

UNITED STATES DEPARTMENT OF ENERGY

**Office of Fossil Energy
Washington, D.C.**

FE Docket No. PP-49-1

San Diego Gas & Electric Company

Presidential Permit Amendment

Order No. PP-49-1

February 1, 1996

SAN DIEGO GAS & ELECTRIC COMPANY

ORDER NO. PP-49-1

BACKGROUND

The Office of Fossil Energy (FE) of the Department of Energy (DOE) has the responsibility for implementing Executive Order 10485, as amended by Executive Order 12038, which requires the issuance of Presidential permits for the construction, connection, operation, and maintenance of electric transmission facilities at the U.S. international border.

On December 29, 1970, the Federal Power Commission (FPC) granted a Presidential permit in Docket E-7544 to San Diego Gas & Electric Company (SDG&E). This document is now identified by the DOE as Presidential Permit PP-49 in FE Docket PP-49. PP-49 authorized SDG&E to construct the following electric transmission facilities across the United States border with Mexico:

- (1) a 69-kilovolt (kV) transmission line in the vicinity of Tijuana, Baja California, Mexico;
- (2) a 12-kV transmission line in the vicinity of Tijuana, Baja California, Mexico; and
- (3) a 12-kV transmission line in the vicinity of Tecate, California, U.S.A.

On November 7, 1995, SDG&E applied to DOE to amend Presidential Permit PP-49. As authorized in PP-49, the 69-kV facilities include approximately 1.3 miles of electric transmission line extending from SDG&E's San Ysidro substation to the U.S.-Mexican border and connecting SDG&E with the Comision Federal de Electricidad (CFE), the national electric utility of Mexico. In the amendment application, SDG&E claims that the requirement for and the value of maintaining the 69-kV facility as an international interconnection was supplanted by the establishment of the 230-kV Miguel-Tijuana line, which was authorized by DOE in Presidential Permit PP-68 on January 12, 1981. Consequently, SDG&E is seeking authority to remove the span of 69-kV electrical conductors which cross the U.S.-Mexico border, but to retain that portion of the line which lies wholly within the United States for future domestic uses.¹

¹ Article 11 of Presidential Permit PP-49 (formerly FPC Docket E-7544) required that all facilities associated with an international transmission line be removed upon termination, revocation or surrender of the permit.

FINDING

The subject 69-kV facilities have been essentially unused since the Miguel-Tijuana 230-kV line was placed in service in 1981. Also, the subject facilities do not constitute a major transmission interconnection which integrates the SDG&E and CFE systems. Furthermore, allowing the retention of the U.S. portion of the facilities for additional domestic purposes will help increase the reliability of service to regional customers in the United States. Therefore, the DOE has determined that granting SDG&E's request would not adversely impact the reliability of the U.S. electric power supply system.

The DOE has assessed the potential environmental impacts associated with the proposed amendment and has determined that this action is among those classes of actions not normally requiring preparation of an environmental assessment or an environmental impact statement and, therefore, is eligible for categorical exclusion under Appendix B to Subpart D, Paragraph B4.6 of the revised DOE Regulations implementing the National Environmental Policy Act of 1969. A memorandum documenting the use of this categorical exclusion has been placed in this Docket.

The Secretary of State and the Secretary of Defense have favorably recommended that the requested amendment be granted.

Based on the above, DOE finds that amending Presidential Permit PP-49 as requested by SDG&E is consistent with the public interest.

ORDER

Pursuant to the provisions of Executive Order 10485, as amended by Executive Order 12038, and the Rules and Regulations thereunder (Title 10, Code of Federal Regulations, section 205.320 et seq.), the Presidential permit issued on December 29, 1970, by the Federal Power Commission in Docket No. E-7544 and currently identified by the Department of Energy as Presidential Permit PP-49 in FE Docket PP-49, is hereby amended by rescinding the authorization to maintain a 69-kV transmission line across the U.S. international border at Tijuana, Baja California, Mexico. That portion of such 69-kV facilities contained wholly within the boundaries of the United States may be retained by SDG&E for future domestic purposes. Furthermore, all ordering Articles contained in Presidential Permit PP-49 are superseded by the following:

Article 1. The facilities herein described shall be subject to all conditions, provisions and requirements of this permit. This permit may be modified or revoked by the President of the United States without notice, or by the DOE after public notice, and may be amended by the DOE after proper application thereto.

Article 2. The facilities covered by and subject to this permit shall include the following facilities and all supporting structures within the right-of-way occupied by such facilities:

- (1) A single circuit, three-phase, 60 Hz, 12-kV transmission line crossing the U.S. - Mexico International Boundary in the vicinity of Tijuana, Baja California, Mexico.
- (2) A single circuit, three-phase, 60 Hz, 12-kV transmission line crossing the U.S.- Mexico International Boundary in the vicinity of Tecate, California, U.S.A.

These facilities are more specifically shown and described in the application filed in Docket PP-49 on June 29, 1970, and subsequently supplemented on July 17 and 21, 1970, and the application filed in Docket PP-49-1 on November 7, 1995.

Article 3. The facilities described in Article 2 above shall be operated and maintained in accordance with the applicable criteria established by the Western Systems Coordinating Council and consistent with that of the North American Electric Reliability Council. The facilities shall be operated and maintained as an asynchronous tie with Comision Federal de Electricidad with the capability to supply only block loaded electric energy.

Article 4. No change shall be made in the facilities covered by this permit or in the authorized operation of these facilities unless such change has been approved by the DOE.

Article 5. SDG&E shall at all times maintain the facilities covered by this permit in a satisfactory condition so that all requirements of the National Electric Safety Code in effect at the time of construction are fully met.

Article 6. The operation and maintenance of the facilities covered by this permit shall be subject to the inspection and approval of a properly designated representative of the DOE, who shall be an authorized representative of the United States for such purposes. SDG&E shall allow officers or employees of the United States, with written authorization, free and unrestricted access into, through, and across any property occupied by these facilities in the performance of their duties.

Article 7. SDG&E shall investigate any complaints from nearby residents of radio or television interference identifiably caused by the operation of the facilities covered by this permit. SDG&E shall take appropriate action as necessary to mitigate such situations. Complaints from individuals residing within one-half mile of the center of the transmission circuit are the only ones which must be resolved. SDG&E shall maintain written records of all complaints received and of the corrective actions taken.

Article 8. The United States shall not be responsible or liable for damages to or loss of the property of, or injuries to, persons; for damages to, or loss of the facilities covered by this permit; or for damages to, or loss of the property of, or injuries to the person of SDG&E officers, agents, servants or employees, or of others who may be on said premises; any of which

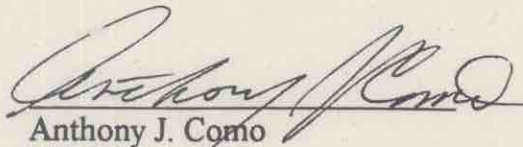
may arise from or be incident to the exercise of the privileges granted herein; and SDG&E shall hold the United States harmless from any and all such claims.

Article 9. SDG&E shall arrange for the installation and maintenance of appropriate metering equipment to record permanently the hourly flow of all electric energy transmitted between the United States and Mexico over the facilities authorized herein. SDG&E shall prepare, maintain, and preserve complete and accurate records concerning the transfer of such electric energy; and shall furnish a report to DOE annually by February 15, detailing for each month of the previous calendar year: (1) the gross amount of kilowatt-hours of electric energy received; (2) the maximum hourly rate of transmission in kilowatts; and (3) the consideration paid for such energy.

Article 10. Neither this permit nor the facilities covered by this permit, or any part thereof, shall be transferable or assignable, except in the event of the involuntary transfer of the facilities by the operation of law. In the case of such an involuntary transfer, this permit shall continue in effect for a period of 60 days and then shall terminate unless an application for a new permit pursuant to Title 10, Code of Federal Regulations, section 205.323, has been received by the DOE. Upon receipt by the DOE of such an application, this existing permit shall continue in effect pending a decision on the new application. During this decision period, the facilities authorized herein shall remain substantially the same as before the transfer.

Article 11. Upon termination, revocation or surrender of this permit, the electric transmission facilities authorized thereby and described in Article 2 of this permit shall be removed within such time as DOE may specify and at the expense of SDG&E. If SDG&E fails to remove such facilities or any portion thereof authorized by this permit, DOE may direct that such actions be taken for the removal of the facilities or the restoration of same at the expense of SDG&E. SDG&E shall have no claim for damages by reason of such possession, removal, or repair. However, if certain facilities authorized herein are useful for other utility operations within the bounds of the United States, the DOE will not require that those facilities be removed and the land restored to its original condition upon termination of the international interconnection.

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