

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA**

*Order Instituting Rulemaking to Implement  
Electricity Utility Wildfire Mitigation  
Plans Pursuant to Senate Bill 901 (2018)*

Rulemaking 18-10-007  
(Filed October 25, 2018)

**RURAL COUNTY REPRESENTATIVES OF CALIFORNIA COMMENTS  
ON PHASE 2**

Staci Heaton  
Senior Regulatory Affairs Advocate  
Rural County Representatives of California  
1215 K Street, Suite 1650, Sacramento, CA 95814  
Tel: (916) 447-4806  
E-mail: [sheaton@rcrcnet.org](mailto:sheaton@rcrcnet.org)

Dated: August 13, 2019

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA**

*Order Instituting Rulemaking to Implement  
Electricity Utility Wildfire Mitigation  
Plans Pursuant to Senate Bill 901 (2018)*

Rulemaking 18-10-007  
(Filed October 25, 2018)

**RURAL COUNTY REPRESENTATIVES OF CALIFORNIA COMMENTS  
ON PHASE 2**

In accordance with Rule 6.2 of the California Public Utilities Commission (“Commission”) Rules of Practice and Procedure (“Rules”), the Rural County Representatives of California (RCRC) respectfully submits these comments to the Order Instituting Rulemaking 18-10-007 (“Rulemaking”).

**INTRODUCTION AND BACKGROUND INFORMATION**

On behalf of the Rural County Representatives of California (RCRC), I am pleased to comment on Phase 2 of the *Order Instituting Rulemaking to Implement Electricity Utility Wildfire Mitigation Plans Pursuant to Senate Bill 901 (2018)* related to electrical corporation reports filed on July 30, 2019, PG&E’s second amended Wildfire Mitigation Plan (WMP), language outreach, independent evaluator tasks, and process improvements. RCRC received party status via written ruling on March 21, 2019. RCRC is an association of thirty-six rural California counties, and our Board of Directors is comprised of elected supervisors from each of those member counties. Our comments are outlined via the topics referenced above and listed in the Phase 2 Scoping Memo.

## **ELECTRICAL CORPORATION REPORTS FILED ON JULY 30, 2019**

We appreciate CPUC Decision 19-05-036 directing electrical corporations to issue reports on “Data Collection for Wildfire Mitigation Plans.” Articulating new areas of data collection to assess WMP effectiveness and their efforts is a key driver in protecting Californians from future catastrophic wildfire events. We know metrics will continue to evolve over time, but we hope that such refinement will not lead to the inability to make apples-to-apples comparisons of an investor owned utility (IOU) year over year.

As pointed out by San Diego Gas and Electric (SDG&E) and Pacific Gas and Electric (PG&E), most of the data collected supports other compliance orders from the California Public Utilities Commission (CPUC). Given that situation, we are generally concerned that IOU’s will over-rely on other collected data without giving the proper context to evaluate future WMPs and the directive to reduce wildfire ignitions on electrical equipment.

We appreciate the consulting work that PG&E undertook to compile this report and concur with its findings, including the addition of REAX as data for potential future use<sup>1</sup>. We do not undervalue the corporate culture change needed at PG&E to be proactive and not reactive, and that would extend to more granular customer data and analytics identified by TROVE, including which customers have well electric pumps during a de-energization event. The new data suggestions identified by PG&E would be a valuable future addition to data and metrics collected.<sup>2</sup> Feedback from third party experts, including CAL FIRE, is beneficial to the overall success of a WMP. In particular, we believe egress routes also need to be assessed and prioritized for mitigation measures to ensure the safe evacuations of a community. Regarding LiDAR data in Table 2, the overall health of a tree should also be surveyed and included.

Further, we support the Vegetation Risk Profile identified by SDG&E as a new data collection effort<sup>3</sup>. While PG&E’s vast territory includes more trees and vegetation than other IOUs, recording the health and risk of vegetation over time would be impactful for long-term mitigation measures and metrics; LiDAR surveys would help in this effort. It is more important than ever to prioritize tree trimming and removal activities where it would make the biggest impact to alleviate

---

<sup>1</sup> Table 2, page A-5 of PG&E’s Report

<sup>2</sup> Page A-7, PG&E Report

<sup>3</sup> Page 10, SDG&E Report

high threat areas, particularly since PG&E's territory also includes large numbers of beetle kill trees from California's five-year drought.

### **PG&E'S SECOND AMENDED WMP**

In general, RCRC has some misgivings with PG&E's second amended WMP, such as high costs, the external challenges they cite, as well as eminent domain concerns surrounding "Resilience Zones" created for de-energization events. We do appreciate, however, the use of alternative equipment, such as drones and helicopters, to conduct needed and overdue inspections of power lines.

While weather conditions may be unforeseen to conduct inspections, other procedural or external hurdles that PG&E cite in their second amended WMP are not. There is no excuse to leave governmental permitting and environmental restrictions until the last minute as they have done. Corrective actions on transmission lines did not suddenly become apparent; in fact there is evidence to suggest PG&E has been willfully deferring corrective actions for years<sup>4</sup>. PG&E has been unwilling to properly maintain its assets and these new excuses are inadequate for not meeting projected targets. External factors such as these should not be an open-ended invitation for PG&E to abdicate and further delay its responsibility to maintain its equipment and infrastructure now and in the future. The CPUC should be wary of these reversals in future WMPs. A wet winter with heavy snowfall is a bulwark to residents living in fire prone areas in PG&E's service territory during an era of a "new normal" climate conditions.

One specific area of great concern to RCRC in PG&E's second amended WMP is regarding "Resilience Zones," an aspect of which RCRC has been supportive to accompany de-energization events. It has become clear that development of these zones should now be pursued with caution. Due to new design changes after the first Resilience Zone at Pacific Union College in Napa County, PG&E desires to annex additional land rights from third parties in its creation of temporary power zones during emergencies.<sup>5</sup> Increasing PG&E's ability to use eminent domain powers is not advisable or responsible while the utility lingers in Chapter 11 bankruptcy to avoid pay-outs to its wildfire victims from long-term corporate mismanagement. Public Safety Power Shut-offs are to

---

<sup>4</sup> [https://www.wsj.com/articles/pg-e-knew-for-years-its-lines-could-spark-wildfires-and-didnt-fix-them-11562768885?mod=hp\\_lead\\_pos5](https://www.wsj.com/articles/pg-e-knew-for-years-its-lines-could-spark-wildfires-and-didnt-fix-them-11562768885?mod=hp_lead_pos5)

<sup>5</sup> Page 6, Second Amendment to PG&E WMP April 25, 2019

be used as a last resort for the safety and well-being of residents during a de-energization event. Moving forward, PG&E should ensure resiliency in existing infrastructure rather than pursue eminent domain of adjacent lands when collaborating with communities to create a Resilience Zone. Annexing additional land rights from property owners could easily be interpreted as a financial ploy rather than a necessary safety measure and should not be authorized by the CPUC.

### **ADDITIONAL IN-LANGUAGE OUTREACH**

Education and outreach are a critical component when safeguarding a community from wildfire dangers. Since unreliable electricity and the danger from high fire threat areas can also be a public health emergency, RCRC recommends modeling additional language outreach by electrical corporations to the requirements in Government Code Section 7296.2. Government Code Section 7296.2 states, in part, “a ‘substantial number of non-English-speaking people’ are members of a group who either do not speak English, or who are unable to effectively communicate in English because it is not their native language, and who comprise 5 percent or more of the people served by the statewide or any local office or facility of a state agency.” This would provide consistency with other local public health standards. Local jurisdictions, in turn, would be able to utilize existing resources when conducting secondary notification and outreach. The CPUC or investor-owned utilities (IOUs) should also consider consulting with local governments to conduct effective outreach in hard-to-reach communities.

### **TASKS FOR THE INDEPENDENT EVALUATOR**

The fundamental goal of an Independent Evaluator of WMPs should be the ultimate safeguarding of California’s residents from future harm in a utility-caused wildfire event. Developing and finalizing wildfire safety and mitigation performance metrics cannot be done in a vacuum without vigorous public input, including input from local governments who represent constituencies in the wildland-urban interface (WUI) and are profoundly impacted by utility safety measures, de-energization procedures, and vegetation clearing.

We agree with the minimum tasks listed in the Phase 2 Scoping Memo ruling dated June 14, 2019. In addition to the team of qualified engineers and linemen the Evaluator is to assemble, fire scientists should also be consulted and added to this team. Moreover, when identifying safety issues and potential violations, the public should be concurrently notified of this correspondence,

including utility responses to resolve identified conditions for greater accountability. A transparent process will lead to better safety evaluations and corrective actions.

Further, the Office of the Safety Advocate (OSA) plays a vital role in advocating for safety improvements in utility operations. As an independent office within the CPUC, the OSA should also be relied upon for this evaluation and be included in the team assembled to conduct an independent evaluation of SB 901 WMPs, or, at the very least, be copied on safety and compliance issues that the Independent Evaluator escalates to the CPUC.

### **PROCESS IMPROVEMENTS FOR COMMISSION REVIEW**

Unfortunately, the Commission declined to direct IOUs to confer meetings with parties and stakeholders directly, prior to next year's WMP development. We believe this would have been a good opportunity for IOUs to work directly with local government entities to ensure WMP components move forward smoothly in the future—including the very things PG&E blames for delays in their second amended WMP, e.g. permitting.

As we have mentioned previously in our comments on the Proposed Guidance Decision for 2019 WMPs, the CPUC should provide a detailed account of how it has conferred with CAL FIRE, not just that it has done so pursuant to SB 901. The CPUC should not undervalue the expertise CAL FIRE provides during the WMP process. The CPUC would be better served by creating a more formal role or collaborative framework that would reflect CAL FIRE feedback throughout the WMP process in these proposed decisions.

### **CONCLUSION**

RCRC's participation in this proceeding will not prejudice any party and will not delay the schedule or broaden the scope of the issues in the proceeding. For the reasons stated above, Rural County Representatives of California respectfully requests that the CPUC grant this Motion for Party Status filing and accept RCRC's comments for filing.

Dated: August 13, 2019

Respectfully submitted,

/s/ Staci Heaton

Staci Heaton

Senior Regulatory Affairs Advocate

Rural County Representatives of California

Tel: (916) 447-4806

E-mail: [sheaton@rcrcnet.org](mailto:sheaton@rcrcnet.org)