



November 3, 2022

Rachel Peterson, Executive Director  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102

Submitted via email to [ESRB\\_ComplianceFilings@cpuc.ca.gov](mailto:ESRB_ComplianceFilings@cpuc.ca.gov);  
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**RE: Resolution M-4864, Authorizing PG&E to Exit Step 1 of the Enhanced Oversight and Enforcement Process**

Dear Ms. Peterson:

On behalf of the Rural County Representatives of California (RCRC) and the California State Association of Counties (CSAC), we write regarding Resolution M-4864 Authorizing Pacific Gas and Electric Company to Exit Step 1 of the “Enhanced Oversight and Enforcement Process” (Enforcement Process).

As the Commission considers whether to allow PG&E to exit Step 1 of the Enforcement Process, we caution you that its work is far from done. PG&E’s crews have failed to complete the vegetation management work on many of those line miles. PG&E’s repeated and widespread refusal to haul away trees cut down during its vegetation management operations is impairing public safety, increasing fuel loads, compromising property owners’ efforts to create and maintain defensible space, and imposing heavy financial burdens on property owners to abate hazards created by PG&E.<sup>1</sup>

Continued oversight is needed to ensure that PG&E’s vegetation management work is completed and does not externalize PG&E’s costs and risks on underlying and adjacent landowners. For this reason, we urge the Commission to either:

- Keep PG&E in Step 1 of the Enhanced Oversight and Enforcement Process until the felled wood issue is adequately resolved; or,
- Order PG&E to remove felled wood at the request of property owners as a condition of its emergence from Step 1 of the Enhanced Oversight and Enforcement Process.

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<sup>1</sup> PG&E has previously acknowledged that wood removal is intended “to reduce wildfire risk created by hazard trees piling up” and that, “dead wood constitutes fuel on the ground that not only can catch fire, but also compromises firefighter safety.”

PG&E was placed on Step 1 of the Enforcement Process because it failed to sufficiently prioritize its vegetation management work on its highest risk power lines in 2020. This resulted in PG&E appropriately focusing its vegetation management programs on higher risk lines. While PG&E has aggressively cut down and trimmed trees to reduce their risk of contacting power lines, it largely refuses to manage or remove the limbs and trees they cut down. This is a significant change from its previous practice of removing felled wood. It is also inconsistent with its 2022 Wildfire Mitigation Plan (7.3.5.5), which outlines that small diameter woody debris will be chipped and scattered on the property in accordance with best management practices and that large diameter wood will be removed as preferred by the property owner. Numerous counties have expressed concerns about this course change and the dangers and burdens it creates.

As felled trees dry out, they increase the fuel load and exacerbate the risk and severity of wildfires. These concerns are heightened when the trees are felled and left within the 100' defensible space perimeter that property owners are required to maintain. In some cases, property owners who passed defensible space inspections reportedly failed subsequent inspections as a result of trees cut down and left in place by PG&E vegetation management crews. Other risks include trees rolling down slopes into roads, thereby impeding emergency access and egress as well as normal traffic flow. In some cases, property owners were told that felled wood will be hauled away by another crew at a later date. Months later, the hauling crew still hasn't shown up. It is often extremely expensive (if not impossible) for the landowner to remove the material after PG&E's vegetation management crews leave their properties. It is inappropriate for PG&E to externalize risks, costs, and mitigation obligations to property owners for actions it undertakes in the course of providing electric service.

PG&E's refusal to remove felled wood is likely also impairing their ability to gain property owner consent to entry to conduct vegetation management.

To be clear, we understand and appreciate the necessity of PG&E's vegetation management work as part of a larger portfolio of projects to reduce the risk of utility caused wildfire and increase energy reliability, including system hardening, replacement of bare lines with covered conductors, undergrounding, etc. Unfortunately, the way in which PG&E's vegetation management work is being carried out is increasing fuel loads, impairing public safety, potentially compromising access and egress, undermining efforts to maintain defensible space, and imposing heavy financial burdens on property owners to abate hazards created by PG&E.

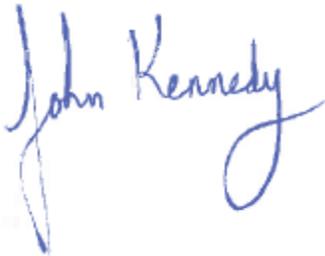
Our counties repeatedly (and unsuccessfully) tried to resolve this issue independently through normal channels of communication with PG&E. RCRC and CSAC recently attempted to elevate the issue by sending a letter to PG&E requesting that it immediately begin efforts to remove felled wood, among other things (attached). As it is not clear whether this is sufficient for PG&E to resume its wood haul program, we strongly urge the

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Commission to engage and ensure that PG&E removes felled wood resulting from its vegetation management programs as outlined above.

Please do not hesitate to contact me if you have any questions or for more information.

Respectfully Submitted,



JOHN KENNEDY  
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Attachment: RCRC/CSAC Letter to PG&E Regarding Vegetation Management Practices

cc: Service List, I.19-09-016  
Service List, R.18-10-007  
Caroline Thomas Jacobs, Director, California Office of Energy Infrastructure Safety  
Joe Tyler, Director, California Department of Forestry and Fire Protection  
Chris Anthony, Chief Deputy Director, California Department of Forestry and Fire Protection  
Frank Bigelow, Staff Chief, California Department of Forestry and Fire Protection



October 31, 2022

Patricia K. Poppe  
Chief Executive Officer  
Pacific Gas and Electric Company  
77 Beale Street  
San Francisco, CA 94105

**RE: PG&E Vegetation Management Practices**

Dear Ms. Poppe:

On behalf of the Rural County Representatives of California (RCRC) and the California State Association of Counties (CSAC), we write to (1) request your assistance; (2) convey the grave concerns many of our counties and their residents have expressed about PG&E's vegetation management programs; and, (3) articulate the public safety and wildfire risks created by leaving the felled wood in place.

We appreciate your sincere desire for PG&E to earn back trust from its customers. We strongly support that objective. But we fear PG&E's repeated and widespread refusal to haul away trees cut down during utility vegetation management operations is undermining that effort. We strongly urge you to:

- Immediately begin removing felled wood where requested by the property owner.
- Remove felled wood and wood chips deeper than 4" within 100' of structures.
- Designate representatives whom property owners and local leaders can contact for removal of felled wood.
- Resolve widespread inconsistencies among contractors.
- Improve transparency and accountability among the different vegetation management programs.
- Discontinue misrepresenting public agency roles, responsibilities, and resources.
- Convene a meeting between impacted counties, you, and PG&E's regional Vice Presidents to develop an actionable—and equitable—pathway forward.

Having suffered massive destruction caused year over year by catastrophic wildfires, we understand PG&E's pressing need to step up vegetation management operations to avoid wildfires and reduce the risk of power outages. Unfortunately, PG&E's refusal to remove felled wood is impairing public safety, increasing fuel loads, compromising property

owners' efforts to create and maintain defensible space, and imposing heavy financial burdens on property owners to abate these hazards created by PG&E.

Given the lack of success in these conversations thus far, we resort to asking you to exert your leadership to bring PG&E's contractors, customers, and local elected officials to the table and resolve these issues. We know the challenges PG&E faces in meeting the pace and scale of its vegetation management objectives, but PG&E must do better and be a better neighbor.

PG&E has traditionally removed felled wood cut under its enhanced vegetation management, tree mortality and drought response, and wildfire wood management programs. We were disappointed and alarmed to learn of PG&E's abrupt about-face and refusal to continue removing felled wood. More than a dozen counties have expressed concerns about this course change and the dangers and burdens it creates. This course change is even more confusing considering PG&E's prior acknowledgement that wood removal is intended "to reduce wildfire risk created by hazard trees piling up" and that, "dead wood constitutes fuel on the ground that not only can catch fire, but also compromises firefighter safety."

Felled logs left in place can create a host of safety risks for property owners, firefighting personnel, and communities. As felled trees dry out, they increase the fuel load, thereby exacerbating the risk and severity of wildfires. These concerns are heightened when the trees are felled and left within the 100' defensible space perimeter that property owners are required to maintain. In some cases, property owners who passed defensible space inspections reportedly failed subsequent inspections as a result of trees cut down and left in place by PG&E vegetation management crews. Other risks include trees rolling down slopes into roads, thereby impeding emergency access and egress as well as normal traffic flow. Furthermore, the scattered distribution of felled trees can impede future firefighting efforts. Simply speaking, it is inappropriate for PG&E to externalize risks, costs, and mitigation obligations to property owners for actions it undertakes in the course of providing electric service.

Our counties have repeatedly tried to resolve this issue through normal channels of communication – to no avail. Local PG&E representatives recently presented at Boards of Supervisors meetings throughout your service territory. During those presentations, many elected officials expressed their deep frustration with PG&E's vegetation management programs and the lack of a clear plan for - or commitment to – removal of felled wood as requested by the property owner.

While we appreciate PG&E's concern for landowner's rights to the felled timber, it is often extremely expensive (if not impossible) for the landowner to remove the material after your contractors leave their property. Where crews formerly stacked felled wood in a single location on a property, now contractors often leave the tree where it fell and cut it into unmerchantable 5' or 6' sections. When merchantable (8' length or greater) timber

exists, the value of those materials may help offset some of the removal costs. Unfortunately, most trees were cut into unmerchantable lengths, thereby preventing PG&E and landowners from offsetting tree removal costs and often impeding a homeowner's ability to treat or consume it in the process.

We are also concerned about the misleading and sometimes threatening communications provided to customers about felled wood removal. In some cases, the contractors cutting down trees have told customers that felled wood will be hauled away by another crew at a later date. Months later, the hauling crew still hasn't shown up. There are other cases where property owners who "checked the box" on PG&E's form requesting that felled wood be removed are still waiting for the wood to be hauled away seven months later. In at least one case, this problem is compounded by the fact that the contractor left the wood on his neighbor's property. Even more frustrating for local governments, some contractors have told property owners that P&E will not haul away felled wood, but that the county itself provides that service. This is categorically untrue.

Because of inadequate communication by contractors and contractor reliance on tablets instead of printed materials, impacted property owners often do not know who to contact about problems or who even performed the work on their properties. When property owners reach out to PG&E, the results are often unsatisfactory and, in some cases, unsettling. In at least one case when a property owner attempted to resolve problems by directly requesting PG&E to remove felled wood, PG&E's representative shifted blame and responsibility for cleanup to the property owner and reportedly reminded the property owner that CAL FIRE would be around to do defensible space inspections.

Maintenance of defensible space is a large and expensive enough undertaking for many property owners even without adding costs imposed by PG&E's vegetation management actions. In many cases, large trees were cut down and left within a home's defensible space perimeter. Those customers were told "it's their problem" and that PG&E is not responsible for mitigating or fixing the nuisance and safety risks it creates. Many of these property owners had been in compliance with the state's defensible space laws until PG&E's contractors began working on their properties. Utilities cannot create additional burdens for maintenance of defensible space. *Under no circumstances can contractors be allowed to leave felled wood or accumulated wood chips within the 100' defensible space perimeter around structures.*

Other landowners have had several dozen trees felled by PG&E on small parcels, thereby creating tremendous fuel loads as those trunks and limbs dry out over time. In other cases, we have heard of customers whose property was damaged by contractors' equipment. These are burdens property owners – often on fixed incomes – cannot realistically afford to shoulder.

We look forward to your leadership and assistance to ensure that PG&E is a good neighbor to its customers. As noted above, we strongly urge PG&E to:

- Immediately begin efforts to remove felled wood where requested by the property owner.
- Remove all felled wood and wood chips deeper than 4" within 100' of structures.
- Designate specific representatives whom property owners and local leaders can contact for removal of felled wood. Those individuals must be empowered to quickly and successfully resolve disputes that may arise.
- Resolve widespread inconsistencies with contractors for greater quality control outcomes on the ground.
- Utilize a single, consolidated form at the customer level for greater transparency among PG&E's various vegetation management programs.
- Discontinue misrepresenting public agency roles, responsibilities, and resources.
- Direct PG&E regional Vice Presidents to convene a meeting with impacted counties to develop an actionable—and equitable—pathway forward.

Finally, we urge PG&E to track costs associated with tree removal actions and believe those costs should be recoverable through formal regulatory proceedings.

Sincerely,



Mary-Ann Warmerdam  
Senior Vice President Governmental Affairs



Jacqueline Wong-Hernandez  
Deputy Executive Director, Legislative Affairs

cc: Ronald Richardson, Vice President, North Coast Region, PG&E  
Joe Wilson, Vice President, North Valley & Sierra Region, PG&E  
Joshua Simes, Vice President, Central Valley Region, PG&E  
Alice Busching Reynolds, President, California Public Utilities Commission  
Clifford Rechtschaffen, Commissioner, California Public Utilities Commission  
Genevieve Shiroma, Commissioner, California Public Utilities Commission  
Darcie Houck, Commissioner, California Public Utilities Commission  
John Reynolds, Commissioner, California Public Utilities Commission  
Caroline Thomas Jacobs, Director, California Office of Energy Infrastructure  
Safety  
Joe Tyler, Director, California Department of Forestry and Fire Protection