

Tehachapi Renewable Transmission Project Summary of City of Chino Hills' Efforts Relative to TRTP

November 22, 2011

August 2, 2007 – City of Chino Hills filed a protest with the California Public Utilities Commission (CPUC) regarding the Tehachapi Renewable Transmission Project (TRTP) proposed by Southern California Edison (SCE).

February 25, 2009 - City of Chino Hills filed a complaint in San Bernardino County Superior Court against SCE based on TRTP Segment 8A “overburdening the easement over City property.” City of Chino Hills vs. Southern California Edison, CIVRS 901914.

July 22, 2009 – SCE filed a motion that the San Bernardino County Superior Court had no jurisdiction in the complaint and the issue was not yet ready for adjudication. The Judge ruled in the City’s favor that the Court had jurisdiction but “stayed” the proceedings pending the CPUC decision.

December 17, 2009 – The CPUC unanimously approved the TRTP project at a Public Hearing. They selected the SCE route 8A through Chino Hills as “environmentally superior” to the alternate proposed by the City of Chino Hills.

December 24, 2009 CPUC decision led to a January 22, 2010 court date to lift the “stay” and allow the action to proceed.

February 11, 2010 - SCE filed an answer to the City’s Complaint and filed a Cross Complaint against the City.

April 12, 2010 –S.B. Co. Superior Court Judge ruled that Court did not have jurisdiction.

June 3, 2010 – Notice of Entry of Judgment was served on the City.

June 4, 2010 - City of Chino Hills filed an appeal of S.B. Co. Superior Court Judge’s ruling that the California Public Utilities Commission (CPUC) has exclusive jurisdiction with regard to the right-of-way property rights issue between the City and SCE. (Court of Appeal Case #E051033.)

August 30, 2010 - City attorneys filed a Petition with the California Court of Appeal 4th Appellate District Division 2 requesting an injunction staying construction on the City’s property while the appeal is pending.

September 10, 2010 - The appellate court denied the City’s request for an injunction while the appeal is pending. The City’s appeal remains active.

January 17, 2011 – SCE begins construction activities in Chino Hills.

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June 3, 2011 – Court Date Set for Appeal. Oral Argument scheduled for June 29, 2011 at 1:30 p.m. relative to the City's appeal of a S.B. Co. Superior Court Judge's ruling that the California Public Utilities Commission (CPUC) has exclusive jurisdiction with regard to the right-of-way property rights issue between the City and SCE. (Court of Appeal Case #E051033.)

September 12, 2011 - The Court of Appeal issued their decision and affirmed the S.B. Co. Superior Court Judge's ruling that the Superior Court does not have jurisdiction with regard to the complaint the City filed against SCE based on TRTP Segment 8A "overburdening the easement over City property." (Court of Appeal Case #E051033.)

September 27, 2011 – The City Council voted in closed session to file a request with the California Supreme Court to accept review of the Court of Appeal's September 12, 2011 decision relative to the City's complaint filed against SCE based on TRTP Segment 8A "overburdening the easement over City property."

October 19, 2011 – The California Public Utilities Commission sends a letter to SCE regarding possible violations of Federal Aviation Administration (FAA) requirements. CPUC directs SCE to halt additional tower construction and conductor stringing in Chino Hills within 1,000 feet of any residence pending compliance with FAA regulations.

October 25, 2011 – The City files a Petition for Review with the California Supreme Court.

October 28, 2011 – City files a Petition for Modification with the CPUC to Reopen the Record with Regard to Segment 8.

October 31, 2011 – City files a Petition for Modification with the CPUC to Stay Construction of Transmission Facilities in Segment 8a

November 10, 2011 – CPUC issues an order granting the City of Chino Hills Motion for Partial Stay of Decision 09-12-044. This action grants the City's 10/31/11 request for a stay of construction pending a Commission decision on Chino Hills' Application for Rehearing.

November 10, 2011 – Commission President Michael R. Peevey (the assigned Commissioner) issues a ruling directing SCE to prepare alternatives for routing in Chino Hills. SCE must serve testimony with supporting data on January 10, 2012.