

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

*Order Instituting Rulemaking to Update and
Amend Commission General Order 131-D*

Rulemaking 23-05-018
(Filed May 18, 2023)

**REPLY COMMENTS OF RURAL COUNTY REPRESENTATIVES OF CALIFORNIA
ON PROPOSED DECISION**

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Dated: January 21, 2025

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I. Introduction

Pursuant to Rule 14.3 of the California Public Utilities Commission (“Commission” or “CPUC”) Rules of Practice and Procedure, the Rural County Representatives of California (“RCRC”) submits these reply comments to *Decision Adopting General Order 131-E*, issued by Commissioner Douglas on December 27, 2024. RCRC is an association of forty rural California counties, and our Board of Directors is comprised of an elected Supervisor from each of our member counties.

II. Discussion

RCRC appreciates the opportunity to provide reply comments on the Proposed Decision adopting General Order 131-E. We commend the Commission for developing a thoughtful framework that adheres closely to the statutory intent of Senate Bill 529 (Chapter 357, Statutes of 2022). By streamlining the permitting process for transmission upgrades while preserving environmental safeguards and local consultation requirements, the Proposed Decision represents a balanced approach to modernizing California’s energy infrastructure.

While RCRC supports energy storage as a tool to enhance grid reliability, suggestions by the Environmental Defense Fund (EDF) to integrate battery energy storage systems (BESS) under

broader permitting exemptions, albeit in a future phase of the proceeding, pose significant risks to its host communities. We agree that the record doesn't sufficiently address incorporating BESS within General Order 131-E at this time.¹ The unique safety challenges of BESS, including fire hazards and emergency response complexities, demand robust local oversight and consultation. Broadening exemptions for BESS could undermine public safety and erode trust in the permitting process, especially in areas where local agencies are already adapting to evolving risks posed by these facilities. This is even more apparent given the most recent fire that began January 16, 2025 at the 750 megawatt Moss Landing Energy Storage Facility. Given the passage of Senate Bill 38 (Ch. 377, Statutes of 2023) to create BESS emergency response and emergency action plans, more thought must be given to both the development of these plans, and how to safely review and approve projects that balance efficiency and safety. The state-level, cross-agency collaborative announced by Governor Newsom last fall² to advance battery storage technologies offers an opportunity to develop a more coordinated and holistic approach to ensure the safe, effective deployment of this essential infrastructure.

III. Conclusion

RCRC appreciates your consideration of our comments and the recommendations contained herein.

Respectfully submitted,

/s/ Leigh Kammerich

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¹ Page 12, *Opening Comments of the Environmental Defense Fund on the Proposed Decision Adopting General Order 131-E*, January 16, 2025.

² Governor Newsom convenes state-level experts to collaborate on and advance battery storage technologies, September 27, 2024, <https://www.gov.ca.gov/2024/09/27/governor-newsom-convenes-state-level-experts-to-collaborate-on-and-advance-battery-storage-technologies/>.