



General Information on Permitting Electric Transmission Projects at the California Public Utilities Commission

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Presentation created by the
Transmission and Environmental Permitting Team





Who Does What?

□ CAISO

- Approves transmission plans of service
- What electrical upgrades are needed to add the line to the system?
- Economic and reliability analysis to determine value of line to system
- Does not physically site the transmission line and does not include environmental review

□ CEC

- Permits thermal facilities greater than 50 MW, including solar thermal
- plus gen-tie from facility to first point of interconnection





Who Does What? (Continued)

- Counties
 - Permit all wind facilities, solar PV, and solar thermal less than 50 MW
- CPUC
 - Permits transmission facilities
 - Greater than 50 KV
 - Exemptions per General Order 131-D





Simplified Electric Delivery System



Renewable/Fossil Fuel Generator

Distribution (<50 kV)

The CPUC Permits:

Gen-tie

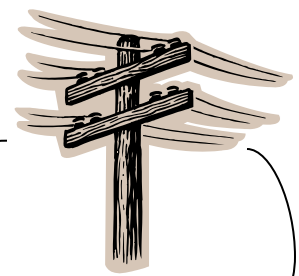


Substation

Transmission 115, 230, 500 kV lines



Substation



Small Electric Consumer



Transmission Towers and Lines





Permitting Process at the CPUC

- Utility prepares Proponent's Environmental Assessment (PEA) and preliminary engineering for project
- Utility communicates with CPUC 3 to 6 months before filing application for PTC* or CPCN** to ensure most complete application possible – pre-filing
- Utility files PTC or CPCN application with the CPUC
- CPUC takes approximately 12 - 18 months to process the application – primarily determined by quality of PEA and CEQA review
- Utility takes 1 to 5 years to construct project, depending upon size and complexity

*PTC = Permit to Construct

**CPCN = Certificate of Public Convenience and Necessity





Prefiling Permitting Activities at the CPUC

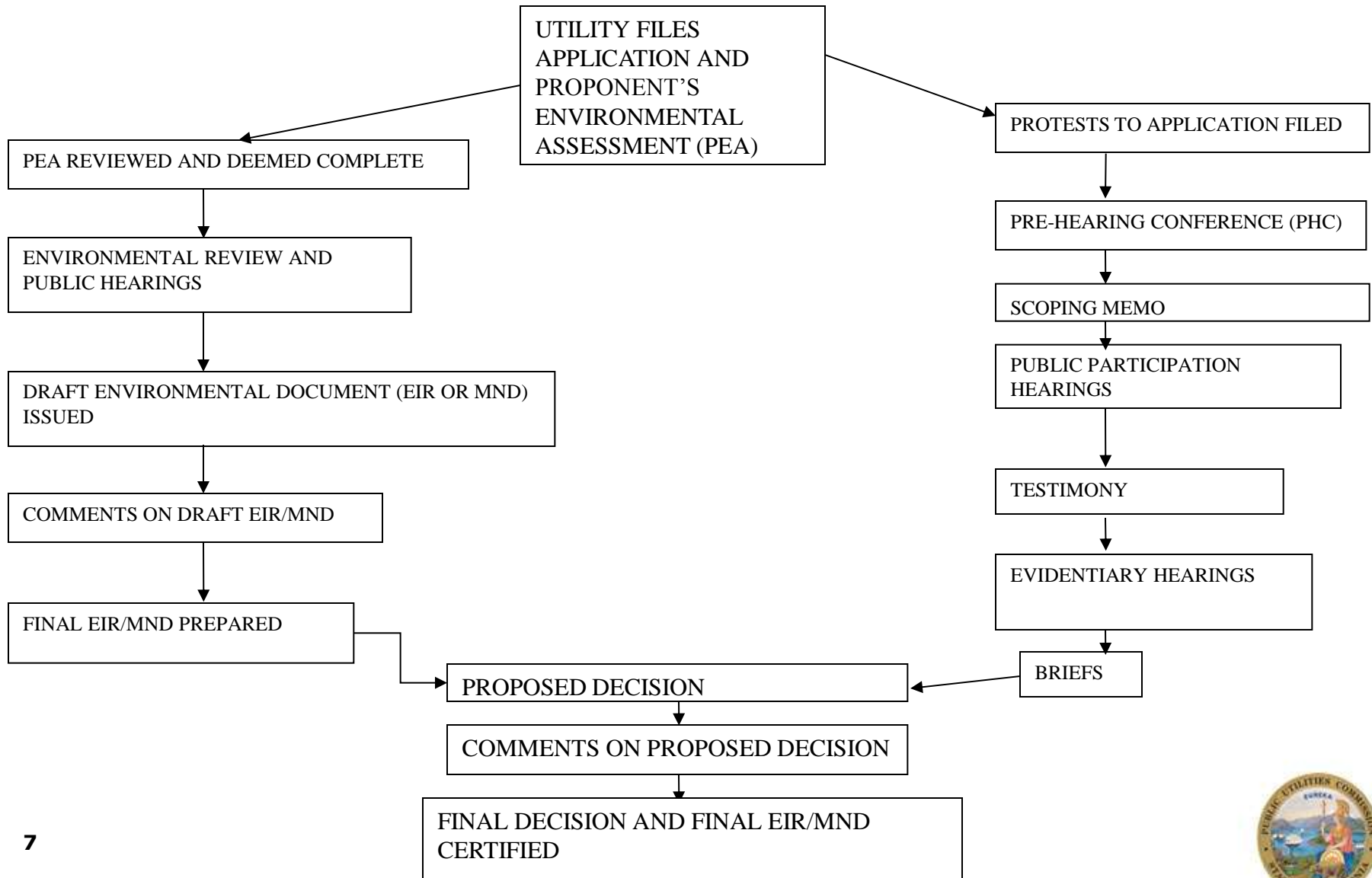
Implemented on all projects starting late 2008/early 2009:

- Work with the applicant during the development of their alternatives
 - Understand the applicant's logic for selection of alternatives
 - Possibly suggest alternatives that may reduce environmental impacts
 - CPUC staff does not approve the project or alternatives
- Collaborate on key observation points and methodology for visual simulations
 - Run simulations once
- Oversee biological and cultural surveys early
 - Conduct surveys once





CPCN Process





Time Frame to Plan, Permit, and Construct a Transmission Line

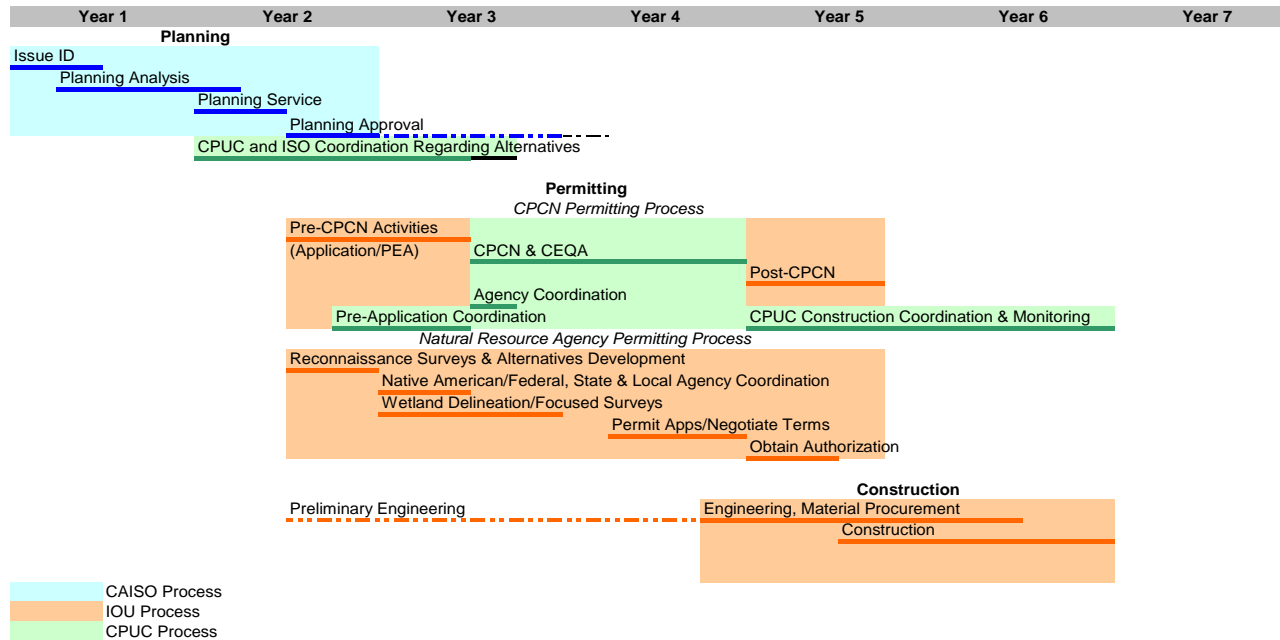
Planning	Permitting	Construction
3 to 4 years	3 to 4 years	1 to 5 years

- **Planning includes the IOU evaluating and identifying transmission lines that need to be upgraded or constructed, and putting a plan together for CAISO evaluation and approval.**
- **Permitting includes 1 to 2 years for the IOU to prepare a Proponent's Environmental Assessment (PEA) and application. Average time for CPUC decision is 18 months (includes permits from Resource Agencies).**
- **Construction of all segments of Tehachapi will take approximately 5 years. Average construction time is approximately 1 to 2 years.**





Permitting, Planning & Construction

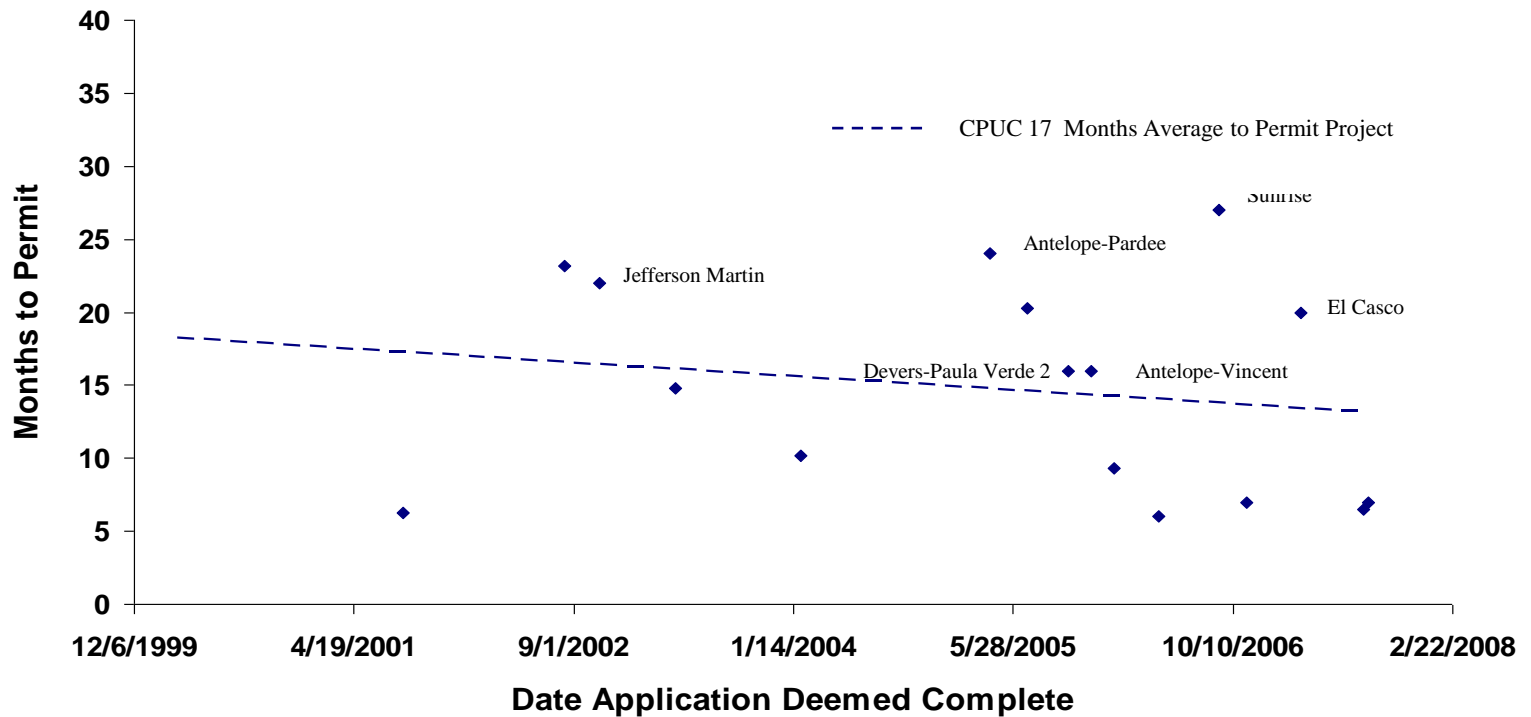


- 1 This provides a best case scenario timeline. This timeline of activities can be generally applied to projects 30 to 150 miles in length, involves more than 3 local jurisdictions, 2 to 3 federal agencies, 1 to 3 state agencies, and more than 30 land owners. The planning process is a key uncertainty.
- 2 This timeline assumes a certificate of public convenience and necessity (CPCN) is needed.
- 3 Issue Identification: The transmission project may be needed for reliability, economic reasons, and/or for renewable resources.
- 4 Planning Approval: please see CAISO generator interconnection process and Order 890 planning process
- 5 Pre-CPCN Activities include (a) project scope definition, (b) project study area definition, (c) environmental information identification and compilation, (d) informational exchange with community leaders, (e) consultation with land use and natural resources management stakeholders, (f) preparation of Proponent's Environmental Assessment, and (g) preparation and filing of permit application.
- 6 CPCN Process: please see CPUC timeline. Actual schedule depends on, among other things, (a) environmental setting and potential impacts, (b) project complexity, and (c) level of public interest.
- 7 Post-CPCN Activities include right-of-way acquisition and resource agency permits acquisition. Additional time is needed if eminent domain action is necessary.





Historic Permitting Times



Notes:

- Project time is taken from application deemed complete to a Commission decision.
- CPUC projects are linear i.e. transmission lines or substations; some are joint projects with federal agencies.





Authority and Permits to Construct Energy Infrastructure

□ Transmission lines

- CPUC - CPCN or PTC
- CPUC/federal agency – CPCN or PTC/Record of Decision (ROD) (NEPA)
- County - certified environmental document (CEQA)
- Agency Permits in addition to the CPCN or PTC

□ Generation

- CEC – Final Staff Assessment (FSA) (CEQA equivalent)
- CEC/Federal agency – FSA /Record of Decision
- County – certified environmental document (CEQA)





Typical Required Permits After the CPUC Issues the CPCN or PTC – State Resource Agency Permits

- Resource Agency Permits Obtained by the Applicant
- State Water Resources Control Board (SWRCB)
 - Section 401 Water Quality Permit (Clean Water Act)
 - Needed if there are potential impacts to waters of the state
 - Issued after the Project is Approved
- California Department of Fish and Game (CDFG)
 - Section 1602 Streambed Alteration Agreement (SAA) (Fish and Game Code)
 - Needed if project activities are within 100 ft of a water body or have the potential to affect the water body
 - Issued after the Project is Approved





Other Permits That May be Required - Federal

- Army Corps of Engineers (ACE)
 - 404 Permit (Clean Water Act)
 - Needed if placement of dredge material into US waters, including wetlands
 - Nationwide permit (NWP) – less than 5 acres
 - Regional or individual permit – more than 5 acres
 - Takes approximately 9 months (NWP) to 15 months (regional permit) from when the application is submitted
- United State Fish and Wildlife Service (USFWS)
 - Section 7 consultation (Federal Endangered Species Act)
 - Biological Assessment (BA) is prepared by the applicant and submitted to the ACOE (for river & wetland modification)
 - USFW issues a Biological Opinion (BO) – issued within 135 days of acceptance of the BA





Other Permits That May be Required - State

- California Department of Fish and Game (CDFG) - Fish and Game Code 2080.1 Consistency Determination
 - Required if the project may result in take of species that are both federally and state-listed
 - Applicant requests that CDFG review the BO issued by USFWS to determine if conservation measures in BO are acceptable
 - CDFG has 30 days from receipt of the request to review the BO and issue a determination
- California Department of Fish and Game (CDFG) –Section 2080 Take Permit
 - Required if project has potential to result in take of a state-only listed endangered species or threatened species
 - Applicant submits application to CDFG to identify mitigation measures to reduce, avoid and minimize the potential for take.
 - Authorization received from CDFG in approximately 30 to 90 days, depending upon the species involved and complexity of the project.

