

AMENDED IN ASSEMBLY APRIL 8, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

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 amended, Aroner. Underground electric and telephone facilities.

~~(1) Under~~

Under existing law, the Public Utilities Commission has regulatory authority over public utilities and, under that authority, has adopted ~~rules~~ *a tariff* 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~~ *conduct a study as to the ways to amend and improve the tariff, as specified. The commission would be required to submit a report on the study to the Legislature on or before January 1, 2001.*

~~(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~~ *no*.

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.~~

24 ~~SECTION 1. (a) The Public Utilities Commission~~
25 ~~shall conduct a study as to the ways to amend and improve~~
26 ~~Tariff 20. The issues to be addressed shall include, but not~~
27 ~~be limited to, all of the following:~~

28 ~~(1) Discovering and eliminating barriers to~~
29 ~~establishing continuity of the existing underground~~
30 ~~system and ways to eliminate uneven patches of overhead~~
31 ~~facilities.~~

- 1 (2) *How to enhance public safety.*
- 2 (3) *How to improve reliability.*
- 3 (4) *How to provide more flexibility to local*
- 4 *governments.*
- 5 (b) *Notwithstanding Section 7550.5 of the*
- 6 *Government Code, the Public Utilities Commission shall*
- 7 *submit a report on the study required by subdivision (a)*
- 8 *to the Legislature on or before January 1, 2001.*

