Napa and Sonoma  
Request to Halt Construction within the City of St. Helena to Review and  
Investigate Project Design and Alignment**

Dear California Public Utilities Commission:

The City of St. Helena hereby requests immediate review of this comment on the above referenced project as it relates to the power lines within the City. This comment is submitted pursuant to General Order 96-6, General Rule 7.4.4. The City also requests that the CPUC order PG&E to immediately halt construction within the City while the parties meet, discuss and potentially revise the Project description and alignment to reduce both long and short term adverse safety, neighborhood and aesthetics impacts to the City and its property owners.

The City submits this comment because of facts and circumstances recently discovered that change or modify the project without any notice to the City and the impacted property owners. While PG&E came to the City Council on the next to last day of the comment period and described this Project, it failed to disclose the actual scope of this project, the fact that it intended to add one or more new poles and that at least one of these poles is slated to be constructed in the center of a small single family backyard. No mailed or actual notice was given to this property owner or to the City of the scope and size and location of this electric line. PG&E failed to evaluate and mitigate the adverse impacts of this line which apparently will be entirely rebuilt through the City, rather than reconducted.

The City fully understands the need for increased wildfire and safety improvements, including the restoration of electricity capacity to the City of Calistoga. However, the City strongly believes that these goals should and can be attained; but they should not be attained at the expense of other homeowners' safety and security.

These newly discovered facts raise serious concerns related to:

(1) Lack of Adequate and Accurate Notice: The scope and content of the notice provided to the City was inadequate and incomplete. Two different versions of notices associated with 5500-E with the same date were apparently published at different times with changes to the project description. However, PG&E neither disclosed that the project description had changed nor provided any additional comment time to respond to the changes. PG&E did not provide an adequate description of the size and scope of the Project, particularly with respect to the location of additional pole(s) or the type and height of replacement and new poles. In fact, it is the City's understanding that the project design changed after the PG&E Project Manager provide the City Council with an informational update at its April 9, 2019 City Council meeting the evening before the conclusion of the provided comment period. In addition, PG&E did not notify in writing the impacted property owners, many of whom own single family houses that will be significantly impacted by the new larger and higher poles. The first notice given to the homeowner that a new metal pole was to be installed in the approximate center of their small backyard was provided by a PG&E subcontractor in early June, months after the comment period closed. The homeowners had no notice that their property was to be significantly and directly impacted with a brand new pole.

(2) The Project is not exempt because it does not meet the CPUC General Order 131-D, Section III, Subsection B.1 exemption:

Contrary to the Advice 5500-E assertion, this Project as it traverses St. Helena is not in a road-widening setback, a franchise area or an existing public utility easement nor within any recorded easement area. The Project is not in a utility corridor that has been analyzed in a final CEQA document, such as a Negative Declaration or final EIR.

Further, the Project description that states that this project is a "Reconductoring" project rather than a complete revamping and re-building of this line, with new poles, added pole(s), additional height of poles and, potentially, with the long term ability to increase the load carrying capacity of this line. The Project should be accurately named in this proceeding and PG&E should be required to accurately describe the full set of modifications and changes proposed for this line within the City and alternatives to this Project and obtain the permits necessary for this Project and, since the Project is not exempt, obtain all permits necessary to construct under CPUC Rules.

(3) Environmental and Aesthetic Impacts on the City and the Impacted Properties: PG&E's description of the proposed project received during the comment period failed to disclose the environmental and aesthetic impacts of the project with respect to the Project's alignment, and the size and height of the proposed poles and steel structures for the line. As now disclosed, new and additional pole(s) are proposed. In many cases this alignment currently runs not only along single family residential back property lines but also across these residential properties. No attempt has been made to reduce or eliminate the impacts of the new replacement and additional pole(s) on these properties, or explore safer long-term options. In addition, there was no analysis of undergrounding any portion of line through the impacted areas or relocating the line into the



road rights of way. The adverse visual impact on the Project with the new and additional poles increasing in height up to 35 feet higher than existing is significant and there is no analysis of whether this increased height is necessary or appropriate to the locations. Further there is no analysis of the additional proposed pole(s) – where they will be located and the impacts on property owners and the City from the new pole(s). There is similarly no detail regarding whether the replacement posed will be “lattice steel structures” or “tubular steel poles. Any one of the above changes will have a serious adverse impact on the City and on the neighborhoods through which this electric line traverses. The City and its property owners should have received an in-depth description of the Project, alternatives reviewed by PG&E, and potential modifications or changes to the Project to improve safety and reduce or mitigate adverse visual and aesthetic impacts.

(4) Apparent Lack of Legal Authority to Increase the Number of Poles on the Line: Newly disclosed documents raise serious concerns regarding whether the new pole(s) proposed are permitted under existing easements. A copy of one apparently unrecorded easement appears to prohibit new poles without the property owners’ written consent. This document was not produced by PG&E to the property owner until a few days ago. It is unclear what PG&E’s and the property owners’ legal rights are within the proposed alignment. PG&E should not be permitted to proceed with construction until PG&E has clearly established the legal right to proceed in the matter proposed.

(5) Failure to Consider Alternatives to the Project within the City: PG&E did not engage the City or the public and impacted property owners in considering and potentially adopting alternatives to the Project, such as undergrounding portions of the project or changes in alignment to mitigate impacts of the significant increase in the size and height of the poles on single family dwellings and other existing structures within the City.

The City believes that this Project did not and does not meet the requirements for exemption from CPUC permitting requirements and the Project description was not accurate because it failed to disclose important parts of the Project such as new pole(s) and the Project description changed with no notice to affected parties, including the City. The Project has not considered mitigation measures including undergrounding or even slight alignment modifications that would greatly reduce the environmental and monetary impacts of this project and would be comparatively easy to accomplish.

While there is reason to proceed with safety improvements, there are no reasons to push through a project with an estimated life of over 100 years in a manner that will cause significant adverse impacts of the City and its residents. There is a reasonable possibility that the Project will have a significant effect on the environment due to the fact that this is an expanded project within an urban area and will have significant adverse impacts on aesthetics. In addition, the size and magnitude of the Project may adversely impact the land uses within the alignment area, and have the impact of property owners being unable to use and improve their properties for their current residential or commercial uses on areas adjacent to the proposed alignment. This will have blighting impacts on the area and increase pressures to change the land uses in the impacted

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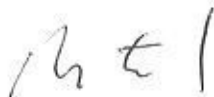
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areas in ways that are inconsistent with the City's current General Plan. Finally, there are also newly discovered documents that indicate that PG&E does not have the legal right under its easements to add pole(s) to this corridor without the consent of the current property owners.

The City requests that the CPUC issue an appropriate order to halt construction of this line through the City so that PG&E can provide adequate notice and an opportunity to review and potentially change or modify the alignment and design prior to commencing construction within the City.

We believe that evidentiary hearings may be necessary to resolve factual disputes related to this project including but not limited to (1) whether the lack of adequate and accurate notice requires a new project description and a new notice period; (2) the Project was exempt under CPUC Rules; (3) whether adequate notice was provided to property owners with sufficient time to respond; (4) whether PG&E has adequate property or easement rights to proceed; (5) whether the increased height and the increased number of pole(s) require an environmental review; and (6) whether PG&E was required to analyze alternative alignments or designs to mitigate adverse impacts on the environments, the City and the property owners, including safety, health, aesthetic and visual impacts.

With kind regards,



Mark T. Prestwich  
City Manager  
City of St. Helena

cc: CPUC Commissioners  
State Senator Bill Dodd  
Assembly Member Cecilia Aguilar-Curry  
Napa County Board of Supervisors  
David T. Kraska, Attorney, Law Department, PG&E  
Erik Jacobson, Director, Regulatory Relations, PG&E c/o Megan Lawson  
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City of St. Helena City Council