

BEFORE THE

PUBLIC UTILITIES COMMISSION OF THE STATE OF CA

Order Instituting Rulemaking on the Commission's Own Motion to Adopt New Safety and Reliability for Natural Gas Transmission and Distribution and Rate-making Mechanisms.

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COMMENTS OF THE UTILITY WORKERS UNION OF AMERICA on the DRAFT GAS SAFETY PLAN Of the SOUTHERN CALIFORNIA GAS COMPANY, Filed pursuant to SENATE BILL 705

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COMMENTS OF THE UTILITY WORKERS UNION OF AMERICA (UWUA)

**On the DRAFT GAS SAFETY PLAN
Of the SOUTHERN CALIFORNIA GAS COMPANY,
Filed pursuant to SENATE BILL 705 and D.12**

I. INTRODUCTION

It is just two years ago that the explosion of a gas system in San Bruno rocked the world of the natural gas industry. The United States Public Utilities Authorities in California at all levels respond to this fundamental cultural change in the industry and specific direct change by gas system operations that public that their gas service is safe and provide additional safety margins for all gas delivery.

Including implementation of the Legislature's directives in SB 705 Commission's Gas Safety Rulemaking safety as the highest priority to give effect to that priority through a process of developing safety plan as next step to restore the public's confidence in SB 705 and fully supports the Commission's goal to implement it effectively.

These Comments address only the Draft Gas Safety Plan California Gas Company (SCG"). Although UWUA's views may be related to other utilities, UWUA stresses that the safety culture changes SCG are specific to SCG. Each of the utilities certificated to provide gas service in a geographic service territory a safety plan in a specific and concrete setting that utilities may differ is that the Legislature and the Commission in its previous orders

~~10-10-12~~
1 ~~01-10-12~~ G issued March 17, 2012
2 ~~02-10-12~~ G issued February 24, 2011
3 ~~03-10-12~~ "[O]ur efforts have not addressed safety and whether should adopt enhanced standards for safety representations ~~04-10-12~~ the 010, page 2

desire to move beyond rhetoric and meaningful work by everyone working in the gas delivery business requires of the utility operators and their workforces, their service representatives and their local governments to **pull together** and ways under the general supervision and guidance of the **objective** stated by the Commission is to move beyond compliance to where prevention is the goal, safety margins **everybody**, and employees, is empowered to prevent incidents before they happen. In a telling phrase by the Commission, **Code D.12**

Independent Review Panel **ended** in fifteen months the goal that adopt a **"maturity-framework"** that reflects the importance of thinking of pipeline integrity and safety as **foundational** to adults addressing one from their differing vantage points and about the critical issues of safety in **infrastructure** and safe operation of facilities that deliver natural gas for use by the ever-changing physical and economic environment **site different** from static hierarchy of documents and **unilateral** compliance with "rules" distilled from those **only** of many stakeholders.

In the sections that follow **WUUA Safety Plan** critique that offered by SCG, concluding that the Commission should largely conforming to the Commission's **Report's** recommendations or to SB 705 requirements; (2) recommend an alternative framework that

~~—~~ "Our goal through all of these proceedings will be to **establish** safety of gas **at the highest level of significance that our gas utilities recognize that there is no safe** pipeline operations **with** utility management and the culture it creates in the world utility. The pipeline operators must have a corporate ethic and safety as their first responsibility." page 8, emphasis added.

⁵ Report of the Independent Review Panel (5/6/16) note omitted and emphasis added, Code page 12.

addressing over time the concrete threats and hazards identified by the Commission's Risk Assessment Unit. (3) outline a process of training employees, including managers, to work in collaboration with commission staff to undertake safety journey described so often by Review Panel.

Since the very inception of the Gas Safety Rulemaking for a transparent, institutionalized communication process among employees, managers and staff, SB 705 is a central concept to the culture development it envisions. SWUA has already Preliminary Comments raised the concern that SCG has attempted UWUA in an attempt to manage employee communications, avoid involvement in an institutional communication and possibly throw safety journey off course. SWUA reiterates this concern, and suggest path to keep the journey on track.

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6 *Comments of the Utility Workers Union of America (UWUA) Locals 132, 483, 522 Representing Employees at Southern California Gas Company, 02-070, 07011-Safety Rulemaking*, filed April 10, 2012. *Comments of the UWUA on the Report of the Independent Review Panel*, filed July 15, 2011.

7 Pub. Util. Code section 9610 provides and (g) shall provide opportunities meaningful and substantial, and originating from the gas corporation workforce in the development and implementation of the plan, with the objective of developing an industry-wide safety culture that accidents minimize explosions, fires, and other hazards for the protection of the public and the gas corporation workforce.

8 *Preliminary Comments of the UWUA on the Draft Gas Safety Plan of the Southern California Gas Company*, filed Pursuant to SB 705 July 20, 2012. See below,

In making these Comments and contentions UWUA does not
policy position articulated by Arturo P. President of UWUA in his 1982,
Testimony in the SCG General Rate Case, A.10

As our union workers in the gas industry we are committed
quality gas service to our friends and neighbors in the
Southern California the public. We are proud of the
Southern California Gas and seek to uphold the public's
reliable and affordable service. When Southern California Gas
claims to be a leader in the issues of safety, they
claims about our work. SCG management and SCG
are pledged to cooperate on safety issues.

We intend to work in partnership with SCG, the C
advocates to rebuild public confidence by implementing safety
programs and services and by implementing a safety culture
to eliminate hazards and deliver good safe service every
...
In making constructive suggestions to the Commission we
do not disparage SCG or its management. ...
Southern California Gas to promote safety in our industry
of its operational goals respecting safety and service as
Smith and many of the witnesses whose knowledge and
to support its rate requests. SCG needs to walk
talk, and our recommendations are intended to help
SCG do that.

We expect the same respect and consideration from
accord SCG and its management pledged to cooperation and
SCG to reciprocate, at the instigation of the Commission
SCG the great company we ought to be

Southern California Gas General Rate Case, A.10 Exhibit Q-531, at
page 3, line 10 through page 4, adduce

II. CRITIQUE OF SOCIAL GAS DRAFT SAFETY PLAN

SB 705 directs the Commission to review the initial modify or reject" it. Pub. Util. Code section 961(b)(2). of the SCG Draft safety Plan because it fails to conform fundamentally misreads the SCG as permitting continuation of the status quo.

A. OVERVIEW OF SB 705, and IRP RECOMMENDATIONS

D.12-04-10 SCG is an expansion of the San Bruno Commission's most related activities, intended "explicitly to include issues addressed 705]....[T]he issues stated in [SB705] join our proceeding in improved progress...." (p.16) The Commission intends to move forward addressing what for it is the key issue in SB 705: culture as required by Pub. Util. Code 961(e) in the first front is the development and implementation of a Safety Section 3.0 pages 18-19. The second front is an integrated set retail gas utilities, beginning with a management plan of how revenue requirements are implemented in order to "...be investment in safety we order provides a value to our customers..." 3.2, pages 20-21 quoting SCG at page 12

With respect to the Commission notes:

The rationale for developing a to evaluate by its ability to reflect upon its existing methods and for to change, to optimize, or the existing methods, using the elements promulgated by SB-705 and the learned from the San Bruno incident, as appropriate ensure that the utility has a prudent plan in place to protect public Decision, Page 17, emphasis added

Similarly, the management audit is the intention to request that the executive leaders of the gas corporations are fully responsible...."

We will review the safety culture at each utility from management on down. We will consider expressed that in safety budgets, operational requirements, staffing, and priorities: primary objective of the audit is to assess the effect management system in achieving the goal of public and

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The focus in *improvement*, not preserving the status. Initiate this fully consistent with the in Rulemaking and with the *Guidelines* before the Rulemaking issued its final *confirming* the Commission's *direction*.

In addition to its own directives, the Commission expressly in incorporates two sets of issues/recommendations from other sources Legislature (SB 705) the *Independent Review Panel (IRP)* recommendations are especially important in mapping the *direction* culture journey.

A1. SB 705 Issues

SB 705 added sections 961 and 963 to Section Public 963(b)(3) adds and codify statute the absolute priority for safety by the Commission.

(c) It is the policy of the state that cooperation commission place safety of the public and gas corporation employee. The commission shall take all reasonable and necessary appropriate to carry out the safety priority policy.

Our goal through proceedings will be to and policies, 1, 4, 5, 7, 8, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100. Each gas corporation that provides basic gas service and implementation for a safe operation maintainance of its off-gas to prevent accidents, fires, and dangerous conditions, and to protect the public and shall have priority in all considerations shall be consistent with practices in the gas industry federal pipeline safety Page 2, line 16 through page 3, line 4. http://www.sos.ca.gov/pub/11-12/01/sen/sb_0701_0750/sb_705_bill_20110218_introduced.pdf

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principle of just and reasonable cost

Section adds the requirement safety proposals to implement top priority for safety. Pub. Util. Code section 961(b)(1). approved by the Commission after a hearing, Pub. Util. Code the utility is to approved plants Pub. Util. Code section 961(b)(2). The Commission must provide adequate funding, Pub. Util. Code 9 build in sufficient flexibility "to redirect activities to respond to requirements." Pub. Util. Code (b)(2). After 961 approved plan is reviewed and updated periodically. Code (b)(4). Section 961(b) this establishes both the Commission's ultimate control of plan its ongoing oversight of plan implementation, including if needed necessary.

As the Commission has recognized a crucial element of ongoing safety process development, approval and implementation the creation of a safety culture based on

...opportunities for meaningful, substantial and ongoing participation by gas corporation workforce in the development and implementation of safety plan. With the objective of developing an industry culture of safety. Util. Code 961(e), emphasis added

This participatory inclusive approach to plan development and implementation an essential aspect of safety priority the Legislature has established. D.12-04-0001. The Commission has already given some support "meaningful, substantial and ongoing" participation requiring publication of plan, creation of a feedback mechanism for employees to report for tracking employee/manager communication affirmative facilitation of protection for employees who communicate with that Comm

10 D.12-04-0001 Section 3, 2013

precluding “other procedures and processes” pages 18-19

While acknowledging that the Commission has “gotten” the importance of reciprocal communication, UAW argues the Commission to idiosyncratic, management-controlled approach has gone far enough to be “meaningful” or “substantial.” UAW advocated for an institutionalized communication procedure involving regular meetings and interaction between workers, managers and commission staff. The Commission should implement this given the decades relationships among worker representatives, workers, management and the Commission staff

Section 961(e) and in the of create workplace safety culture promotes transparency and communication about hazards and fully consistent with the Commission jurisdiction and authority to require safe operation. Pub. Util. Code section 961(e) the powers of the Commission under Pub. Util. Code section 961(e) that utility practices provide for the health and employment of

Sections 961 and 961(d) provide substantial of the plan must be consistent with best practices in the industry and statutes and regulations 961(e) must address list of eleven (1) broadly characterized issues, which the Commission has (5) grouped topics: (1) safety systems, (2) emergency response, (3) state a (4) continuing operations, emerging issues

The “safety systems” topic encompasses both identification
~~_____~~
¹¹ Comments-On-The-Report-Of-The-Independent-Review-Panel July 15, 2011; Initial-Comments-On-The-Gas-Safety-Rulemaking filed on April 11, 2011; Arturo-Frias Exhibit 58112-05/004.10 served September 19, 2011 Gas General Rate Case) of Coal-Work Exhibit UAWA -10-024 G served June 15, 2012 Gas (8) Pipeline Safety Enhancement Plan pre Comments-Of-WUA-On-The-Proposed-Whistleblower-Protection Rule August 24, 2012.

hazards and identification of related safety systems to be deployed to identified hazards (section 961(d)(2)). These provisions are at the heart of the mandatory to some preventive approach to safety require concrete identification of hazards and deployment of systems to concrete approaches to systematically mitigating and eliminating them to minimize the identified hazards.

The emergency response topic encompasses timely response to and employee evacuation and other hazardous conditions and emergency events, including disconnection, reconnection, and a high-priority procedures (section 961(d)(6)), as well as state-sponsored agencies such as earthquakes (section 961(d)(8)) and involvement in emergency and damage (section 961(d)(5)).

The continuing operations" includes issues related to adequate delivery capacity (section 961(d)(3)), adequate staffing and work and size (section 961(d)(10)), important well functions such as leak and patrol (section 961(d)(4)). G at page 152 create issues chart" using shorthand to state describes the It is reproduced here. descriptive terminology List of terms of the chart should not understood to recast any of the statutory issues or limit Similarly, the "Commission Oversight Process" rubric must be the the decision's purpose to inspire "reflection" on an existing "change," improve on the 04-06-07, C0p17e

<p>Identify and minimize and systemic risks. Identify the safety systems that will be</p>	<p>Safety Systems</p>	<p>Utility Operations and Main Plans in place, along with Management for both transmission and distribution systems to threats and systemic risks.</p>
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minimize ☐ hazards. ☐ ☐ 961	☐	☐
Equipment ☐ and ☐ personnel procedures ☐ to ☐ limit ☐ the from ☐ accidents. ☐ ☐ 961(d)	Emergency ☐ Response ☐ ☐	Emergency ☐ response ☐ procedure required ☐ by ☐ 49 ☐ CFR ☐ 192 customer ☐ service ☐ response ☐ s General ☐ Rate ☐ Cases, ☐ with ☐ requirement ☐ provided ☐ to ☐ me standards. ☐ ☐ Improving ☐ first and ☐ utility ☐ coordination, ☐ and pipeline ☐ facility ☐ data ☐ already in ☐ Rulemaking ☐ ☐
Timely ☐ response ☐ to ☐ rep leaks, ☐ hazardous ☐ condition emergency ☐ events. ☐ (6) ☐ 961		
Prepare ☐ for ☐ and ☐ respon earthquakes ☐ and ☐ other ☐ events. ☐ ☐ 961(d)(8)		
Protocols ☐ for ☐ determining maximum ☐ allowable ☐ opera pressures. ☐ ☐ 961(d)(7)	State ☐ and Federal ☐ Regulations ☐	Federal ☐ regulations ☐ currently ☐ maximum ☐ allowable ☐ operatirter Since ☐ September ☐ 13, ☐ 2010, warranted, ☐ Commission ☐ has ☐ ordering ☐ reductions ☐ of ☐ MAOP by line ☐ basis, ☐ and ☐ has ☐ se any ☐ authorized ☐ resumptions; ☐ Commission ☐ leads ☐ the ☐ U.S. all ☐ gas ☐ transmission ☐ lines ☐ MAOP ☐ established ☐ by ☐ pressu GO ☐ 1123G Requirements ☐ exceed regulations; ☐ however, ☐ staff ☐ proposed ☐ revisions ☐ to ☐ GO ☐ Rulemaking. ☐ ☐
Meet ☐ or ☐ exceed ☐ the ☐ standards ☐ for ☐ safe ☐ desi construction, ☐ installation, ☐ operation, ☐ and maintenance ☐ of gas ☐ transmission ☐ and ☐ c facilities ☐ prescribed ☐ by ☐ regulations. ☐ ☐ 961(d)(9)		
Best ☐ practices ☐ in ☐ the ☐ and ☐ with ☐ federal ☐ pipeli statutes. ☐ ☐ ☐ 961(c) ☐		
Safety ☐ of ☐ the ☐ public ☐ corporation ☐ employees ☐ as priority, take ☐ all ☐ reasonable appropriate ☐ actions ☐ consist with ☐ the ☐ principle ☐ of ☐ reasonable ☐ cost ☐ rates. ☐ 963(b)(3) ☐	Continuing ☐ Operations ☐	Federal ☐ regulations ☐ currently ☐ patrol ☐ and ☐ leak ☐ survey ☐ a inspect ☐ for ☐ leaks. ☐ on ☐ Staffn continually ☐ stays ☐ informed ☐ detection ☐ technologies ☐ to ☐ m activities ☐ more ☐ effective. ☐ ☐ Cases ☐ require ☐ overall ☐ review operations ☐ which ☐ includes ☐ g transportation ☐ capacity, ☐ newly safety ☐ phase ☐ to ☐ focus ☐ on safety. ☐
Provide ☐ adequate ☐ storage transportation ☐ capacity ☐ to reliably ☐ and ☐ safely ☐ deli all ☐ customers. ☐ ☐ 961(d)(
Provide ☐ for ☐ effective ☐ pa inspection ☐ to ☐ detect ☐ lea 961(d)(4) ☐		
Ensure ☐ an ☐ adequately ☐ s qualified, ☐ and ☐ by ☐ trained gas ☐ corporation ☐ workforce		

961(d)(10) ☐	☐	☐
Any ☐ additional ☐ matter ☐ commission ☐ determines ☐ sh be ☐ included ☐ in ☐ the ☐ 961(d)(11) ☐ ☐	Emerging ☐ Issues ☐	Commission ☐ has ☐ opened ☐ Ru for ☐ long-term ☐ issues, ☐ with ☐ Commission ☐ Executive ☐ Director ☐ empowered ☐ to ☐ take ☐ urgent needed, ☐ and ☐ enforcement ☐ p are ☐ the ☐ ultimate ☐ procedural mechanism. ☐☐ ☐

☐

☐ In ☐ R.11-02-019 ☐ the ☐ Commission ☐ recognizes ☐ that ☐ the ☐ adequacy ☐ of ☐ “existing ☐ oversight ☐ processes” ☐ to ☐ assure ☐ that ☐ adequately ☐ utilities ☐ ha assessed ☐ risks ☐ and ☐ are ☐ properly ☐ implementing ☐ the ☐ required ☐ mi at ☐ issue, ☐ by ☐ acknowledging ☐ the ☐ of recommendations ☐ Panel ☐ ☐ D.12-04-019 ☐ page 15 Appendix ☐ A. ☐ ☐ It ☐ is ☐ to ☐ those ☐ Recomme turn. ☐

A2. R.11-02-019 ☐ and ☐ REVIEW ☐ PANEL ☐ RECOMMENDATIONS

☐ R.11-02-019 ☐ has ☐ been ☐ the ☐ Commission’s ☐ flagship ☐ for ☐ address transformations ☐ in ☐ the ☐ gas ☐ industry ☐ concerns ☐ revolve ☐ around ☐ hazard identification ☐ and ☐ abatement:

Due ☐ to ☐ aging infrastructure, ☐ we ☐ are ☐ interested ☐ in ☐ assessing ☐ may ☐ be ☐ missing ☐ other ☐ natural ☐ gas ☐ pipeline ☐ safety ☐ issues risks ☐ that ☐ are ☐ currently not identified. We ☐ pose ☐ the ☐ questions: else ☐ is ☐ out ☐ there?” ☐ and ☐ “What can we do to prevent another tragedy ☐ from unexpected ☐ sources?” R.11-02-019 ☐ at ☐ page ☐ 9, ☐ emphasis ☐ added.

☐

The ☐ emphasis ☐ on ☐ concrete ☐ hazard ☐ mapping ☐ and ☐ abatement ☐ has from ☐ its ☐ inception. ☐ This ☐ concern ☐ is ☐ echoed ☐ in ☐ SB ☐ 705, ☐ s

☐ R.11-02-019 ☐ has ☐ been ☐ the ☐ venue ☐ for ☐ receiving ☐ and ☐ impleme *Report* ☐ and ☐ the ☐ recommendations ☐ of ☐ the ☐ Independent ☐ Review ☐ I the ☐ Commission ☐ two ☐ weeks ☐ after ☐ the ☐ Safe ☐ Gas ☐ specifically ☐ c moves ☐ forward ☐ implementation recommendations ☐ related ☐ to ☐ safety ☐ cultu page ☐ 12. ☐ ☐ These ☐ recommendations ☐ include:

☐

IRP's call for change, improvement, journeying toward safer, for workers and, including transparent communication and accountability. SCG has omitted the hazard mapping and performance deemed essential by the Commission's IRP. It does not to denigrate management's objective commitment to safety in Baven, against complacency and dismissiveness management's to organized employee regulation and public engagement. The Commission the gas workers and the public have moved SCG beyond the Commission, the organized workers and the public each can command ground on which to move the journey but forward on the basis of what SCG Draft-Safety-Plan

B1. EXECUTIVE SUMMARY

The Executive Summary is the management's settings and aspirations. It articulates' pipeline safety performance expectations, principles, and performance goals/objectives, and describe[s] our safety-related pipeline programs, policies, standards and processes. Draft-Safety-Plan, Executive Summary is a 17 page.

It contains clear firm statements and assertions that call for elaboration and/or revision. (See below) What it does hazard identification (section 961(d)(1)); any specification of system deployed to abate hazards (961(f)); any commitment to improving record of timely emergency responses to customer service issues etc. (section 961(d)(6)) specific commitment to assuring an adequate and trained workforce; (section 961(d)(10)) short, it appears that specific requirements of the statute are not present in the Safety-Plan.

Further, Draft-Safety-Plan does not acknowledge the work of the

Commission staff and union to identify hazards and abate them. Commission expects that it eschews the collaborative, transparent process contemplated by the statute in favor of a closed, (by management). Even at that, SCG conceals truths, or that may be at odds with the words fail to the proposed measures that could be the basis for accountability.

The Executive Summary contains several that need elaboration and clarification on factual basis. These, without limitation

- representations about the power employees to “stop the job” (See, *Preliminary Comments* at page 5 July 20, 2012)
- representations about the efficacy of SCG supplied tools “needed to do the job” (See page 16 below, Section III.B.2, page)
- representations about hiring and training sufficient numbers including SCG coaching in the field;
- representations about employee participation safety discussions and meetings, which is in fact by management invitation only.

The upcoming hearing, or workshop, will provide needed opportunity for clarification.

B2. SUBSTANTIVE PROVISIONS appearing in Attachment B

The substantive provisions in Attachment B to the are organized by Title 12, not by the statutory provisions. result, the provisions appear to be cursory and conclusory state with vague references to a long compendium of SCG policies policy number and by Draft Safety Plan Appendix A.

For example, Chapter 4 Draft Safety Plan beginning on page 16 addresses Safety Systems topic. It contains 50 words each) descriptions of the existing Transmission Integrity Management

(TIMP), Distribution Integrity Management (DIM) and the existing O&M and the proposed Pipeline safety Enhancement Plan (PSEP) separate “policies” that are merely listed by title in the Chapter contains a general description of data gathering about to inform work. The plan’s “continual improvement process” is a year “review of the TIMP written plan.” Ibid. at page 17. This approach to compliance, not a robust plan for improving safety. This approach renders an utterly opaque document Making it available to and work the public and does either understanding or involvement.

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B3. EMPLOYEE ENGAGEMENT (COMPLIANCE WITH SECTION

In Chapter of *Brief Safety Plan* pages 11 through describes an extensive set of activities, including interactions between managers and represented workers, intended to engage employees in plan implementation. This included meetings, surveys, focus groups, internal website and intranet facilitated interactions, formal or informal communication with UAW. As more discussed extensively UAW’s *Preliminary Comments* filed on July 20, 2012, approximates a host of problems for SCG the UAW and is part to the ambiguity messages that apparently were communicated stopping the job and matters. It is not consistent with the link between the creation of the safety culture envisioned by Section 96 unilaterally dominated by managers coercive authority, without the countervailing protective force of the collective bargaining representation gamesmanship represented by implementation approach that seems designed to evade the unions’ representative employees consistent with the “maturity framework” called for by the IRP. and It to the certain admissions no

constitute the “meaningful” or “substantial” participation called for by 961(e).

The ~~Draft-Safety-Plan~~ is silent on any interaction with the Commission or its staff on any of the matters to be addressed in the process. This inability to engage Commission staff or the Assessment Unit, or actively engage with it, is a fundamental departure from the sort of open, inclusive safety culture envisioned by the a course correction.

C. CONCLUSION: A MISSED OPPORTUNITY FOR A SECOND CHANCE

The ~~SCG-Safety-Plan~~ fails for several different reasons. It does not identify hazards or mitigations; it does not implement a trust-based safety culture; it does not address specific matters such as the failure of the safety system from a primary cause, refusal or inability to engage openly with the other stakeholders in the process who represent the employees who do the work, their union representatives and

In the workshops and hearings to follow, the Commission should be fully and candidly. Before approval, the Commission should be satisfied that SCG has turned to the people who work at SCG are committed to a culture of safety for customers and the employees are able to know the hazards and are moving effectively to address them

III. UWUA ALTERNATIVE APPROACH

Over the past months UWUA has consistently made a set of recommendations for culture change that can be distilled into principles:

(1) Create a transparent system of communication among workers, managers and Commission staff that continuously permits consultation of the maturity of the work force by the IRP and

(2) Shift the emphasis from reaction through proactive identification and elimination of hazards and threats to customer service, operations and maintenance using the Systems of Safety (SOS) rather than reaction to incidents after they have happened.

As suggested above, SCG has proposed an elaborate definition and has failed to conform to the expectations of SCG, the concrete identified hazards. There is a basis for redress activities by both the Commission staff and UWUA members. The SCG Draft Safety Plan the Commission should seriously approach.

The Commission has in a number of formal, informal moved in the direction of culture change consistent with these principles. The November 2011 the subsequent activities the Risk Assessment (RAU) to identify hazards in the industry through consultation with a variety of stakeholders is a constructive prevention/reaction issue. As noted above, the silence of on the RAU's activities is unfortunate of an important regulatory initiative. UWUA has made a number of concrete suggestions for abatement and management, based on the concept of established standards for safety, customer service, operation and

taking concrete steps to meet them. These proposals are below.

The issuance of protective orders to facilitate employee the Gas Safety Rulemaking and the SCG General Rate Case indications of the value that the Commission places on safety-related issues. The Commission repeatedly protecting employees who wish to communicate directly with DMEG Comm 010 itself the proposal of a formal rule preventing reprisals who communicate are further indications that the Commission is the three-way communication scheme among workers, managers and staff that UWUA has advocated has indicated elsewhere, the toward transparency meaningful, substantial, and ongoing participation the gas corporation workforce should not stop with whistleblower protection

The sections below elaborate on how that culture SB 705 Safety Plan templates should develop consistent with the Commission safety initiative. The goal of a safety culture should be to but especially the workers who deal with these facilities, to engage fully in preventing injuries and damage element is the creation of an institutional framework for dialogue among key stakeholders about hazards and their remediation. This element is addressed Another crucial element is training workers to recognize hazards

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~~12~~
12 A.00-12-006, *Ruling of the Assigned Commissioner and Administrative Law Judge regarding Motion of the Workers Union of America for a Directive to Protect Employees*, dated January 25, 2012. ~~13~~
~~14~~
13 *Order Ruling of the Assigned Commissioner Granting, on an Interim Basis, the Motion of the Utility Workers Union of America, and Adopting Procedures for a Repetition Regarding Whistleblower Protections*, dated March 14, 2012

13 *Workshop Report and Proposed Regulations Regarding Whistleblower Protections* July 23, 2012

14 *Reply Comments of the Utility Workers Union of America (UWUA) on the Proposed Whistleblower Rule* filed August 24, 2012, at page 4.

This element will be addressed in Section 10.0 below at points and positions already expressed in other proceedings.

A. TRANSPARENT INSTITUTIONAL COMMUNICATION

UWUA described the basic structure of the institutional transparency regime that should be developed in its Rulemaking in April 2011 at that time:

“A systems approach to safety reporting to both safety issues, both compliance and enforcement agencies. The goal is a cooperative proact that avoids damage before it happens, replacing a reactive approach to damage that might have been prevented. regular and consistent flow of communication among utility employees and government agencies, in accordance with the principles:

- Gas pipelines are essential facilities and essential to the California public. Safe operation is of paramount importance to the utility and for the consuming public gas transport and delivery facilities.
- There should be regularized channels of communications at the three sets of safety stakeholders with direct responsibility: (1) utility managers with operational responsibilities including monitoring and remediation including repair; (2) utility employees performing transmission, distribution and field service; (3) government agency investigative and enforcement personnel to carry out their respective roles in assuring that are operated and maintained in a safe and effective manner the public and consumers of gas service..
- Utility employees through their bargaining representatives should fully and equally in development, implementation, and interpretation modification of programs for protecting the safety of the employees, recognizing that in the gas operation and all maintenance programs have implications for safety. They are in presentations to agencies approval authority and should be when enforcement authorities come on the property to utility operation, maintenance, construction or other activities.

15-222 Comments-222of-222UWUA-222Locals-222132,-222483-222 and pages 20, 222 filed-222April-

- Utility employees through their bargaining representatives should establish channels of communication at regular intervals with management with public agencies having regulatory and responsibility.”

□

In Circumstances-2011-The-IRP-Report July at 20 pages and 6 through UWUA elaborated this concept of institutionalized, transparent con

“These two not only the Comprehensive of fact discussion among all stakeholders and among stakeholders including regula - are critical to the creation of the safety the Cor in its initial Order in Section 6 of the essential stakeholder the gas industry safety process at Southern employe G represented by UWUA seek to conduct discussion fully participate meaningful, substantial and ongoing dialogue “colloquy among stakeholders” including the Commission called Report.”

... □

... □

Among the significant barriers to effective communication among stakeholders and a continuous improvement to safety improvement, is what the IRP terms a footnote of IRP-Report at page 54]

‘Compliance expenditures for projects authorized in rates driving forces affecting the infrastructure investment and program of PG&E’s gas operation company may or not be running a safe system. Rather the only if of the the regulation leads to an overall approach of process promoted.’ (emphasis added)

□

“Related to this weakness is what the IRP calls “App setting,” which emphasizes image management which ultimately undermines the company’s credibility with its e: as the public IRP Report contrasts this with what it calls a “mature” IRP Report at □

‘An organizational maturity in the area of risk management the priority, and thought and effort it allocates to the process. To meet the challenge of addressing the complex risk management, the leadership of the organization establish and promote a thorough and honest companywide comr

□

system. Such a system manages it receives all of the information it needs to identify the key risk decision addressing and to inform the workers about them in a systematic fashion. In Arizona with a mature risk culture willing and able to meet the challenges of making significant decisions in a thorough yet timely manner. It is set by the team can be influenced by its Directors, and is informed by a workforce engaged in communication process, underpinned by subject matter experts.

Q13

By emphasizing a "gotcha" approach often used and replacing it with a systems approach that identifies and proactively through a robust communication process, the IRP has outlined an organizational structure for all employees participating in delivering to the public the safety that California residents, including UWUA members, want the Commission is driving toward in its efforts.

...

Employee representatives can play a key role in developing the agency element of the safety culture in several aspects: information in inspections and on-site practical on procedures and programs between inspection and audit innovations and experiments. The use of knowledgeable employees can reduce the resources needed for thorough and utility safety activities.

Comments at pages 3, 6

Q13

In his testimony in the SCG General Rate Case, UWUA Local described an implementation concept

Q13. Please describe the safety organization element of your proposal.

Q13

A13. The UWUA and SCG have an existing structure of and conferences that provide a framework for advancing the development of an effective safety culture. This existing structure, incremental improvements, to achieve what the Commission has identified as the key to improved safety in the communication among the key-institutions, workers and

commission staff aimed at identifying hazards and preventing rather than punishing after the fact.

The organizational increments would facilitate transparent communication among employees, managers and Commission staff. UWUA's submissions in the Gas Safety Rulemaking, R. 12-013.

The UWUA is recommending incremental changes to organizational structure for safety changes SCG and CPUC. These

- Designation by the union/employee/union representatives for each operating region (12 total) who can take responsibility incidents, including performing root cause analysis in incident investigation, verify and report implementation of safety systems, conduct safety training, work continuously with SCG and CPUC to monitor and enforce safety plan implementation;
- Regular periodic meetings of all employees at the unit (frequently than quarterly) to facilitate hazard mapping, system analysis and development of hazard elimination approaches;
- Creation by the Commission of robust independent channel employee/union communication with CPUC inspectors/staff enforcement along regular organized lines as recommended by UWUA in the Gas Safety Rulemaking July 15, 2011.

These recommendations build on pilot programs that SCG discontinued, and on current informal safety practices in the transmission and storage area.

Southern California Gas General Rate Case, Exhibit 581, at page 12-13.

The sum of these recommendations is this:

- (1) Create regular channels of communication among worker representatives, managers and Commission staff, using existing mechanisms such as safety committee meetings, and regular Commission visits and inspections, as well as direct interaction between Commission staff and the public Commission staff provides a resource both for the public Commission staff
- (2) Provide funding for designation of safety representatives to assure independent communications and views. (Ratepayers already fund representatives.)

(3) is consistent with the IRP recommendations on the onus in safety enforcement from blame/punishment (non) to correction (non conformance.)

B. PREVENTION: THREATS IDENTIFIED for PREVENTIVE TREATMENT

There are several approaches to making a reaction to prevention, but they all depend on actually grappling with operation and maintenance of facilities and the provision of. The Commission has identified several hazards that it considers significant and ripe for abatement. One risk is the rupture transmission pipe, of the type at issue in the San Bruno has embarked on yearly programs to test or replace pipe all lacking documentation of a pressure test, at a potential cost. Another hazard identified by the Commission as particularly mapping and abatement is "accidental damage resulting from unrelated excavation, referred to as an 'in-line' or 'out-of-line' at page 9 of UWUA concrete suggestions to address this, including improving surface provide in-line marking, increasing the frequency of patrols of excavators, and improving enforcement of the SCG system. SCG has not engaged with UWUA or with the Commission staff on its maintenance and improved safety margins.

UWUA has recommended shortened maintenance procedures for critical infrastructure, including valve maintenance, pipeline and leak surveys. Of particular importance is assuring the protection, which is in-line defense against external corrosion and

~~_____~~
16 The SCG counterpart process is currently examination in the Trierina Allocation proceeding.

17 Testimony of Robin Downer, SCG at UWUA page 60 & 4.

B2. PREVENTION: THREATS IDENTIFIED BY EMPLOYEES SURVEY

SCG

SCG's management filtering of employee viewpoints to obstruct their communications to the Commission is illustrated in the Executive Director's report to the Board of UWA Local 132 recently received partial information and other identifying information (redacted) about the employee surveys from SCG. Nancy L. Treasurer of Local 132, compiled the responses by issue:

ISSUES

ORGANIZATION: DDM

NGI

OO

NI :	E6	B
OP KGO NI :	DL	L
N002 G:	AF	L
OO:	AB	B
G:	AL	A
OOO: P0:	B6	
P 808 (4) N		
I :	BD	L
I 3 3 4 43 4		
GK:	BL	L
NI & GY:	G	
I :	F	L
I U(4) & 4 3		
OO & G:	LE	L
GK VGY:	L6	L
&K:	LD	L
0:	LD	L
V VGY:	LA	L
GNGO:	M	

As this compilation makes clear, concerns about the adequacy

~~of the survey process were raised in the survey responses.~~

²⁰ This occurred some time after the UWUA filed its Preliminary Report in 2012.

the adequacy of tools are among the most frequent safety the assertion by SCG employment are that even the training and need to do the job safely....” Inadequate staffing is another concern, echoing the repeated assertions of UWUA witnesses Arturo Frias, Nancy Logan and others about the systemic understaffing at SCG and in the gas industry in general. Determine appropriate staffing levels to preserve the safety and in pipeline system. Draft Safety Plan at page 40 through SB 705 explicitly this an issue. Confusion the and the stakeholders in the plan: Section 961(d). However, its own employees survey corroborate the assertions that this is a widespread problem among employees of

B3. CORRECTING THE OMISSION OF RELATED SERVICE SAFETY THREATS

One of the significant oversights is the omission of customer-related safety issues, including specifically to be addressed pursuant to Section 961(d)(6) General Order C offered extensive testimony on the topic of timely response to the types of service orders specified in Recognizing that prompt and thorough customer service order prevent customer-related “wrangling” to provide for service, with potential for serious injury, is an important and highly hazardous and rebuilding customer confidence in the safety of

²¹ Exhibit 585, Testimony of Alex Robles, UWUA Representative 6, Tal pages 4 through 6; Exhibit 584, as Testimony UWUA Exhibit 5, Page 7, through page 9, line 2 documenting declining levels of timely Exhibit 153, UWUA Cross Examination Exhibit for SCG Witness Ed 586, Testimony of Michael Barber, UWUA Exhibit 7, UWUA Exhibit 7, in terms of and reconnection orders.

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