

Decision 13-10-062 October 31, 2013

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
Southern California Edison Company
(U 338-E) for a Certificate of Public
Convenience and Necessity Concerning
the Tehachapi Renewable Transmission
Project (Segments 4 through 11).

Application 07-06-031
(Filed June 29, 2007)

**DECISION GRANTING THE PETITION OF SOUTHERN CALIFORNIA EDISON
COMPANY FOR MODIFICATION OF DECISION 09-12-044, AS PREVIOUSLY
MODIFIED BY DECISION 13-07-018**

1. Summary

This decision grants, subject to all previously adopted environmental mitigation measures, Southern California Edison Company's (SCE's) Petition for Modification of Decision (D.) 09-12-044, as modified by D.13-07-018, to authorize certain design changes within multiple segments of the Tehachapi Renewable Transmission Project (TRTP) to conform to Federal Aviation Administration (FAA) recommendations. D.09-12-044 directed SCE to consult with the FAA and, following SCE's submission to that agency of final engineering plans, the FAA identified design changes necessary to avoid safety hazards in navigable airspace. The design changes consist of installation of marker balls on some wire spans, installation of aviation lights on some transmission towers and reduction in the heights of some structures near the Chino Airport.

The proposed design changes have required additional environmental review of the TRTP. As the lead agency for state environmental review, we certify that the Final Supplemental Environmental Impact Report meets the requirements of the California Environmental Quality Act and find that there are overriding considerations that merit approval of the proposed design changes, notwithstanding the significant and unavoidable environmental impacts identified in the area of Visual Resources.

2. Background and Procedural History

By Decision (D.) 09-12-044, issued on December 24, 2009, the Commission granted Southern California Edison Company (SCE) a Certificate of Public Convenience and Necessity (CPCN) to construct Segments 4 through 11 of the Tehachapi Renewable Transmission Project (the Project), using the Environmentally Superior Alternative, and subject to the mitigation measures and other conditions the decision adopts. The Commission determined that review of the Project had occurred in compliance with the California Environmental Quality Act (CEQA) and therefore, consistent with lead agency responsibilities under CEQA, the Commission certified the Final Environmental Impact Report (Final EIR or FEIR).¹ The Commission also determined that the Project complied with the Commission's electromagnetic field guidelines.

¹ Because approximately 47 miles of the Project cross national forest, SCE also filed an application for a Special Use authorization with the United States Forest Service (Forest Service), which is part of the United States Department of Agriculture. The Forest Service performed a concurrent review under the National Environmental Policy Act (NEPA) and prepared a Supplemental Environmental Impact Statement, or Supplemental EIS.

By D.13-07-018, issued on July 16, 2013, the Commission granted a petition for modification of D.09-12-044 filed by the City of Chino Hills (Chino Hills). That decision modifies the design for Segment 8A and requires SCE to underground approximately 3.5 miles within a Right-of-Way in Chino Hills; it also releases the construction stay on Segment 8A imposed by prior decisions in this docket. On September 9, 2013, SCE filed a petition for modification of D.13-07-018 regarding elements of the underground construction and the advice letter cost cap process; that petition is pending.

Before us now, and the sole focus of this decision, is SCE's petition for modification of D.09-12-044 to permit design changes necessary to implement mitigations the Federal Aviation Authority (FAA) recommends to improve aviation safety. This petition, filed on October 17, 2011, is unopposed. The Division of Ratepayer Advocates, now the Office of Ratepayer Advocates (ORA), filed a response to the petition on November 16, 2011, requesting that SCE provide additional costing information in a subsequent advice letter. At the December 5, 2011 prehearing conference ORA clarified that it does not dispute the need for the FAA mitigations but seeks a clear record on associated costs.

As context for our review of SCE's petition, we repeat D.09-12-044's summary description of the Project:

The Project is a portion of the Tehachapi Renewable Transmission Project (TRTP). The TRTP is designed to provide access to up to 4,500 megawatts (MW) of renewable energy generation, primarily wind energy, from the Tehachapi Wind Resource Area in Kern County and to deliver it to load in Los Angeles and San Bernardino counties. We approved Segment 1 in Decision (D.) 07-03-012 and Segments 2-3 in D.07-03-045, which together form the Antelope Transmission Project (ATP), which will deliver approximately 700 MW of the total TRTP carrying capacity. (D.09-12-044 at 2.)

Following D.09-12-044's convention, this decision will continue to refer to Segments 1-11, collectively, as the TRTP and to Segments 4-11 as the Project.

We discuss the petition's content in more detail below. The nature of the proposed changes required additional environmental review and pursuant to CEQA Guidelines § 15163(a), the Commission determined to prepare a Supplemental EIR (Supplemental EIR or SEIR) for the Project.² The Commission released the Draft SEIR for public review on April 11, 2013, and issued the Final SEIR on October 3, 2013.

3. Applicable Rule 16.4 Requirements

Rule 16.4 of the Commission's Rules of Practice and Procedure governs the filing of petitions for modification. We examine two aspects of Rule 16.4 in the context of this petition.

First, Rule 16.4(b) requires that a petition include "specific wording" to effectuate the modifications sought and that "[a]llegations of new or changed facts must be supported by an appropriate declaration or affidavit." SCE complies with both requirements. Attachment B to SCE's petition includes proposed revisions to the Findings of Fact, Conclusions of Law, and Ordering Paragraphs for D.09-12-044. Attachment C to the petition is the declaration of the Director of Special Projects within SCE's Transmission and Distribution Business Unit who has responsibility for the Project. Though we do not adopt SCE's proposed wording verbatim, SCE has supported its request within the context of Rule 16.4(b).

² The SEIR has been prepared jointly with the Supplemental Environmental Impact Statement required under NEPA, with the Forest Service as the federal lead agency.

Second, Rule 16.4(d) requires that if a petition is not “filed and served within one year of the effective date of the decision proposed to be modified,” the petitioner must explain the reason for the delay. SCE states that its petition could not have been filed within a year of the issuance of D.09-12-044 (i.e, within a year of December 24, 2009) given the time necessary to complete final engineering of the approved conceptual design for the Project. As summarized above, the EIR certified by D.09-12-044 required SCE to consult with the FAA to obtain its recommendations for avoiding safety hazards in navigable airspace. SCE did so after completing final engineering for the Project and, on July 19, 2011, met with the Commission’s Energy Division staff to discuss the changes the FAA’s recommendation would necessitate. Energy Division staff advised SCE to file a petition for modification within 75 days of that notification and SCE did so.³ We find that the petition is timely filed.

³ Energy Division confirmed this recommendation in a letter to SCE:

The ... Energy Division Staff has determined that the FAA required mitigation measures are so extensive in nature and so materially different from the originally approved TRTP that SCE will need to file a Petition for Modification ... for the project and a supplemental EIR review.

Unfortunately, there was no material discussion of tower lighting or catenary marker ball placement within the original EIR and no environmental review of the visual impacts and other resource impacts of these mitigation measures required by the FAA, which consist of changes to some 200 tower structures and catenaries. (SCE petition, Attachment A, August 3, 2011 letter from Mary Jo Borak, Energy Division to Thomas Burhenn, SCE.)

4. Proposed Changes to Project Design

SCE's petition seeks design changes to permit installation of marker balls on some of the Project's existing, approved catenaries (wire spans), installation of aviation lights on some transmission towers and reduction in the height of certain approved structures near the Chino Airport. The FAA has recommended these design changes to increase aviation safety by making hazardous structures (wire spans and transmission structures) more visible to pilots.

SCE's Project Modification Report, Attachment C to the petition, describes the proposed design changes in greater detail, based on input from the FAA as of October 17, 2011. The SCE report anticipates installation of marker balls on approximately 282 transmission line spans (later revised to 276) and installation of lights on approximately 88 transmission structures (later revised to 90). Table 2.4-1 of SCE's report identifies the approximate number of marker balls or aviation lights by Project segment and Table 2.4-2 identifies the approximate number of marker balls more particularly, by segment and structure name. The report assesses modifications to the Project as approved by D.09-12-044, with Segment 8A built as an above-ground transmission line. The Segment 8A underground design subsequently approved by D.13-07-018 yields a net reduction in aviation hazards and therefore, some of the Project modifications anticipated at the time SCE filed its petition have ceased to be necessary.

The report also describes the design changes needed "[t]o address the FAA concerns that certain transmission structures near the Chino Airport would interfere with the instrument approach procedures." (SCE petition, Attachment C at 26.) The proposed solution requires constructing seven structures as shorter, lattice steel towers, rather than tubular steel poles.

While SCE's petition acknowledges that the Project modifications, as proposed, require additional environmental review under CEQA, the petition suggests that preparation of an Addendum would be sufficient. However, given the nature of the design changes proposed, the Commission determined to prepare a Supplemental EIR (and the Forest Service, a Supplemental EIS).

5. Requirements Under CEQA for Preparation and Review of a Supplemental EIR

CEQA Guideline §15162(a) requires a lead agency to prepare a subsequent or supplemental EIR in the following situations:

- An EIR has been certified for a project;
- An agency has additional discretionary authority over the project;
- The later action concerns the same project; and
- One of the following three circumstances occurs:
 - (1) substantial changes in a project would result in new or worsened significant environmental impacts, or
 - (2) substantial changes in circumstances would result in new or worsened significant impacts, or
 - (3) new information of substantial impact shows that either that the project will have new or worsened significant effects, or mitigation measures or alternatives previously infeasible are now feasible but the project proponent declines to adopt them.

When only minor additions or changes to the prior EIR will enable it to apply adequately to a changed project, preparation of a supplemental EIR is appropriate. CEQA Guideline § 15163(b) specifies that a supplement need only contain that level of detail. Here, minor changes to the EIR certified by D.09-12-044 permit it to adequately address the substantial changes to the Project. Consequently, Energy Division staff and our environmental consultant

have prepared a Draft and a Final SEIR to the certified FEIR. The SEIR (draft and final versions) is available on the Commission's website at this link:

ftp://ftp.cpuc.ca.gov/gopher-data/envIRON/tehachapi_renewables/TRTP.htm

A supplement must be given the same kind of notice and public review as the EIR (CEQA Guideline § 15163(c)) and may be circulated by itself, without recirculation of the prior EIR (CEQA Guideline § 15163(d)). When the agency decides whether to approve the project, however, the agency must consider the previous EIR as revised by the supplemental EIR (CEQA Guideline § 15163(e)). Thus, here our consideration includes both the FEIR certified by D.09-12-044 and the Final SEIR prepared for this petition, together with the one-page Project Update that describes the need for fewer marker balls and lights in Segment 8A, given the underground design approved by D.13-07-018.

6. Discussion

6.1. Overview

D.09-12-044 granted SCE a CPCN to construct the Project subject to environmental conditions specified in the Mitigation Monitoring Plan (MMP). Mitigation Measure L-2b [Aircraft flight path and safety provisions and consultations], requires SCE to consult with the FAA regarding the new transmission structures to be installed as part of the approved Project and SCE has done so.⁴ The result, following D.13-07-018's approval of the undergrounding of approximately 3.5 miles of Segment 8A, affects Segments 5, 6,

⁴ The FAA's aviation safety assessment for the TRTP is complete with the exception of one transmission tower (M68-T2 in Chino - Segment 8, Phase 3) but the SEIR assumes that this tower will require aviation lighting.

7, 8, 10, and 11 and requires marking specific wire spans and lighting or reducing the height of specific transmission structures, as follows:

- install approximately 2,207 marker balls (2,248 less 41 no longer needed in Segment 8A/Chino Hills) on 271 transmission line spans (276 less 5 no longer needed in Segment 8A/Chino Hills);
- install aviation lights on 90 transmission structures; and
- reduce the height of 21 transmission structures near the Chino Airport by approximately 20 feet, requiring the replacement of seven tubular steel poles with specifically designed dead-end lattice steel towers.

The Draft and Final SEIR, and the one-page Project Update, analyze the impacts of the modified Project, which include all of these changes.

For the majority of the resource areas analyzed in the FEIR, the Project, as modified to include the FAA mitigations, would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In accordance with CEQA Guidelines §15163(b), a supplemental EIR need contain only the information necessary to make the previous EIR adequate for the project as revised. Therefore, the SEIR contains no additional analysis of the following resource areas: Agricultural Resources; Cultural Resources; Environmental Contamination and Hazards; Geology, Soils, and Paleontology; Hydrology and Water Quality; Land Use; Public Services and Utilities; Socioeconomics; Wilderness and Recreation; Wildfire Prevention and Suppression; Electrical Interference and Hazards. All mitigation measures proposed by SCE (Applicant Proposed Measures, or APMs) and all other mitigation measures developed through environmental review and specified in the MMP continue to be applicable to the Project, as modified.

The SEIR discusses the potential environmental consequences attributable to changes in the Project, as modified, in five resource areas: Air Quality;

Biological Resources; Noise; Visual Resources; and Traffic and Transportation. Except in the area of Visual Resources, the Final SEIR concludes that the Project, as modified, would not result in new impacts or substantially increase the severity of impacts identified in the FEIR. Thus, the Final SEIR does not propose additional mitigations.

However, the Project, as modified, would have additional adverse impacts in the area of Visual Resources that cannot be mitigated. We discuss these issues in greater detail, below.

6.2. Visual Resources

Installation of marker balls and aviation lights would create new, permanent, adverse and significant impacts that cannot be mitigated to a less-than-significant level. The Final SEIR analyzes the environmental impact of marker balls and aviation lights from all key observations points, or KOPs, reviewed in the Draft and Final EIR, as well a number of new KOPs. Permanent, adverse and significant impacts result because adding marker balls to approved transmission line spans significantly degrades “the landscape character and visual quality of landscape views.” (Final SEIR, Vol. 1, ES-15.) Likewise, in most instances “aviation lighting on Project transmission towers would create a new source of substantial night light that would adversely affect nighttime views.” (*Id.*) These lights “exceed source intensity light limitations for late night hours (post curfew) in low (wildland and rural) and medium (suburban) brightness areas based on guidance established by the Institute of Lighting Engineers.” (*Id.*)

The SEIR scoping process resulted in identification of one potentially feasible alternative, termed the Reduced Structure Height Alternative, which would meet the purpose and need of the TRTP. The SEIR summarizes the approach this alternative would take:

This alternative would re-design the Approved Project's transmission structures such that the overall height of the structures would be reduced to minimize the need for FAA marker balls and lighting, to the extent feasible. To maintain the ground clearance requirements of CPUC General Order 95 (GO 95), a greater number of transmission structures would be required along the Project alignment. (Final SEIR, Vol. 1, ES-11.)

This alternative was eliminated from consideration, however, because it failed to offer any environmental advantage over the modified Project. For one thing, additional ground disturbance associated with constructing a greater number of towers would result in substantially greater environmental impacts during construction. Further, in some instances, particularly in mountainous terrain, reducing structure heights might prove infeasible or ineffective, such that aviation marker balls and lights would continue to be needed.

Not all aspects of the proposed Project modifications result in additional, significant and unavoidable environmental impacts to Visual Resources, however. Redesign of the structures near the Chino Airport would have an adverse but less-than-significant impact on landscape character and on visual quality from some viewpoints and from others, might even have a beneficial Visual Resources impact. The Final SEIR concludes that "[r]edesign would require minor adjustments to tower designs and locations, and would not be readily noticeable from most viewing locations." (Final SEIR, Vol. 1, ES-15.)

Further, installation-related construction impacts would be temporary, since generally, marker balls and lights would be installed in conjunction with Project construction. In this regard the Final SEIR states: "[T]here would be no new construction or landing areas developed; the increase in helicopter installation time ... would be minor (seven percent) ..." (Final SEIR, Vol. 1, 4.5-33.)

In sum, the Final SEIR concludes that the Project, as modified to include the transmission infrastructure marking and lighting recommended by the FAA, “would contribute to the long-term loss and degradation of scenic highway viewsheds and the national scenic trail viewshed ... and visual impacts would be significant and unavoidable.” (Final SEIR, Vol. 1, ES-15.)

Under CEQA, environmental impacts that are significant and cannot be avoided or reduced to less-than-significant levels through the application of feasible mitigation measures are characterized as Class I impacts. The FAA’s recommendations lead to new Class I impacts. As noted previously, the recommendations are the result of SCE’s consultation with the FAA as required by Mitigation Measure L-2b and the FAA recommendations have been fashioned to increase public safety by making hazardous structures (transmission structures and wire spans) more visible to pilots.

6.3. Adjustment of Cost Cap

Next we turn to the cost cap issue ORA raises in its response, as clarified at the December 5, 2011 prehearing conference. As ORA reasonably requests, to the extent the costs of the FAA-recommended design changes are not included in the cost cap authorized by D.09-12-044, as modified by D.13-07-018, SCE should separately identify and quantify the costs of the FAA-recommended design changes in the subsequent advice letter filing that those decisions require. (See D.09-12-044, Ordering Paragraph 4.)

7. Certification of Final SEIR

In response to SCE’s petition, the Commission’s Energy Division has overseen preparation of a Draft SEIR, which among other things includes a new Executive Summary, a description of the Project modifications proposed (Section 2.0) and an examination of Affected Environment and Environmental

Consequences (Section 4.0). The Commission released the Draft SEIR for public comment on April 11, 2013.

The Final SEIR was completed after notice and opportunity for public comment on the Draft SEIR, as required by CEQA. The Final SEIR, which includes the Draft SEIR, documents all written and oral comments made on the Draft SEIR, and responds to the comments, as required by CEQA. The Final SEIR identifies the significant and unavoidable environmental impacts of the proposed changes to the project in the area of Visual Resources. No new mitigation is available to reduce the significance of these new impacts.

Therefore, the Final SEIR does not require any new mitigation (that is, no mitigation of an entirely different kind or type than the mitigation already specified in the MMP) but rather, requires that all previously identified mitigation be applied to the modified Project, which we make a condition of our approval. For this reason, a second MMP is unnecessary and has not been prepared.

The Final SEIR was presented to us; we have reviewed the Final SEIR and we have considered the information contained in it, in conjunction with the information in the previously certified FEIR. We certify that the Final SEIR has been completed in compliance with CEQA and that the Final SEIR reflects our independent judgment and analysis. Further, we have appended to today's decision, as Attachment A, the separate CEQA findings entitled "CPUC CEQA Findings of Fact."

8. Overriding Considerations

Pursuant to CEQA Guidelines §§ 15043 and 15093, the Commission may approve a project that results in significant and unavoidable impacts only upon a finding that overriding considerations exist.

D.09-12-044 approved the Project as the Environmentally Superior Alternative, adopted a statement of overriding considerations to explain why the Project's benefits outweigh its unavoidable impacts and certified the FEIR. In that statement of overriding considerations the Commission found that the approved Project would "provide substantial benefits, including but not limited to facilitating California's policy goals of renewable procurement within a reasonable period of time at the lowest environmental cost" and would meet all of the identified objectives for the transmission line, as further described throughout D.09-12-044. (D.09-12-044 at 64.) D.13-07-018, which authorized undergrounding of Segment 8A after consideration of the Addendum prepared in accordance with CEQA, did not alter this analysis in any fundamental way.

This analysis continues to be compelling. We acknowledge the continued existence of the benefits the Commission found in D.09-12-044. With respect to Segments 5, 6, 7, 8, 10, and 11 however, consultation with the FAA has shown the need for Project modifications to promote public safety in navigable airspace. Installation of marker balls and lights, as recommended by the FAA, is necessary to make hazardous structures (transmission structures and wire spans) more visible to pilots, even though the installation would result in significant and unavoidable environmental impacts to Visual Resources.

Thus, in light of all of these considerations and to the extent necessary, we find that there are overriding considerations that support our adoption of the proposed modifications to the Project. The benefits set forth above and throughout this decision, and the benefits set forth in D.09-12-044, constitute an overriding consideration approving the design modifications for the Project independent of the other benefits, despite each and every significant unavoidable impact.

9. Exhibits

Utilizing the identification system and process adopted by D.09-12-044 and D.13-07-018, we identify the SEIR and receive it into the record of this proceeding, as follows:

- Reference Exhibit D - Draft Supplemental Environmental Impact Report for the Tehachapi Renewable Transmission Project, April 2013
- Reference Exhibit E - Final Supplemental Environmental Impact Report for the Tehachapi Renewable Transmission Project, Volume I, October 2013
- Reference Exhibit F - Final Supplemental Environmental Impact Report for the Tehachapi Renewable Transmission Project, Volume II, October 2013
- Reference Exhibit G - Project Update to Final Supplemental Environmental Impact Report for the Tehachapi Renewable Transmission Project, October 2013

10. Waiver of Comment Period.

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Pub. Util. Code § 311(g)(2) and Rule 14.6(c)(2) of the Commission's Rules of Practice and Procedure, the otherwise applicable 30-day period for public review and comment is waived.

11. Assignment of Proceeding

Michael R. Peevey is the assigned Commissioner and Jean Vieth is the assigned Administrative Law Judge in this proceeding.

Findings of Fact

1. The Supplemental EIR (draft and final versions) for the Project conforms to the requirements of CEQA.
2. The proposed changes to Segments 5, 6, 7, 8, 10, and 11 of the approved Project would have significant and unavoidable impacts on Visual Resources.

3. The Commission has reviewed and considered the information contained in the Supplemental Final EIR; the Commission used this information, together with the information in the Final EIR, in deciding to approve the proposed changes to the approved Project.

4. The Supplemental Final EIR reflects the Commission's independent judgment and analysis.

5. The CEQA Findings of Fact in Attachment A represent the independent findings of the Commission.

6. No new mitigation is available to reduce the significance of the new impacts associated with the FAA's recommendation to install marker balls and structure lighting. The Supplemental Final EIR does not require any entirely new type or kind of mitigation but requires that all previously identified mitigation be applied to the Project modifications.

7. The analysis supporting the statement of overriding considerations adopted in D.09-12-044 continues to be compelling. With respect to Segments 5, 6, 7, 8, 10, and 11 of the approved Project, however, the FAA has recommended the installation of marker balls on certain wire spans and lights on certain transmission structures to promote public safety. Installation of marker balls and lights, as recommended by the FAA is necessary to make hazardous structures (transmission structures and wire spans) more visible to pilots, even though the installation would result in significant environmental impacts to Visual Resources.

8. In light of all of these considerations and to the extent necessary, we find that there are overriding considerations that support our adoption of the proposed modifications to the Project. The benefits set forth above and throughout this decision, and the benefits set forth in D.09-12-044, as modified by

D.13-07-018, constitute an overriding consideration approving the design modifications for the Project independent of the other benefits, despite each and every significant unavoidable impact.

9. Utilizing the identification system adopted in D.09-12-044 and D.13-07-018, the following additional reference exhibits should be identified and received into the record of this proceeding: Reference Exhibit D – Supplemental Draft Environmental Impact Report, issued April 11, 2013; Reference Exhibit E – Supplemental Final Environmental Impact Report, Volume I, issued October 3, 2013; Reference Exhibit F – Supplemental Final Environmental Impact Report, Volume II, issued October 3, 2013; and Reference Exhibit G – Project Update to Final Supplemental Environmental Impact Report for the Tehachapi Renewable Transmission Project, October 2013.

10. To the extent the costs of the FAA-recommended design changes are not included in the cost cap authorized by D.09-12-044, as modified by D.13-07-018, SCE should separately identify and quantify the costs of the FAA-recommended design changes in the subsequent advice letter filing that those decisions require.

Conclusions of Law

1. SCE's petition complies with the requirements of Rule 16.4(b) and Rule 16.4(d) of the Commission's Rules of Practice and Procedure.
2. The Supplemental Final EIR was completed in compliance with CEQA and should be certified.
3. The CEQA Findings of Fact in Attachment A should be adopted in their entirety.
4. SCE's petition should be granted and the design modifications proposed for the Project should be approved, subject to all mitigation measures set forth in the Final EIR certified by D.09-12-044.

5. To the extent necessary, overriding considerations should be found to exist to approve the design modifications proposed for the Project.

6. This order should be effective immediately to ensure timely completion of the Project.

O R D E R

IT IS ORDERED that:

1. Consistent with these Ordering Paragraphs, the Petition for Modification filed on October 17, 2011, by Southern California Edison Company (SCE) is granted and Decision (D.) 09-12-044, as modified by D.13-07-018, is modified to authorize SCE to construct Segments 4 through 11 of the Tehachapi Renewable Transmission (the Project or TRTP) in accordance with the Project design modifications reviewed in the Supplemental Final Environmental Impact Report (EIR) for the TRTP, subject to all mitigations identified in the Final EIR.

2. The Supplemental Draft Environmental Impact Report (EIR) is received into the record of this proceeding as Reference Exhibit D; the Supplemental Final EIR, Volume I is received into the record of this proceeding as Reference Exhibit E; the Supplemental Final EIR, Volume II is received into the record of this proceeding as Reference Exhibit F; the Project Update to Final Supplemental Environmental Impact Report for the Tehachapi Renewable Transmission Project, is received into the record of this proceeding as Reference Exhibit G.

3. The Supplemental Final Environmental Impact Report (EIR), which modifies the Final EIR, is certified pursuant to the requirements of the California Environmental Quality Act, Pub. Res. Code §§ 21000 *et seq.*

4. Attachment A, entitled "CPUC CEQA Findings of Fact" is adopted in its entirety.

5. Southern California Edison Company must include in the advice letter filing required by Ordering Paragraph 4 of Decision 09-12-044 the costs of design changes recommended by the Federal Aviation Authority and authorized today, to the extent those costs are not included in the cost cap authorized by D.09-12-044, as modified by D.13-07-018.

6. Application 07-06-031 remains open.

This order is effective today.

Dated October 31, 2013, at San Francisco, California.

MICHAEL R. PEEVEY

President

MICHEL PETER FLORIO

CATHERINE J.K. SANDOVAL

MARK J. FERRON

CARLA J. PETERMAN

Commissioners

Attachment A

CPUC CEQA FINDINGS OF FACT