



RURAL COUNTY REPRESENTATIVES
OF CALIFORNIA

May 21, 2018

The Honorable Toni Atkins
Senate President pro Tempore
State Capitol, Room 205
Sacramento, CA 95814

The Honorable Anthony Rendon
Speaker of the Assembly
State Capitol, Room 219
Sacramento, CA 95814

RE: Wildfire Liability - Investor Owned Utilities

Dear President pro Tempore Atkins and Speaker Rendon:

On behalf of the Rural County Representatives of California (RCRC), I write to express our concern regarding any potential release from liability for the 2017 wildfires or any other wildfire event found to be caused by negligence on the part of Investor Owned Utilities (IOUs). RCRC is an association of thirty-five rural California counties, and the RCRC Board of Directors is comprised of an elected supervisor from each of the member counties.

RCRC member counties contain much of California's forested lands, including more than 70 percent of the State's national forest lands. Wildfire risk is no longer just a concern in our remote, rural areas, but is becoming a wider public safety concern as the wildland urban interface spreads over larger areas of the State. At no time has this been more evident than after the devastating 2017 wildfires, which killed 46 people and destroyed more than 10,000 structures, resulting in billions of dollars in uninsured losses. The impacts of those fires are also still being felt along the coasts where mudslides have become a lingering side effect.

While the cause of the 2017 wildfires has yet to be formally determined, RCRC is very concerned about media reports and others on an effort to restrict or limit negligent liability on the part of IOUs for the 2017 wildfires and possible future wildfire events should they be found responsible. RCRC opposes any legislative or budgetary action to either retroactively or preemptively absolve IOUs from their legal responsibilities, particularly since not only is the investigation into the 2017 events still pending, but there are still outstanding legal actions in progress related to the 2015 Butte Fire. As you may recall, the Butte Fire burned more than 70,000 acres in Amador County and Calaveras County, destroying more than 800 structures and resulting in two fatalities. The subsequent investigation found the cause related to improperly cleared and maintained power lines, and legal efforts are still underway to recover losses related to that fire.

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RCRC also opposes any legislative, budgetary or regulatory actions to allow IOUs to recover their liability costs by disproportionately raising rates in high wildfire risk areas. Wildfires are a threat to the entire State and have climate change and watershed health impacts for communities far beyond those in the wildland urban interface. As we have seen with past efforts such as the State Responsibility Area fee, allowing rural communities, many of which are among the most socioeconomically disadvantaged in the State, to bear the financial burden for disasters that impact the entire population of California is unfair and places undue burden on communities that have in most cases already implemented effective wildfire mitigation programs.

In light of this, RCRC strongly urges against any legislative or budgetary actions to restrict or limit negligent liability on the part of IOUs for destructive wildfire events. Please do not hesitate to contact me if you should have any questions or concerns regarding our support of this item.

Sincerely,

A handwritten signature in black ink, appearing to read "Staci Heaton", written in a cursive style.

STACI HEATON
Regulatory Affairs Advocate

cc: Members of the State Legislature
Saul Gomez, Deputy Cabinet Secretary, Office of Governor Edmund G. Brown Jr.
John Laird, Secretary, California Natural Resources Agency
Ken Pimlott, Director, California Department of Forestry and Fire Protection