

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

Application of PACIFIC GAS AND ELECTRIC  
COMPANY (U-39-E) for a certificate of Public  
Convenience and Necessity Authorizing the  
Construction of the Jefferson-Martin 230 kV  
Transmission Project.

Application No. 02-09-043

**PROTEST OF  
THE 280 CORRIDOR CONCERNED CITIZENS GROUP**

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Pursuant to Rule 44 of the California Public Utilities Commission (“Commission”) Rules of Practice and Procedure, and oral leave granted by Administrative Law Judge Charlotte TerKeurst,<sup>1</sup> the 280 Corridor Concerned Citizens Group (“280 Citizens”) respectfully submits this protest to the application of Pacific Gas and Electric Company (“PG&E”) for a certificate of public convenience and necessity (“CPCN”) authorizing the construction of PG&E’s proposed Jefferson-Martin 230 kV Transmission Project (“the Proposed Project”) in close proximity to numerous residential areas and schools in San Mateo, Hillsborough and Burlingame, California.

280 Citizens has only recently obtained and reviewed PG&E’s application and Proponent’s Environmental Assessment (“PEA”) and has not yet had an opportunity for discovery concerning the application. PG&E’s application and PEA fail to contain sufficient information or analysis to enable affected parties and the Commission to fully evaluate PG&E’s Proposed Project, the relatively few alternatives referred to in its application and PEA, or other potentially feasible alternatives that would accomplish the objectives of the Proposed Project while avoiding or mitigating adverse effects on existing residential neighborhoods. 280 Citizens

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<sup>1</sup> On October 30, 2002 Holly Pease, a member of 280 Citizens filed a motion for an extension of time to protest and on November 5, 2002 spoke with Administrative Law Judge TerKeurst concerning the motion. ALJ TerKeurst informed Ms. Pease that protests could be filed and would be considered timely if received by the Commission on November 12, 2002.

therefore reserves the right to supplement its protest after obtaining additional information concerning the proposed project and feasible alternatives.

Based upon its review to date, however, 280 Citizens has determined that the application and PEA fail to adequately address the potential adverse impacts of reconstructing 14.7 miles of existing 60 kV overhead transmission line between the Jefferson substation and a proposed transition station at San Bruno Avenue with a new transmission line combining a new 230 kV circuit with a reconstructed 60 kV circuit on the health and safety of residents in the immediate vicinity of the PG&E's proposed project route. The application and PEA also fail to adequately address potential feasible alternatives that could eliminate or mitigate these impacts. The application also fails to adequately address significant adverse visual impacts, construction-related impacts and conflicts between the proposed project and the community values of communities affected by the project. As a result, 280 Citizens protests the application on the following grounds:

- The application fails to adequately consider the most recent information concerning potential health and safety risks associated with the electromagnetic fields ("EMFs") of high voltage electric transmission lines;
- The application fails to adequately consider the potential adverse effects on the health and safety of residents, including small children, living and attending schools in the immediate vicinity of the proposed project and whom as a result will necessarily come in close proximity to the Proposed Project for sustained periods of time;
- The application fails to adequately consider the potential future medical costs to residents and to the community of illnesses and deaths that may be caused in whole or in part by EMFs associated with the proposed project if the EMF

exposure caused by the proposed project is not further reduced;

- The application fails to adequately consider the adverse visual impacts of substantially increasing the height of transmission towers and poles on overhead portions of the Proposed Project;
- The application fails to adequately consider the potential adverse construction impacts associated with installing the Proposed Project in residential areas;
- The application fails to adequately consider the potential adverse effects on the value of property in the immediate vicinity of and in the view shed of the proposed project;
- The application fails to adequately consider the potential conflict between the community values of communities in the vicinity of the proposed project;
- The application fails to identify and consider reasonable and feasible alternatives to the proposed project which may avoid or substantially lessen significant adverse effects of the proposed project, including relocating portions of the line from the east side of Interstate 280, where the existing PG&E line and the Proposed Project would be in close proximity to numerous existing residences in San Mateo, Hillsborough and Burlingame, to a location more distant from residential areas on the west side of Interstate 280; and undergrounding additional portions of the proposed line in the vicinity of residential areas;
- PG&E has failed to incorporate feasible alternatives and mitigation measures that would avoid or substantially reduce the potentially significant adverse environmental effects of the proposed project;

As a result of these deficiencies, the application provides no lawful basis upon which the Commission could find the proposed project consistent with public convenience and necessity

under Public Utilities Code sections 1001 and 1002 or in compliance with the California Environmental Quality Act (CEQA).<sup>2</sup>

## **I. BACKGROUND**

### **A. 280 Corridor Concerned Citizens Group**

The 280 Corridor Concerned Citizens Group is an ad hoc nonprofit organization comprised of residential ratepayers of PG&E who live in the vicinity of PG&E's Proposed Project. The members of 280 Citizens share a common interest in ensuring that the environment, the health and safety of local residents, and the values of local communities in the vicinity of the Proposed Project are preserved and protected, and that the potentially significant adverse effects of the Proposed Project are avoided or mitigated to the extent reasonably feasible.

### **B. The PG&E Proposed Project**

PG&E has proposed constructing a major new 230 kV electric transmission line and associated facilities to provide an additional independent major transmission line pathway to the City of San Francisco and thereby to increase its ability to reliably supply electricity to the City of San Francisco and to communities on the San Francisco peninsula. The Proposed Project would be located in northern San Mateo county and would extend 27 miles from PG&E's Jefferson Substation near Woodside, California north to the its Martin Substation in Brisbane, California. PG&E's Proposed Project would include two distinct portions, an overhead portion and an underground portion.

The overhead portion would consist of 14.7 miles of new 230 kV overhead line installed together with a 60 kV line on reconstructed towers and poles extending from its Jefferson Substation to San Bruno Avenue along the route of PG&E's existing 60 kV line. This existing 60 kV line roughly parallels Interstate 280 ("I.280") and crosses I.280 several times. Where the existing line runs on the east side of I.280, it is currently in close proximity to a number of

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<sup>2</sup> Public Resources Code, sections 21000, et seq.  
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residential areas in San Mateo, Hillsborough and Burlingame. It is also in close proximity to seven local schools and a juvenile detention center. In some instances, the existing 60 kV line is within 20 to 50 feet of homes and the proposed new 230 kV line would be equally close. The existing line is within 100 to 300 feet of numerous homes. The new overhead 230 kV line and reconstructed 60 kV line would be installed on new towers and poles substantially higher and visually more intrusive than PG&E's existing 60 kV towers.

The remaining 12.4 miles of the Proposed Project, from San Bruno Avenue to the Martin Substation, would be consist of an underground 230 kV line.

PG&E already has an existing 230 kV transmission line, a 115 kV transmission line and local generating facilities serving the City of San Francisco and communities on the San Francisco peninsula in addition to its existing 60 kV line. PG&E forecasts that the Proposed Project will be needed by 2006, but additional generating facilities have been proposed in the vicinity, including the 560 MW Portrero 7 Project, which if constructed would obviate any immediate need for the Proposed Project.<sup>3</sup> In fact, if as little as 400 MW of additional generation is constructed and connected to PG&E's 115kV Portrero Substation, PG&E concedes that the need for the Proposed Project would be obviated and that additional local generation at this location or at other similar potential generation sites would constitute an "equally effective long-term solution" to PG&E's existing system deficiencies on the San Francisco peninsula.<sup>4</sup>

### **C. The Department Of Health Services June 2002 Report**

In June of 2002, the California Department of Health Service issued a significant new scientific report which concluded that the health and safety risks associated with electromagnetic fields ("EMFs") associated with power lines and other sources are greater than previously

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<sup>3</sup> See PG&E Application at 2-16 to 2-21.

<sup>4</sup> See PG&E Application, Tab B "Jefferson to Martin 230 kV Transmission Project Design Criteria Memorandum", at 2.

assumed. The report, titled, “An Evaluation of the Possible Risks From Electric and Magnetic Fields (EMFs) From Power Lines, Internal Wiring, Electrical Occupations, and Appliances” is based upon and exhaustive reevaluation of previous and recent studies concerning the effect of EMFs on human health and concludes that EMFs can cause some degree of increased risk of miscarriages and several serious diseases including childhood leukemia, adult brain cancer, and ALS, also commonly referred to as Lou Gehrig’s Disease.<sup>5</sup> The report notes that the 24-hour average exposure of the minute-by-minute 50-60 Hz magnetic field exposures is the most important measure of human exposure and is primarily influenced by factors including the power grid. The report also notes that the maximum fields, or highest exposures during the day, are probably also a result of factors including very close proximity to above or below ground power lines.<sup>6</sup>

In a companion report issued at the same time, the California Department of Health Services further notes that California residents living within close proximity to 69kV to 230kV electric transmission lines may be “substantially exposed to their magnetic fields” which the report defines as having a time weighted average (“TWA”) greater than 2 milliGauss (“mG”).<sup>7</sup>

## **II. GROUNDS FOR PROTEST**

### **A. The Application Fails Adequately Consider The Most Recent Information Concerning Potential Health and Safety Risks And Associated Costs**

PG&E’s application discusses EMF effects, but fails to consider the most recent information concerning potentially serious health and safety risks associated with EMFs. The recent report issued by the California Department of Health Services has identified significantly greater risks associated with human exposure to EMFs than prior studies and reports. In

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<sup>5</sup> “An Evaluation of the Possible Risks From Electric and Magnetic Fields (EMFs) From Power Lines, Internal Wiring, Electrical Occupations, and Appliances,” June 2002, Executive Summary at 3.

<sup>6</sup> Id, at 10.

<sup>7</sup> “Policy Options in the Face of Possible Risk From Power Frequency Electric and Magnetic

particular, the report states that EMFs can cause some degree of increased risk of miscarriages, childhood leukemia, adult brain cancer, and ALS.<sup>8</sup> And in a companion report issued at the same time, the California Department of Health Services states that California residents with a TWA greater than 2 mG are consider “substantially exposed” to EMFs and that this level of exposure can be associated with living within close proximity to 69kV to 230kV electric transmission lines.<sup>9</sup>

PG&E has failed to take this most recent information into account in siting and designing the Proposed Project. The Proposed Project will be in close proximity to numerous residences, seven schools and a juvenile detention facility. Moreover, PG&E has indicated that the EMF level at the edge of its right of way may range from 10 mG to 90 mG,<sup>10</sup> considerably higher than the level the California Department of Health Services report has characterized as “substantially exposed” and at which serious health risks may arise.

The application fails to mention or consider the potential increased health care costs to residents and the affected communities that may be incurred as a result of increased EMF exposure associated with the Proposed Project.

PG&E has proposed raising overhead towers in the vicinity of schools, but it has not demonstrated that this will be sufficient to adequately mitigate health and safety risks to children. And it has proposed no significant mitigation for EMFs in the numerous residential areas to which the Proposed project will be in close proximity.

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Fields (EMF)”, June 2002 at 4.

<sup>8</sup> “An Evaluation of the Possible Risks From Electric and Magnetic Fields (EMFs) From Power Lines, Internal Wiring, Electrical Occupations, and Appliances,” June 2002, Executive Summary at 3.

<sup>9</sup> “Policy Options in the Face of Possible Risk From Power Frequency Electric and Magnetic Fields (EMF)”, June 2002 at 4.

<sup>10</sup> Application, Tab F at 3.

**B. The Application Fails to Adequately Consider Adverse Visual Impacts**

PG&E's Proposed Project will require the construction of new towers and poles substantially higher than its existing 60 kV towers. These higher poles and towers will significantly increase adverse visual impacts, particularly in the vicinity of residential areas. PG&E's application has failed to adequately consider these impacts.

**C. The Application Fails to Adequately Consider Community Values**

The overhead portion of PG&E's Proposed Project will require siting a new 230 kV transmission line through residential areas in San Mateo, Hillsborough and Burlingame. Siting a new high voltage transmission line in these areas will conflict with the community values of these communities. PG&E's application has not adequately considered this conflict.

**D. The Application Fails To Consider Reasonable and Feasible Alternatives**

PG&E has considered only one alternative for the overhead portion of its Proposed Project extending from its Jefferson Substation to San Bruno Avenue, undergrounding this entire portion of the line. There are, however a number of other reasonable and feasible alternatives for this portion of the project that can and must be considered under CEQA. These include relocating portions of the overhead line from the east side of I.280 where the existing line is in close proximity to homes and schools to the west side of I.280. This would significantly reduce impacts on the local community and EMF exposure. An additional alternative that should be considered is undergrounding segments of the line in close proximity to residential areas and schools.

These alternatives have the potential to avoid or mitigate potentially significant adverse effects.

**III. CONCLUSION**

For the reasons stated herein, 280 Citizens respectfully submits this protest to PG&E's proposed project and requests that the application be denied unless the Proposed Project is

modified to avoid or mitigate its potentially significant adverse effects, particularly on residents in the immediate vicinity of the project. 280 Citizens further requests that public participation and evidentiary hearings be held in this matter.

Respectfully submitted this 12<sup>th</sup> day of November 2002,

By: \_\_\_\_\_

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