

AMENDED IN ASSEMBLY APRIL 20, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1453

Introduced by Assembly Member Rendon

February 27, 2015

~~An act to amend Section 1005.1 of the Public Utilities Code, relating to electricity.~~ *An act to add Section 768.3 to the Public Utilities Code, relating to public utilities.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1453, as amended, Rendon. ~~Electrical transmission: certificates of public convenience and necessity.~~ *Electrical corporations: underground electrical facilities: worker safety.*

The Public Utilities Act authorizes the Public Utilities Commission to require public utilities, including electrical corporations, to construct, maintain, and operate their facilities and equipment to promote and safeguard the health and safety of its employees. A violation of the Public Utilities Act, or any decision, rule, direction, demand, or requirement of the commission is a crime.

This bill would require the commission, by January 1, 2017, to adopt a rule regulating work performed in underground electrical facilities by, or on behalf of, an electrical corporation that is consistent with certain worker safety protections. Because a violation of the rule would be a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

~~Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations, as defined. The Public Utilities Act prohibits any electrical corporation from beginning the construction of, among other things, a line, plant, or system, or of any extension thereof, without having first obtained from the commission a certificate that the present or future public convenience and necessity require or will require that construction (certificate of public convenience and necessity). Existing law requires the commission to issue a decision on an application for a certificate of public convenience and necessity within 18 months of the filing of a completed application if the application is for a certificate for building or upgrading an electrical transmission line that the commission finds necessary to provide transmission to load centers for electricity generated in a high-priority renewable energy zone or is reasonably necessary to facilitate achievement of the renewables portfolio standard established pursuant to the California Renewables Portfolio Standard Program and the commission considers specified matter. The matter that the commission is required to consider includes the availability of cost-effective alternatives to transmission, such as energy efficiency measures and distributed generation.~~

~~This bill would require the commission to consider the availability of cost-effective alternatives to transmission, such as energy efficiency or demand response measures and distributed generation.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 768.3 is added to the Public Utilities
- 2 Code, to read:
- 3 768.3. (a) The Legislature finds and declares all of the
- 4 following:
- 5 (1) Electrical equipment, including transformers and switches,
- 6 housed in underground facilities, such as manholes and vaults,
- 7 present an extremely hazardous working environment if work is
- 8 attempted while the equipment is energized.

1 (2) *There have been numerous fatalities and serious injuries*
2 *when work has been performed in underground electrical facilities*
3 *while the equipment was energized.*

4 (3) *California has thousands of underground electrical facilities.*
5 *The commission has provided electrical corporations with limited*
6 *authority to avoid installing additional underground electrical*
7 *facilities.*

8 (4) *Work is performed in underground electrical facilities by*
9 *both employees of the electrical corporation and by employees of*
10 *outside contractors. Some of these employees do not have the*
11 *technical training to know how to deenergize the equipment, to*
12 *perform a hot scan or gas test, to determine if the equipment has*
13 *been deenergized, and to make safe a confined space working*
14 *environment. These employees can be at severe risk if electrical*
15 *equipment is not properly deenergized and set to avoid*
16 *automatically becoming reenergized.*

17 (5) *Only a qualified electrical worker has the training and*
18 *qualifications to ensure that an underground electrical facility has*
19 *been fully deenergized and that it is safe to proceed with the work*
20 *in the facility.*

21 (b) *By January 1, 2017, the commission shall adopt a rule*
22 *regulating work performed in underground electrical facilities by,*
23 *or on behalf of, an electrical corporation that does all of the*
24 *following:*

25 (1) *Prohibits work directly on energized underground electrical*
26 *equipment.*

27 (2) *Requires a qualified electrical worker to determine that*
28 *underground electrical equipment has been deenergized and is in*
29 *a mode that would make the equipment safe to be worked on.*

30 (c) *For the purposes of this section, the following terms mean*
31 *the following:*

32 (1) *“Qualified electrical worker” has the same meaning as set*
33 *forth in Section 2700 of Title 8 of the California Code of*
34 *Regulations.*

35 (2) *“Underground electrical equipment” means equipment*
36 *energized in excess of 600 volts and all or part of the equipment*
37 *is in an underground electrical facility.*

38 (3) *“Underground electrical facility” means a vault, manhole,*
39 *or other subsurface confined structure.*

1 *SEC. 2. No reimbursement is required by this act pursuant to*
 2 *Section 6 of Article XIII B of the California Constitution because*
 3 *the only costs that may be incurred by a local agency or school*
 4 *district will be incurred because this act creates a new crime or*
 5 *infraction, eliminates a crime or infraction, or changes the penalty*
 6 *for a crime or infraction, within the meaning of Section 17556 of*
 7 *the Government Code, or changes the definition of a crime within*
 8 *the meaning of Section 6 of Article XIII B of the California*
 9 *Constitution.*

10 ~~SECTION 1. Section 1005.1 of the Public Utilities Code is~~
 11 ~~amended to read:~~

12 ~~1005.1. (a) The commission shall issue a decision on an~~
 13 ~~application for a certificate within 18 months of the date of filing~~
 14 ~~of the completed application, when all of the following are true:~~

15 ~~(1) The application is for a certificate for building or upgrading~~
 16 ~~an electrical transmission line that the commission finds necessary~~
 17 ~~to provide transmission to load centers for electricity generated in~~
 18 ~~a high priority renewable energy zone or is reasonably necessary~~
 19 ~~to facilitate achievement of the renewables portfolio standard~~
 20 ~~established in Article 16 (commencing with Section 399.11) of~~
 21 ~~Chapter 2.3.~~

22 ~~(2) The commission has considered all of the following:~~

23 ~~(A) The utilization of rights-of-way by upgrading existing~~
 24 ~~transmission facilities instead of building new transmission~~
 25 ~~facilities, where technically and economically justifiable.~~

26 ~~(B) The expansion of existing rights-of-way, if technically and~~
 27 ~~economically feasible, when construction of new transmission~~
 28 ~~lines is required.~~

29 ~~(C) The creation of new rights-of-way when justified by~~
 30 ~~environmental, technical, and economic reasons.~~

31 ~~(D) The availability of cost-effective alternatives to transmission,~~
 32 ~~such as energy efficiency or demand response measures and~~
 33 ~~distributed generation.~~

34 ~~(3) The commission has not expressly found any of the~~
 35 ~~following:~~

36 ~~(A) That the investment is not reasonable and necessary to~~
 37 ~~maintain or enhance reliability of the transmission grid.~~

38 ~~(B) That the building or upgrading of the electrical transmission~~
 39 ~~line will not maintain or enhance efficient use of the transmission~~
 40 ~~grid.~~

1 ~~(C) That the transmission line fails to meet other applicable~~
2 ~~standards and requirements for approval and construction.~~
3 ~~(b) An extension of time may be granted by the commission if~~
4 ~~it finds the extension is necessary for completion of review~~
5 ~~pursuant to the California Environmental Quality Act (Division~~
6 ~~13 (commencing with Section 21000) of the Public Resources~~
7 ~~Code).~~

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