



# CITY COUNCIL AGENDA

909, 1200

MEETING DATE: JUNE 7, 2016

TO: CITY COUNCIL/CITY MANAGER

FROM: PUBLIC WORKS DEPARTMENT - ENGINEERING

SUBJECT: SCE EASEMENT FOR BENEFIT OF VERIZON WIRELESS  
("VERIZON") IN ASSOCIATION WITH TELECOMMUNICATION  
SITE LEASE AGREEMENT (WHITE PARK – 1550 PARKS ROAD)

Approved for Agenda:

  
\_\_\_\_\_  
City Manager's Office

**APPROVED**

---

## SUMMARY

Amend language associated with a Southern California Edison (SCE) easement approved on March 1, 2016 by City Council. SCE is now requesting approval to construct the transformer component for the Verizon Wireless cellular site above ground. The original approval stipulated that Edison's service was to be underground.

## RECOMMENDATION

Authorize the Director of Public Works to execute, on behalf of City, the documents necessary to effectuate conveyance of this revision to the original easement. The amended language will be prepared in a form approved by the City Attorney.

## FISCAL IMPACT

The Parks and Recreation Department received \$5,115 for SCE'S acquisition of the original easement. In addition, as part of the original approval of this site, and upon activation, the City will begin to receive approximately \$38,000 annually.

## DISCUSSION

On June 25, 2014 an application for cell site was filed by Core Development Services, on behalf of Verizon. The Parks and Recreation Commission approved the proposed

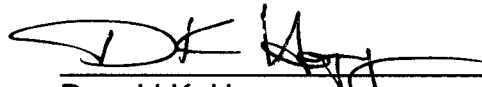
**SCANNED**

cell site on July 13, 2015, and Council approved it on August 18, 2015. On March 1, 2016 Council approved the granting of an easement to SCE for the installation of an underground electrical system to provide power to the Verizon cell site being constructed at White Park, 1550 Parks Road.

The cell tower will be constructed at the northwest end of the park, along the property line, in a minimal use area of White Park (Attachment 2). There is nowhere for Verizon to access power for their proposed site, so authorization was granted to convey an easement to SCE to install the necessary equipment to provide power to the site. The facilities to be installed by SCE will only benefit Verizon, and as such, the 465 sq. ft. easement will be revocable and/or will terminate at such time Verizon's site is decommissioned or their lease is terminated. In such event, SCE would, at their sole cost and at the request of the City, remove their equipment and restore the area to its original condition.

On May 3, 2016 staff received an email from Verizon's representative stating that they were contacted by SCE and told that, per SCE rules, they could not put the transformer underground. SCE stated that, based on the original project restrictions, Verizon would need City approval to construct the transformer above ground within the original easement boundaries (Attachment 3).

Verizon has reviewed other alternatives for bringing power to the proposed site, but no other option is feasible. If Verizon is unable to get the necessary authorization and easement, as required by SCE, they will have to abandon the proposed project at this location.

  
\_\_\_\_\_  
Donald K. Hoppe  
Director of Public Works

DKH/LMansfield/kn  
Attachments

- Attachment #1 – SCE Utility Easement
- Attachment #2 – Site Plan – White Park
- Attachment #3 – Location of transformer pad
- Attachment #4 – Notice from SCE regarding undergrounding

## EXHIBIT "A"

TWO STRIPS OF LAND LYING WITHIN THAT PORTION OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 10 WEST, IN THE CITY OF FULLERTON, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON THE MAP OF TRACT NO. 64, RECORDED IN BOOK 10, PAGE 14 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SAID PORTION MORE PARTICULARLY DESCRIBED IN PARCEL 1 OF THE DEED TO THE CITY OF FULLERTON, RECORDED JULY 10, 1970 IN BOOK 9342, PAGE 184 OF OFFICIAL RECORDS, IN THE OFFICE OF SAID COUNTY RECORDER, THE SOUTHWESTERLY LINES OF SAID STRIPS BEING DESCRIBED AS FOLLOWS:

STRIP #1 (10.00 FEET WIDE)

**BEGINNING** AT THE MOST WESTERLY CORNER OF THE LAND DESCRIBED IN SAID PARCEL 1, SAID CORNER BEING IN THE NORTHEASTERLY LINE OF PARKS ROAD, FORMERLY NORTH BROOKHURST ROAD, 80.00 FEET WIDE, AS SHOWN ON THE MAP OF TRACT NO. 7982, RECORDED IN BOOK 317, PAGES 25 AND 26 OF MISCELLANEOUS MAPS, IN THE OFFICE OF SAID COUNTY RECORDER; THENCE ALONG SAID NORTHEASTERLY LINE, SOUTH 38°02'49" EAST 17.75 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "A".

THE NORTHEASTERLY SIDELINE OF SAID STRIP IS TO BE SHORTENED TO TERMINATE NORTHWESTERLY IN THE NORTHWESTERLY LINE OF THE LAND DESCRIBED IN SAID PARCEL 1.

STRIP #2 (7.00 FEET WIDE)

**BEGINNING** AT SAID POINT "A"; THENCE ALONG THE NORTHEASTERLY LINE OF SAID PARKS ROAD, SOUTH 38°02'49" EAST 41.00 FEET TO A POINT OF ENDING.

FOR SKETCH TO ACCOMPANY LEGAL DESCRIPTION, SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

Prepared by me or under my supervision:

Dated: Mar 11, 2015

Glenn M. Bakke  
Glenn M. Bakke R.C.E. #18619 Exp. 06-30-2015



# EXHIBIT "B"

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

EAST 458.51'



SCALE: 1"=40'

PARCEL 1  
BK. 9342 / 184 O.R.

(WHITE PARK)

Dated Mar. 11, 2015

Glenn M. Bakke

Glenn M. Bakke R.C.E.# 18619 Exp. 6-30-15




TRACT NO. 5089  
M.M. 181/1-4

LAS LANAS  
LANE

TRACT NO. 7982  
M.M. 317/25-26

SHEET 1 OF 1

## LEGEND

 DENOTES SCE EASEMENT  
APPROX. AREA = 465 SQ. FT.  
P.O.B. = POINT OF BEGINNING



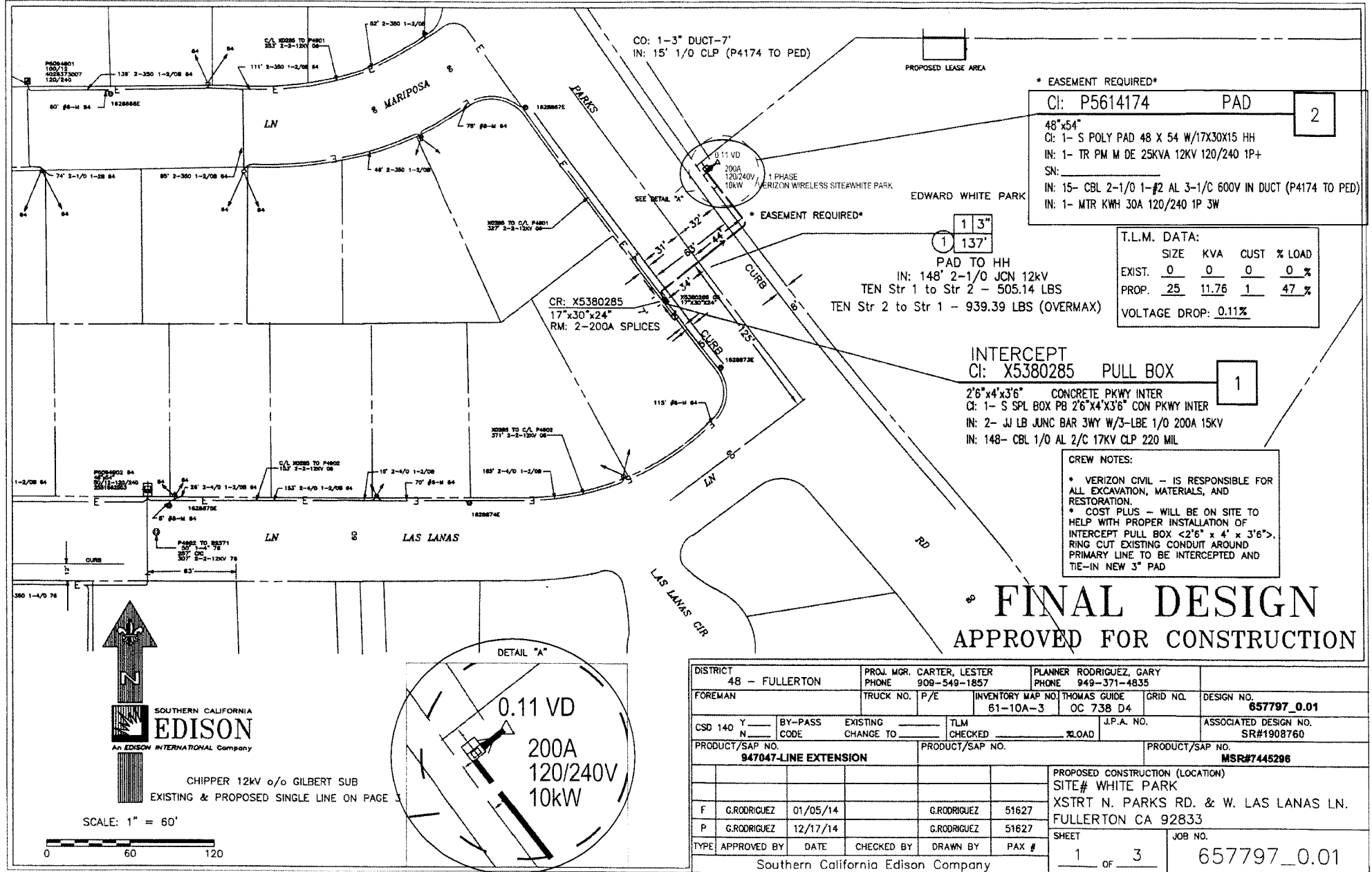


ATTACHMENT 2

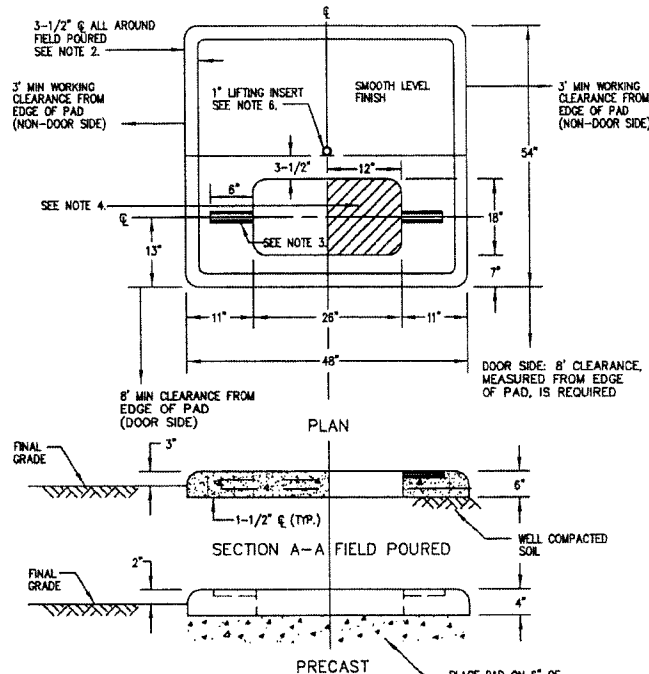


= Approx. location of Proposed SCE Easement





PAD FOR SURFACE-MOUNTED TRANSFORMER  
48" x 54"  
(1Ø-25KVA THROUGH 100KVA)  
SEE UGS SS 504



NOTE(S):

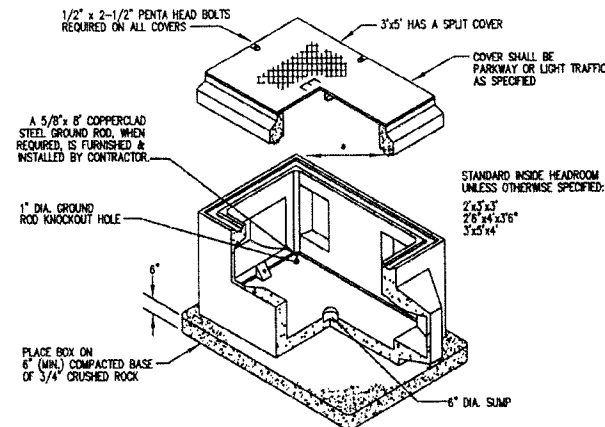
1. Concrete to be 3,000 psi (minimum) at 28 days.
2. Reinforcing steel to be No. 4 bars installed in double net. Perimeter bars to be continuous (8" minimum lap or weld).
3. Hold-down brackets to be P-3200 series unistrut (or equal).
4. Secondary and service cables must be installed in shade area of drawing above as far to the right as possible.
5. See AC 701 for pad-mounted transformer/capacitor grounding requirements and AC 703 for approved grounding materials.
6. 1" lifting insert to be located at center of gravity on precast pads.
7. See SS 500 for approved manufacturers.
8. The three-phase transformer should only be used on a pad when four or fewer services are to be installed. A slab box should be used when more than four services will be installed.
9. Use a thin layer of redi-crane (or equivalent) for rodent and weed control or where transformer does not fully cover in pad opening.

D33: Rev. 01/10/12

TIE-IN MADE THROUGH SIDE WALL OF STRUCTURE

(Vault, Manhole, PME, SOE/CST, BURD, Slab Box, Pull Box, PMH)  
The customer is responsible to trench to the structure entrance point and bring the conduit to within 5' of the structure being entered. The customer is to provide slip coupling and conduit.

PRECAST CONCRETE PULL BOX WITH DEEP RECESSES  
(2'X 3' OR 2'6"X 4' OR 3'X 5')  
SEE UGS HP 215, 220 & 225



\* TYPE OF JOINT MAY VARY WITH MANUFACTURER  
REF. UGS HP 215  
UGS HP 220  
UGS HP 225

D53: Rev. 03/05/07

TIE-IN MADE THROUGH BOTTOM OF STRUCTURE

(Pad, Primary Splice Box)  
The customer is responsible to trench and bring the conduit to within the last riser bend of the structure being entered (do not undermine structure being entered). The customer is to provide coupling and bend.

CONNECTING TO EXISTING SCE STRUCTURES

- Per SCE requirements, customers are not allowed to enter, intercept or tie-in to existing SCE structures, equipment or conductors. This work will only be performed by SCE. Contact the appropriate SCE inspector to schedule an appointment. Customers may connect to an existing duct stub without a SCE inspector present.
- Per CPUC/SCE's Rule 15 B.1.A and Rule 16 D.1.A., the customer will provide all necessary excavations (with the exception of excavation under pads and primary splice boxes), material (including conduit and structures) and encasement, to be utilized in the intercept/tie-in process.
- The customer must adhere to all applicable Cal-OSHA, local, city, state and federal regulations, (including, but not limited to, all necessary shoring and traffic control in place to perform the intercept/tie-in work by SCE's underground civil contractors(s)).
- Intercept/tie-in work must be coordinated with SCE's civil contractors through the Division Inspector/CCM to limit exposure of excavation(s). Customer is responsible for securing excavation(s).

D08: 12/10/07

CONCRETE PRODUCTS

Precast concrete item complete with neck. Cover and inserts may be obtained from any of the following listed and approved manufacturers:

JENSEN PRECAST

14221 San Bernardino Ave., Fontana, Calif. 92335  
Phone: (909) 350-4111  
(800) 257-6100

UTILITY VAULT CO.

10650 Hemlock Ave., Fontana, Calif. 92335  
Phone: (909) 428-3700  
(800) 626-3860

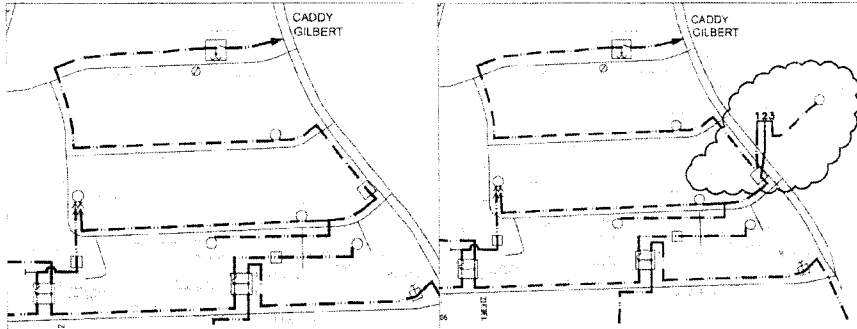
FOR HANDHOLE AND PULLBOX MANUFACTURERS,  
SEE UGS HP 200.

D41: Rev. 07/12/07

FINAL DESIGN  
APPROVED FOR CONSTRUCTION

DISTRICT 48 - FULLERTON		PROJ. MGR. CARTER, LESTER PHONE 909-549-1857		PLANNER RODRIGUEZ, GARY PHONE 949-371-4835		DESIGN NO. 657797_0.01	
FOREMAN		TRUCK NO. F/E		INVENTORY MAP NO. THOMAS GUIDE 61-10A-3 OC 738 D4		GRID NO.	
CSD 140 Y N		BY-PASS CODE		EXISTING CHANGE TO		TLM CHECKED	
PRODUCT/SAP NO. 947047-LINE EXTENSION		PRODUCT/SAP NO.		PRODUCT/SAP NO.		PRODUCT/SAP NO. MSR#7445296	
F		G.RODRIGUEZ		01/05/14		G.RODRIGUEZ	
P		G.RODRIGUEZ		12/17/14		G.RODRIGUEZ	
TYPE		APPROVED BY		DATE		CHECKED BY	
DRAWN BY		PAX #		SHEET		JOB NO.	
2		3		657797_0.01		SOUTHERN CALIFORNIA EDISON COMPANY	

EXISTING SINGLE LINE  
CHIPPER 12KV  
GILBERT SUB



NON-RESIDENTIAL SERVICE PEDESTAL  
0-200 AMPS 0-600 VOLTS  
SEE ESR 3-15

PROPOSED SINGLE LINE  
CHIPPER 12KV  
GILBERT SUB

#### PROJECT REQUIREMENTS

EDISON EASEMENT REQUIRED	<input checked="" type="checkbox"/>
PWRD 88 REQUIRED	<input checked="" type="checkbox"/>
PERMIT REQUIRED	<input checked="" type="checkbox"/>
PERMIT TYPE: TRAFFIC CONTROL	
OUTAGE REQUIRED	<input checked="" type="checkbox"/>
TRAFFIC CONTROL REQUIRED	<input checked="" type="checkbox"/>
PED. TRAFFIC CONTROL REQ'D	<input checked="" type="checkbox"/>
CONVEYANCE LETTER REQ'D	<input type="checkbox"/>

UNDERGROUND SERVICE ALERT  
Dial 811  
Call USA  
For Underground Locating  
2 Working Days Before You Dig

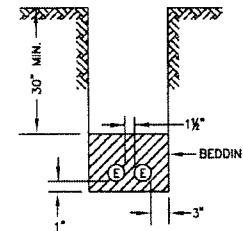
A 48 hour advance notice of intent to start construction is required from the contractor to the underground division of SCE.

E-mail: [ims@sce.com](mailto:ims@sce.com)

#### CONDUIT RADIUS REQUIREMENTS:

- A: The minimum radius for bends are:  
36" for conduits 3" in diameter or smaller  
48" for conduits 4" and 5" in diameter  
60" for 6" diameter conduit
- B: The minimum radius for sweeps are:  
36" for conduits 3" in diameter or smaller  
12'-6" for conduits 4" in diameter and larger, unless otherwise noted.

TYPICAL CONDUIT BANK SECTION  
SEE UGS CD 120



DIRECT BURIAL  
SIMILAR CONSTRUCTION FOR FEWER CONDUIT  
2 CONDUITS MAX.

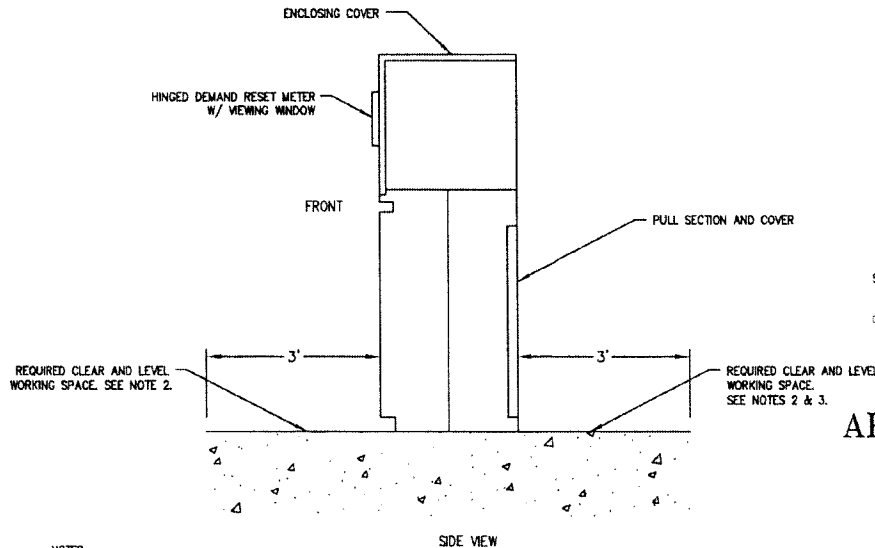
DB1: Rev. 09/23/09

#### CUSTOMER NOTE

- 1 -Schedule 40 PVC
- 2 -Schedule 80 sweep at riser pole
- 3 -Duct to be a minimum of 30" below finished grade
- 4 -Install a 1/4" poly pull rope in duct for mandrelling
- 5 -Duct must be inspected before backfilling
- 6 -Duct must be mandrellled after backfilling

#### WARNING

THE EXCAVATOR MUST TAKE ALL STEPS NECESSARY TO AVOID CONTACT WITH UNDERGROUND FACILITIES WHICH MAY RESULT IN INJURY TO PERSONS OR DAMAGE TO FACILITIES IN THE AREA. THE INDICATED LOCATIONS OF EDISON UNDERGROUND FACILITIES, AS PROVIDED, ARE BELIEVED TO BE ACCURATE. HOWEVER, THE FINAL DETERMINATION OF EXACT LOCATIONS AND THE COST OF REPAIR TO DAMAGED FACILITIES IS THE RESPONSIBILITY OF THE EXCAVATOR.



#### NOTES:

1. ALL TERMINATING ENCLOSURES SHALL BE PROVIDED 24-HOUR ACCESSIBILITY FOR INSTALLATION AND MAINTENANCE OF THE COMPANY'S FACILITIES. ACCESS MUST BE THROUGH WALKING SPACE AFFORDING NOT LESS THAN 7 FEET IN HEIGHT AND 3 FEET IN WIDTH AND BE ACCEPTABLE TO THE COMPANY.
2. A PERMANENT, LEVEL STANDING-AND-WORKING SURFACE SHALL BE PROVIDED. IT SHALL BE CLEAR AND UNOBSTRUCTED, AT LEAST EQUAL TO THE WIDTH AND HEIGHT OF THE TERMINATING ENCLOSURE SPACE AND EXTENDING NOT LESS THAN 3 FEET IN FRONT OF ALL TERMINATING ENCLOSURES AND THEIR HOUSINGS. IN NO CASE SHALL THE HEIGHT OF THE CLEAR SPACE BE LESS THAN 6'-6". THE WIDTH SHALL NOT BE LESS THAN 3 FEET.
3. NON-RESIDENTIAL SERVICE PEDESTALS 0-200A SHALL BE LOCATED TO ALLOW 3 FEET OF CLEARANCE FOR TERMINATING ENCLOSURE IN REAR. CONSULT THE LOCAL SERVICE PLANNING OFFICE FOR DETAILS. GREATER CLEARANCES ARE REQUIRED FOR HIGH-VOLTAGE INSTALLATIONS.

FINAL DESIGN  
APPROVED FOR CONSTRUCTION

DISTRICT 48 - FULLERTON		PROJ. MGR. CARTER, LESTER PHONE 909-549-1857		PLANNER RODRIGUEZ, GARY PHONE 949-371-4835			
FOREMAN		TRUCK NO. P/E		INVENTORY MAP NO. THOMAS GUIDE 61-10A-3 OC 738 D4		GRID NO. DESIGN NO. 657797_0.01	
CSD 140 Y N	BY-PASS CODE	EXISTING CHANGE TO	TLM CHECKED	J.P.A. NO.		ASSOCIATED DESIGN NO. SR#1908760	
PRODUCT/SAP NO. 947047-LINE EXTENSION		PRODUCT/SAP NO.		PRODUCT/SAP NO. MSR#7445296			
				PROPOSED CONSTRUCTION (LOCATION) SITE# WHITE PARK XSTRT N. PARKS RD. & W. LAS LANAS LN. FULLERTON CA 92833			
F	G.RODRIGUEZ	01/05/14		G.RODRIGUEZ	51627		
P	G.RODRIGUEZ	12/17/14		G.RODRIGUEZ	51627		
TYPE APPROVED BY		DATE		CHECKED BY		DRAWN BY	
						PAX #	
Southern California Edison Company							
SHEET 3 of 3						JOB NO. 657797_0.01	



**From:** Ramon Salazar <rsalazar@core.us.com>  
**Sent:** Tuesday, May 03, 2016 4:24 PM  
**To:** Linda Mansfield  
**Cc:** Michael Watson  
**Subject:** Re: Verizon White Park Site - Response to City Comments (Approval of Lease Exhibit)

Hello Linda,

I need to try to get this site back on track after several months lost with SCE regarding placing our transformer underground as conditioned by the Council in early March. Unfortunately, SCE has drawn the line in the sand and will not allow us to underground this transformer, below is the email that our Utility Coordinator has secured from SCE. Would it be possible for us to reschedule this item with the Council and get this item revised to its original condition. Please let me know what the best path forward would be at this point.

Thank you!

Ramon

**From:** Gary Rodriguez  
**Sent:** Tuesday, May 03, 2016 9:46 AM  
**To:** Bonas, Michael  
**Cc:** David H Law  
**Subject:** RE: (External):FW: [E] Re: VZW NCD: White Park (SCE Easement - Council Approved with Conditions)

Michael,

Our SCE Rules can be read from the website, but please see below HIGHLIGHTED for Rule 2-Description of Service, under Added Facilities.

Rule 2  
DESCRIPTION OF SERVICE

Sheet 12

(Continued)

H. Added Facilities. (Continued)

2. (Continued)

- d. Where SCE determines the collection of continuing monthly ownership charges is not practicable, the applicant will be required to make an equivalent one-time payment in lieu of the monthly ownership charges. The applicable payment options, if any, will be selected solely by SCE.
- e. All monthly ownership charges shall be reviewed and refiled with the Commission when changes occur in SCE's costs for providing such service. However, SCE will not refile if SCE's cost change is less than 10 basis points.

3. SCE shall not be liable for any loss, damage, or injury arising from SCE's installation, operation, maintenance, or control of the Added Facilities, unless such loss, damage, or injury results from SCE's sole negligence, and, in no event, shall SCE be liable for loss of profits, revenues, or other consequential damages. No adjustment shall be made to reduce the billings if damage to, or malfunction of the Added Facilities results from any cause other than the negligence or willful act of SCE.

4. Beginning August 2, 2010, SCE will no longer accept requests under the Added Facilities provision of Rule 2, Section H, for underground distribution systems that call for specified pieces of electrical equipment to be installed in below-ground structures in circumstances where it is technically feasible to install the equipment above ground. Such requests will no longer be accepted for situations indicated in 4.a, 4.b, and with certain exceptions 4.c, below. However, all requests which call for below-ground installations that are received by SCE prior to August 2, 2010 will be "grandfathered" and not subject to the provisions of this Rule section. These grandfathered requests must be approved by SCE for construction by December 3, 2010 and installed by December 2, 2011.



**ABOVE-GROUND EQUIPMENT INITIATIVE  
FREQUENTLY-ASKED QUESTIONS  
JULY 2010**

**The Ruling**

**Q. What is the new Rule?**

A. Beginning August 2, 2010, Southern California Edison (SCE) will no longer accept designs from Residential, Commercial, or Industrial customers for new electrical service that call for specified pieces of electrical equipment to be installed in underground structures such as vaults. Customers will no longer be able to elect to have new installations of such equipment put underground pursuant to SCE's Added Facilities tariff Rule 2(h). Existing underground equipment will be maintained.

**Q. Will existing under-ground equipment be moved above ground?**

A. When existing underground equipment fails and must be replaced on an emergency basis, it will be replaced with the same or similar underground equipment, subject to availability. When existing underground equipment must be replaced for technical reasons and that replacement can be carried out in a planned process, SCE will consult with affected parties and attempt to place new equipment above-ground and on private property away from the public right-of-way wherever possible.

**Q. To what electrical equipment does this new rule apply?**

A. The new rule applies to primary-voltage electrical equipment such as transformers, switches, fuse cabinets, and capacitors operating at between 4 kilovolts (kV) and 35 kV.

**Q. When will this new rule take effect?**

A. The rule is effective the date SCE's Advice Filing was approved by the CPUC. The CPUC passed Resolution E-4329 on April 22, 2010, which is the effective date of the AGE Rule.

**Q. What if a permit is in place for a project with underground equipment but construction hasn't begun?**

A. The effective date of the rule is April 22, 2010. There is a ninety (90) day grace period to receive new applications for projects with requests for below ground equipment. After the 90 days, no new underground equipment applications will be accepted. The new rule is effective on all new projects on August 2, 2010. Final date for submittals will be July 30th. Details of the grace period and the implementation time line are outlined below.

- Pending Projects with Requests for below Ground Equipment- The following criteria applies to grandfathering existing approved plans or submittals made during or before the 90 day grace period:
- Existing final plans with below ground equipment are grandfathered unless significantly revised by the customer or determined to be inactive for 12 months.



- New submittals and any pre-existing submittals (preliminary plans) will have seven months from the effective date of AGE to go final. If not final in 7 months (on December 3, 2010) the project will need to be revised to include above ground equipment where applicable.
- All plans with below ground equipment that were final at the seven month deadline from the effective date of AGE have 12 months to install. If installation has not commenced in 12 months (December 2nd, 2011) project will need to be revised to include above ground equipment where applicable.

Q. Why is SCE making this change?

A. SCE's three main goals are (1) to increase worker and public safety, (2) to increase system reliability and (3) to enhance our stewardship of the environment.

Q. What does each of those three things mean?

A.

1. Enhancing worker and public safety – Electrical components such as transformers and fuses sometimes fail. Failure in a confined underground space such as a vault can have very serious consequences to utility employees working in that confined space and possibly to members of the public nearby.

2. Increasing electric system reliability – A key measure of electric system reliability is how long a power outage lasts before workers restore the power. Often the first required step is to pump accumulated water out of the underground vault before the real electrical work can even begin. Because it takes less time to find and repair a failed piece of equipment when it is located above ground than when it is located underground, reliability will improve.

3. Enhancing environmental stewardship – Underground vaults and other structures collect water, even when it is not raining. They collect run-off, and that water is often contaminated with everything from motor oil to pesticides. That water must be pumped out of the underground vault, tested, and hauled away for proper treatment and disposal as required by environmental laws. Sometimes the equipment itself must then be steam-cleaned before work can begin.

Q. What is the "public right-of-way?"

A. The public right-of-way consists of streets, alleys, parkways and the like. The various cities and counties in our service territory have granted SCE franchises authorizing us to locate equipment in the public right-of-way for purposes of transmitting and distributing electricity. SCE pays a franchise fee to each of these jurisdictions for that right.

Q. Will there be any exceptions to the AGE rule?

A. Yes. There are two conditions when exceptions may occur:

- 1.) When it is not technically feasible to place equipment above ground.
- 2.) When cities, or counties, present insurmountable objections to above ground equipment and provide space in public right of way.

### **Cities and Municipalities**

Q. Have all the Cities bought into this new rule?

A. The AGE rule applies primarily to residential, commercial and industrial customers. SCE plans to work with individual consenting cities on a case by case basis to implement AGE where it is technically preferred and feasible.

Q. What about cities whose local ordinances require underground structures?

A. SCE recognizes that many local governments and their residents and businesses not only feel very strongly that utility equipment should be located below ground, but also believe that their local authority—referred to as “police power”—authorizes them to adopt local ordinances restricting the placement of utility facilities above ground or prohibiting above-ground placement entirely. However, California courts and the California Public Utilities Commission have held that on matters of the design of the electric system, the authority of the CPUC is paramount, and in most every instance, cities can neither prohibit nor restrict utilities from installing equipment above ground.

Q. So is SCE just going to thumb its nose at cities, including those with neighborhoods having historical character, and just stick these cabinets wherever it wants to?

A. Not at all. The CPUC expects utilities such as SCE to consult with local governments and anyone else affected, in an effort to decide upon an agreeable location.

Q. Don't cities have any authority here?

A. Cities have what is called “police power,” which enables them to regulate matters affecting the public health and safety. While that power does not permit cities to ban above-ground equipment entirely, it does permit them to influence the placement. For example, one cabinet may not be too close to an intersection, where it might block motorists' views. Again, SCE will consult with local governments on placement, and prefers to place the equipment out of the public right-of-way and the public's view wherever possible.

Q. What are the impacts, if we are under construction in a municipality that is not in agreement? Will we move forward as originally planned and designed? Will this affect our energized date?

A. Because SCE will continue to honor existing designs calling for underground placement until the effective date of this new rule; we believe there will not be an issue. SCE encourages applicants to design to the new standard now, however, and will be meeting with local governments and representative organizations to explain the new rule and the legal issues it involves.

Q. Will SCE provide support on the developers' behalf, if any resistance is received from a city municipality?

A. SCE will continue to honor existing designs calling for underground placement prior to the effective date of the new rule. SCE will furnish to local governments briefing materials explaining the company's understanding of the legal issues involved in the rule.

Q. What will SCE do to facilitate City acceptance of above ground facilities within the parkway and/or right of way?

A. The first choice of location for equipment is on private property. Parkways within the project footprint are a good alternative. Use of the public right-of-way will be the placement of last resort when no other location is available. As indicated above, SCE will accept input from both builders and local jurisdictions and will evaluate the merits of location options. SCE is committed to working with all parties and will accommodate reasonable requests. Ultimately, SCE has the responsibility for its electrical infrastructure and will design the system to provide safe and reliable service based on the established criteria. In addition, SCE hopes to further allay local governments' concerns through a collaborative process

Q. In circumstances where a city will not accept an above ground application, will SCE coordinate a resolution with the city?

A. SCE has met with local governments prior to filing the Advice Letter, and has worked to address local governments' concerns. Now that the CPUC has approved the Advice Letter, SCE will continue to meet with and work with local governments to address their concerns. SCE recognizes that working through these design details is an important part of the process. In the process of designing service, SCE will seek input from both builders and local jurisdictions and will evaluate the merits of that input. SCE is committed to working with all parties and will consider reasonable requests. Ultimately, SCE has the responsibility for the electrical infrastructure and will design the system to provide adequate service at just and reasonable rates based on the established design criteria including the AGE. In areas where developers understand a city may take issue with the AGE, SCE strongly recommends the developers coordinate a meeting with SCE in the plan initiation stage to provide the developers with mitigating designs. A joint coordination meeting with the city is also suggested to reduce the possibility of last-minute issues.

### **Existing Underground Equipment**

Q. Will an existing Buried Underground Residential Distribution (BURD) transformer be converted to above ground padmount if the BURD fails?

A. No, not unless a replacement is unavailable or other electrical considerations would call for SCE to replace the failed transformer with one that is too large to be installed within the existing underground structure.

Q. Who will be responsible at SCE for securing easements if a BURD fails and a replacement transformer must be installed above ground?

A. SCE will consult will first seek an easement from a private property owner to permit installation of a required new transformer or other component on private property, and will pay fair compensation for it. If an easement cannot be obtained, SCE will install the replacement equipment in the public right-of-way where technically feasible to do so.