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Electrical Transmission Permitting and California Environmental Quality Act (CEQA) Review at the CPUC

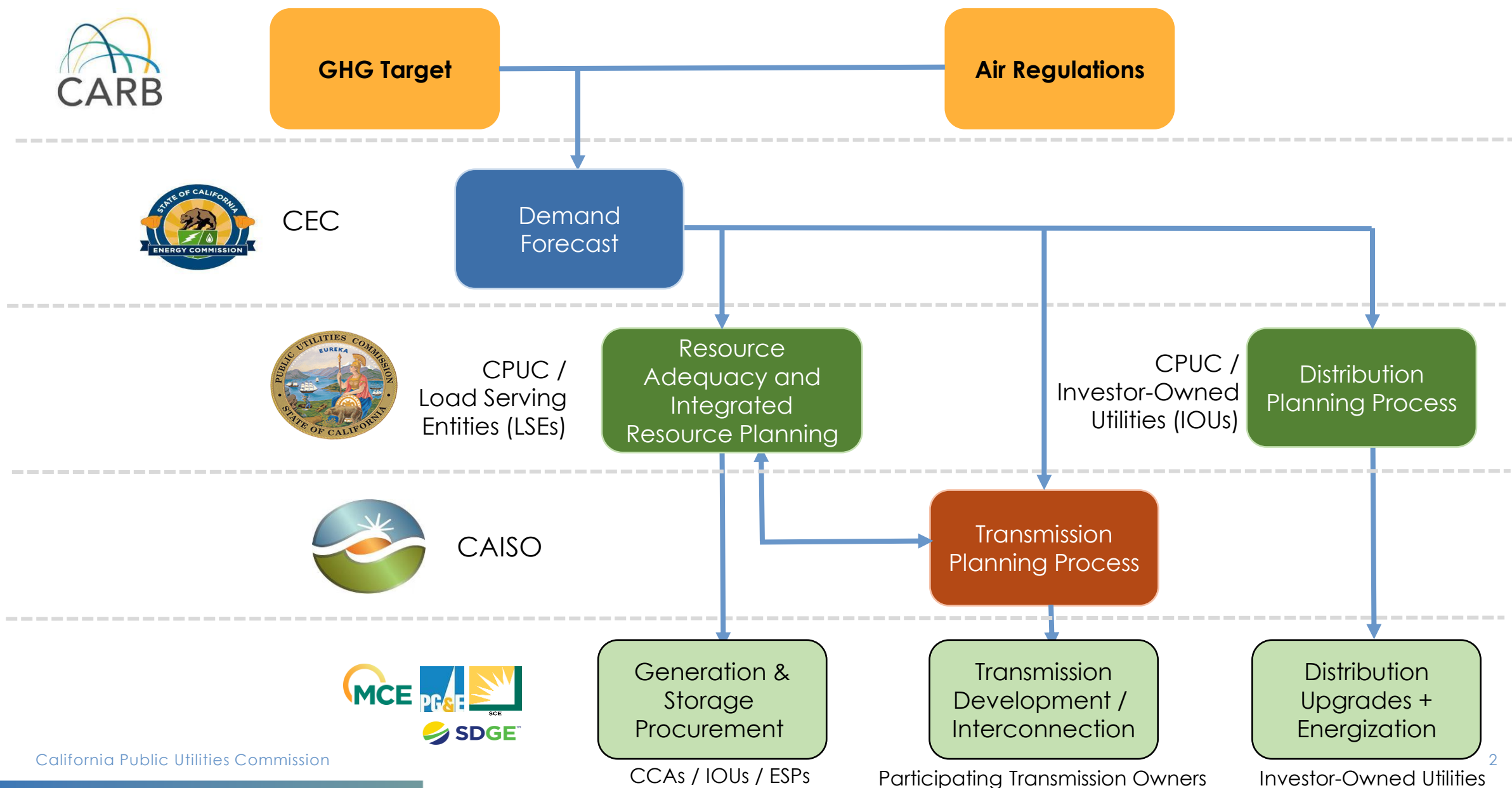
Disadvantaged Communities Advisory Group (DACAG) Meeting
San Francisco, California

Presentation by
California Public Utilities Commission
Energy Division, CEQA and FERC Branch

July 17, 2026



California Statewide Energy Planning Processes – High Level Overview



Electrical Infrastructure

The CPUC regulates construction for electrical infrastructure proposed by electric public utilities in the state of California



Typical distribution line
(<50 kilovolts [kV])



Typical power line (50-200 kV)



Typical substation



Typical transmission line (>200 kV)

CPUC Electrical Infrastructure Authorizations

CPUC General Order (GO) 131-E sets forth rules for permitting and notice of electrical transmission infrastructure projects proposed by electric public utilities

- **Permits** for some new electrical infrastructure projects*
 - **Certificate of public convenience and necessity (CPCN)** includes evaluation of project cost and need
 - **Permit to construct (PTC)** does not include cost evaluation
- **Advice letters** for some electrical infrastructure projects
- **Public Utilities Code Section 851 applications or advice letters** for transferring public-utility owned facilities or land, including sharing electrical towers or right-of-way with telecommunications equipment

*Some exempt projects do not require CPUC permits or advice letters

Permit Process for New Electrical Infrastructure

- The filing of a permit application triggers:
 - Formal legal proceeding leading to permit approval (or denial) at a CPUC voting meeting
 - Environmental review under the California Environmental Quality Act (CEQA) and Tribal consultation under Assembly Bill (AB) 52 (Chapter 532, Statutes 2014)
- Members of the public can participate in the CEQA process and/or become a party to the proceeding
- CEQA review addresses 20 resource areas including air quality, biological and cultural resources, water quality, hazardous materials, noise, transportation, wildfire, etc.



Tribal Consultation Under AB 52

- Pursuant to AB 52, CEQA lead agencies must consult with Tribes about potential impacts to Tribal cultural resources during the CEQA review process
- At any time, Tribes may submit a written request to the CPUC to be notified of projects within their geographic area (typically by county)
- Tribal consultation process under AB 52 includes:
 - Within 14 days of determining that a permit application is complete, CPUC CEQA staff must notify Tribes with the project description and location
 - Tribes may respond to the notification to request consultation on the project
 - Tribal consultation is typically ongoing throughout the CEQA process

Advice Letters for Some Electrical Infrastructure

- CPUC GO 131-E defines which projects qualify for an advice letter (generally minor upgrades, modifications, replacements, etc.)
- Advice letters:
 - Serve as a notice of construction (NOC)
 - Are approved at the staff level
 - Are subject to a 20-day public protest period*
 - Do not require the CPUC to conduct environmental review under CEQA or Tribal consultation under AB 52

*Protests are initially resolved by staff, but can be further protested at the Commissioner level

GO 131-D Update to GO 131-E

- **GO 131-E** was adopted on January 30, 2025, replacing the old GO 131-D rules
- Key changes include:
 - Allow applicant-prepared “draft versions” of CEQA documents
 - Earlier pre-filing consultation requirement for applicants
 - Clearer applicability of exemptions for grid upgrades, interconnections, etc.
 - Clarified, updated, and consolidated application and reporting requirements
 - New pilot program to identify lessons learned and ongoing process improvements

How to Participate

- Participate in the CEQA process:
 - Visit the CPUC CEQA webpage to track electrical transmission projects undergoing environmental review pursuant to CEQA: <https://www.cpuc.ca.gov/ceqa/>
 - Request to be added to the CEQA mailing list for a particular project
- Participate in formal application proceedings:
 - Visit CPUC “Proceeding Information Search” for information about the status of a proceeding and to participate in the proceeding process: <https://apps.cpuc.ca.gov/apex/f?p=401:1:0>
 - Contact the CPUC Public Advisor's Office for assistance: <https://www.cpuc.ca.gov/about-cpuc/divisions/news-and-public-information-office/public-advisors-office>
- For Tribes: participate in AB 52 tribal consultation, become a party to the proceeding, and participate in the overall CPUC Tribal Consultation Policy (TCP)

Questions?

