



**COUNTY OF NEVADA**  
**COMMUNITY DEVELOPMENT AGENCY**  
**DEPARTMENT OF PUBLIC WORKS**  
950 MAIDU AVENUE, NEVADA CITY, CA 95959-8617  
(530) 265-1411 FAX (530) 265-9849 [www.mynevadacounty.com](http://www.mynevadacounty.com)

Sean Powers  
Community Development Agency Director

Trisha Tillotson  
Director of Public Works

**File:**

---

**NEVADA COUNTY BOARD OF SUPERVISORS**  
**Board Agenda Memo**

---

**MEETING DATE:** February 25, 2020

**TO:** Board of Supervisors

**FROM:** **Trisha Tillotson, Director of Public Works**

**SUBJECT:** Approval to Submit a Letter of Concern to the California Public Utility Commission Regarding Unpaid Rule 20A Invoices to the Pacific Gas and Electric Company, District II

---

**RECOMMENDATION:** Approve and authorize the Chair of the Board to sign the attached Letter of Concern regarding unpaid Rule 20A Invoices to the Pacific Gas and Electric Company (PG&E)

**FUNDING:** Unpaid invoices to the PG&E date back to Fiscal Year 2018/2019. Road Mitigation Funds have had to cover the \$656,252.88 in FY 2019/2020 and may need to for FY 2020/2021 as well.

**BACKGROUND:** The attached Letter of Concern is regarding the lack of payment of Rule 20A funds due to the County of Nevada from the PG&E for the Combie Road Utility Underground Project Phase 3. The Rule 20 Program consists of annually allocated funds to the county to convert overhead electric and telecommunication facilities to underground facilities. The California Public Utility Commission (CPUC) instituted the undergrounding program in 1967 consisting of two parts. The first part, under Tariff Rules 15 and 16, requires new subdivisions to provide underground service for all new connections. The second part involves undergrounding of existing overhead facilities. In 1982, the CPUC specified Rule 20A allocation budgets for PG&E consisting primarily of funds contributed by ratepayers. Collected Rule 20A funds are only intended for undergrounding work.

Nevada County formed the Combie/Magnolia Road Undergrounding Utilities District on April 23, 1996 per Resolution No. 96-154. The County phased the undergrounding of utilities over the years and most recently filed a Notice of Acceptance and Completion for the Combie Road Rule 20A Project Phase 3 on September 24, 2019. Throughout the project per the Joint Trench Cost Sharing Agreement signed by PG&E, see Exhibit A of the Letter, the County has diligently invoiced PG&E their fair share of the costs totaling \$669,927.22. To date, PG&E has only paid one invoice in the amount of \$13,674.34 leaving an outstanding balance of \$656,252.88 from two invoices from 2/8/19 and 3/5/19. This sum of money is a hardship for our rural County of 100,000 people to continue to cover.

The Board is requested to send a Letter of Concern to the CPUC requesting assistance in receiving payment of ratepayer funds that should not be part of any bankruptcy involving PG&E.

**Item Initiated and Approved by:** Trisha Tillotson, Director of Public Works

Submittal Date: January 30, 2020

Revision Date: