

ASSEMBLY BILL

No. 1149

Introduced by Assembly Member Aroner

February 25, 1999

An act to add Section 762.7 to the Public Utilities Code, relating to public utilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1149, as introduced, Aroner. Underground electric and telephone facilities.

(1) Under existing law, the Public Utilities Commission has regulatory authority over public utilities and, under that authority, has adopted rules for the replacement of overhead electric and telephone facilities with underground facilities.

This bill would require the commission to amend those rules to require new underground facilities to meet certain continuity, public safety, and reliability requirements. Because violations of the rules of the commission are crimes, this bill would impose a state-mandated local program by creating new crimes.

(2) 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.

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

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

1 SECTION 1. Section 762.7 is added to the Public
2 Utilities Code, to read:

3 762.7. The Public Utilities Commission shall amend its
4 rules for the replacement of overhead electric and
5 telephone facilities with underground facilities to require
6 new underground facilities to do all of the following:

7 (a) Provide continuity with an existing underground
8 system or eliminate uneven patches of overhead facilities
9 that create an aesthetically unattractive environment.

10 (b) Enhance public safety.

11 (c) Provide improved reliability over the replaced
12 overhead facilities, within an existing system of
13 underground facilities.

14 SEC. 2. No reimbursement is required by this act
15 pursuant to Section 6 of Article XIII B of the California
16 Constitution because the only costs that may be incurred
17 by a local agency or school district will be incurred
18 because this act creates a new crime or infraction,
19 eliminates a crime or infraction, or changes the penalty
20 for a crime or infraction, within the meaning of Section
21 17556 of the Government Code, or changes the definition
22 of a crime within the meaning of Section 6 of Article
23 XIII B of the California Constitution.

