

DOCKET**09-AFC-2**DATE JAN 15 2010RECD. JAN 15 2010

From: "Wanda Doscher" <WDoscher@energy.state.ca.us>
To: <DOCKET@energy.state.ca.us>
Date: 1/15/2010 8:32 AM
Subject: RE: TID-Almond 2 Power Plant
Attachments: Wanda Doscher.vcf

>>> "Paul Liu" <pliu@modestogov.com> 1/13/2010 10:32 AM >>>
It is hard to find. It is located in the General Provisions section.
Here is a copy.

10-2.2304 Utilities and Railroads.

(a) The provisions of this chapter shall not apply to the poles, lines or similar facilities, whether above ground or underground, whose sole purpose is non-wireless transmission of electricity or communications. This exclusion does not apply to the antennas, uni-poles, monopoles, towers, or any similar or related facilities of wireless communication services.

(b) Railroad rights-of-way may be used solely for the purpose of accommodating the tracks, signals and other operating devices for controlling the movement of rolling stock, and the poles, wires, pipelines, communication circuits and similar facilities of other utilities, including only those wireless communication facilities associated with and required for the operation of the railroad.
(Amended by Ord. 3510-C.S., § 3, effective 6-12-09)

Paul

>>> "Paul Liu" <pliu@modestogov.com> 1/13/2010 9:57 AM >>>
No CUP is required. Refer to section 10-2.2304 that exempts transmission lines from the code.

-----Original Message-----

From: Wanda Doscher [mailto:WDoscher@energy.state.ca.us]
Sent: Wednesday, January 13, 2010 9:54 AM
To: Paul Liu
Subject: Fwd: TID-Almond 2 Power Plant

Thank you Paul for your assistance. The clarification I am looking for within your municipal codes is whether or not the reconductoring of the existing 69-kV transmission line along the corridor outlined within the Application for Certification we reviewed together would require a conditional use permit according to the city laws, ordinances and standards.