

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

SAFETY AND ENFORCEMENT DIVISION

**RESOLUTION ESRB-X
May XX, 2014**

R E S O L U T I O N

Resolution ESRB-X. Directs all Investor Owned Electric Utilities to take remedial measures to reduce the likelihood of fires started by overhead facilities.

PROPOSED OUTCOME: This Resolution will cause Investor Owned Electric Utilities to take extra measures to reduce the likelihood of fires started by their facilities during the drought.

SAFETY CONSIDERATIONS: This Resolution directs all Investor Owned Electric Utilities all to take measures to reduce the likelihood of fires started by their facilities, which will increase the safety to the general public in both rural forested areas and at urban–rural interface.

ESTIMATED COST: Unknown

SUMMARY

XXX

BACKGROUND

On January 17, 2014, Governor Edmund G. Brown Jr. proclaimed a State of Emergency and directed state officials to take all necessary actions to prepare for conditions that could result from the drought. Specifically, the Governor stated:

“We can’t make it rain, but we can be much better prepared for the terrible consequences that California’s drought now threatens, including dramatically less water for our farms and communities and increased fires in both urban and rural areas.”

In response to the Governor’s proclamation, on February 18, 2014¹, Denise

¹ See Attachment 1, Letter dated February 18, 2014, from Denise Tyrrell, Acting Director

Tyrrell, Acting Director of the Safety and Enforcement Division (SED) sent a letter to all Investor Owned Electric Utilities (IOUs) that in part directed “them to take all practicable measures necessary to reduce the likelihood of fires started by [their] facilities.”

On March 26, 2014, George Gentry Executive Officer of CalFire sent a letter² to the Commission stating in part:

“Board unanimously directed me to send a letter that not only endorses the action of the CPUC, but strongly encourages the CPUC to support funding the Utilities at the appropriate levels to conduct this important electric vegetation management work.”

NOTICE

XXX

PROTESTS

XXX

DISCUSSION

State of Emergency:

On January 17, 2014, Governor Edmund G. Brown Jr. proclaimed a State of Emergency and directed state officials to take all necessary actions to prepare for conditions that could result from the drought. Specifically, the Governor stated:

“We can’t make it rain, but we can be much better prepared for the terrible consequences that California’s drought now threatens, including dramatically less water for our farms and communities and increased fires in both urban and rural areas.”

CPUC’s Response to State of Emergency

In response to the Governor’s proclamation, on February 18, 2014, Denise Tyrrell, Acting Director of the SED sent a letter to all IOUs that stated in part:

of the Safety and Enforcement Division to David L. Mead, Senior Vice President – Transmission and Distribution of Southern California Edison

² See Attachment 2, Letter dated March 26, 2014 from George Gentry Executive Officer of CalFire to the Commission.

“Due to the increased chance of large and devastating fires in California, I hereby direct you and your company to take all practicable measures necessary to reduce the likelihood of fires started by your facilities. This may include, but is not limited to the following actions:

- Increased inspections in fire threat areas
- Re-prioritization of corrective action items
- Modification to protective schemes”

In an effort to build a partnership to reduce the likelihood of wildfires, the letter stated in part:

“... if your company discovers a Safety Hazard, as defined by General Order 95, Rule 18-B and a third party is restricting your company’s access to remedy the situation, notify Raymond Fugere of my office immediately, in order that we can work with your company to help resolve the Safety Hazard.”

CalFire

On March 26, 2014, George Gentry Executive Officer of CalFire sent a letter to the Commission stating in part:

Board unanimously directed me to send a letter that not only endorses the action of the CPUC, but strongly encourages the CPUC to support funding the Utilities at the appropriate levels to conduct this important electric vegetation management work.

Furthermore, CalFire’s

“The Utilities can perform significant work that helps to ensure public safety. Given the appropriate resources, a significant public private partnership could be forged. We support timely completion of that work in the face of the extreme conditions presented by this drought.”

CalFire Data

CalFire posts fire statistical data on their website³ for fires that they have responded to. The below data found on CalFire’s websites shows the number of fires they have responded to this year and previous years (for the same interval).

³ See http://cdfdata.fire.ca.gov/incidents/incidents_statsevents

Reporting Period	Fires	Acres Burned
January 1, 2014 through April 12, 2014	953	2,372
January 1, 2013 through April 12, 2013	466	1,302
5 year average (same interval)	377	1,135

(Statistics include all wildfires responded by CAL FIRE in both the State Responsibility Area, as well as the Local Responsibility Area under contract with the department, plus all large wildfires in State Responsibility Area protected by CAL FIRE's contract counties).

The above data shows that CalFire has responded to over twice as many fires in 2014 as compared to 2013, during the same time period and over one-thousand more acres have been burned. Furthermore, the in 2014, over 500 more fires have occurred when compared to the previous five years, for the same interval.

COMMENTS

Public Utilities Code section 311(g)(1) provides that this resolution must be served on all parties and subject to at least 30 days public review and comment prior to a vote of the Commission. Section 311(g)(2) provides that this 30-day period may be reduced or waived upon the stipulation of all parties in the proceeding.

FINDINGS AND CONCLUSIONS

1. On January 17, 2014, Governor Edmund G. Brown Jr. proclaimed a State of Emergency and directed state officials to take all necessary actions to prepare for conditions that could result from the drought.
2. Denise Tyrrell, Acting Director of the SED sent a letter to all IOUs directing them to take all practicable measures necessary to reduce the likelihood of fires started by their facilities.
3. SED created a partnership with the IOUs by offering to help resolve disputes with parties blocking or slowing down critical safety work.
4. CalFire supports the letter sent from SED to the utilities.
5. Furthermore, CalFire believes that a significant public private partnership could be forged.
6. There is an increased chance of a large and devastating wildfire occurring this year.

February 27, 2014

7. As of April 12, 2014, twice as many wildfires have occurred this year as compared to last year through the same time frame. Furthermore, over five-hundred more fires have occurred this year as compared to the previous five year average for the same reporting time.

THEREFORE IT IS ORDERED THAT:

1. Investor Owned Electric Utilities must take all practicable measures necessary to reduce the likelihood of fires started by their facilities. This may include but is not limited to the measures mentioned in the February 18, 2014 SED letter.
2. Additionally, Investor Owned Electric Utilities should examine and create any and all public-private partnerships during the state of emergency that they find necessary to reduce the likelihood of fires started by their facilities.

This Resolution is effective today.

I certify that the foregoing resolution was duly introduced, passed and adopted at a conference of the Public Utilities Commission of the State of California held on May XX, 2014; the following Commissioners voting favorably thereon:

/S/ PAUL CLANON
PAUL CLANON
Executive Director

MICHAEL R. PEEVEY
President
MICHEL PETER FLORIO
CATHERINE J.K. SANDOVAL
CARLA J. PETERMAN
MICHAEL PICKER
Commissioners