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# News Release

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## **CPUC Does Not Have Jurisdiction Over Riverside's Transmission Reliability Project, Judge Says**

*Administrative Law Judge Recommends Dismissal of Complaint from City of Jurupa Valley Regarding Riverside's Handling of Draft Environmental Report*

RIVERSIDE, Calif. –Jurupa Valley's effort to have the California Public Utilities Commission, not the City of Riverside, lead the environmental review of a new power line project by Riverside Public Utilities cannot proceed because the state commission does not have jurisdiction over the project, according to an administrative law judge who is urging that Jurupa Valley's complaint be dismissed.

The recommendation from Administrative Law Judge Kimberly H. Kim is scheduled to be heard by the CPUC next month.

The City of Riverside completed the Draft Environmental Impact Report on the Riverside Transmission Reliability Project in mid-2011, and the Final Environmental Impact Report since has been certified by the Riverside City Council. The RTRP consists of a 10-mile, double-circuit 230,000 kilovolt (230 kV) transmission line, a 230 kV substation, a new 230/69 kV electrical substation and five new 69 kV sub-transmission lines.

The project is Riverside's effort to build a second connection to the statewide power grid. Riverside officials have said the second connection is crucial to ensuring that the city can provide power in the event a natural disaster or other event damaged the city's existing single connection.

"It is heartening to see a judge validate the months of hard work that were put in by Riverside Public Utilities, our City Attorney's Office and other city departments that were involved in the RTRP project," Mayor Rusty Bailey said. "This project is vitally important to the residents and business owners of Riverside and the region, and I am glad to see it will not suffer any unnecessary delays."

Jurupa Valley had filed a complaint over the project, seeking a judgment from the CPUC that the CPUC, not the City of Riverside, should be the lead agency on the project. Jurupa Valley also sought to have Riverside revise and re-circulate the DEIR, which would have caused months of delays.

Judge Kim, however, found in a decision released Tuesday afternoon that the CPUC has no jurisdiction to hear the complaint from Jurupa Valley. The state Public Utilities Code gives the CPUC jurisdiction over public utilities, not municipally-owned utilities or government agencies, Judge Kim wrote.

Riverside Public Utilities is a city department and, despite its name, is not considered a public utility as defined by law. Examples of utilities that are under the jurisdiction of the CPUC include Southern California Edison and San Diego Gas and Electric.

Instead of identifying a valid dispute over which entity should be the lead agency on the environmental report, Jurupa Valley attempted to create such a dispute, Judge Kim found. Had the CPUC followed Jurupa Valley's recommendation and tried to become the lead agency, that would have created the dispute that Jurupa Valley was asking the CPUC to resolve, Judge Kim wrote.

Instead, Judge Kim agreed with Riverside that no actual dispute exists and, even if it did, the rightful agency for resolving such a dispute would be the Office of Planning and Research, not the CPUC.

"We have believed from the start and continue to believe that our city acted appropriately in compiling and circulating an exhaustive environmental review for this project," City Attorney Gregory Priamos said. "It is well-established that the CPUC does not have any jurisdiction over Riverside Public Utilities."