

MOTION BY SUPERVISOR ZEV YAROSLAVSKY

April 6, 2010

Southern California Edison customers currently have the option of requesting that new electrical distribution equipment be placed underground at the customer's expense. However, over one year ago Edison asked the California Public Utilities Commission (PUC) to eliminate this long-standing customer option and to additionally allow existing underground equipment to be relocated aboveground during planned maintenance or capacity upgrades. These requests were strenuously opposed by several state legislators, the county and many local governments because of concerns that placing equipment above ground without adequate land use and aesthetic controls could blight our neighborhoods and prevent the reasonable exercise of local control over public rights of way. The county therefore decided to formally oppose the proposed rule change unless appropriate changes were made.

In light of these concerns, the County, Southern California Edison, other local governments, and PUC staff engaged in months of intense discussions over these critical issues. These negotiations ultimately resulted in the County and Southern

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California Edison agreeing to language that—if adopted by the PUC—would be sufficient to cause the County to remove our opposition to Edison’s requested rule change. Accordingly, on January 15th the Board of Supervisors sent a 5-signature letter to the PUC notifying them of this negotiated agreement and, along with Edison, provided the mutually agreed upon language for the PUC’s reference.

On March 23rd, PUC staff issued a draft resolution granting major portions of Edison’s request. While the draft language is an improvement over Edison’s original proposal, the draft resolution issued by PUC staff still fails to incorporate either the language or several key substantive elements of the agreement reached by the County and Edison. Among other concerns, the draft language does not provide adequate assurances that Edison will comply with local land use laws and, in many cases, it would arguably continue to allow Edison to relocate underground equipment to an above-ground location on private property during planned maintenance or capacity upgrades. This is contrary to the agreement previously reached with Edison.

In light of these problems the County of Los Angeles should continue to actively oppose the proposed rule change until all of the substantive elements of the county’s agreement with Edison are incorporated. To that end, the County should file formal comments on the draft language in accordance with the PUC’s rules, which set a deadline of April 10th for receipt of all comments on the draft resolution.

I, THEREFORE, MOVE that the Board of Supervisors instruct the Chief Executive Officer, in conjunction with the County Counsel, to appropriately comment on PUC draft resolution E-4329 prior to April 10, 2010 in accordance with all PUC rules and procedures.

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