

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

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

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

**COMMENTS OF THE UTILITY REFORM NETWORK
ON THE AUGUST 11-12 WORKSHOPS AND RELATED PROPOSALS**



Thomas J. Long, Legal Director
Katy Morsony, Staff Attorney

THE UTILITY REFORM NETWORK
785 Market Street, Suite 1400
San Francisco, CA 94103
(415) 929-8876 (office)
KMorsony@turn.org

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1. INTRODUCTION

TURN appreciates this opportunity to provide comments on the Wildfire Mitigation Plan Requirements¹ (“WMP Requirements” or “Guidelines”) and Safety Culture Assessment² (“SCA”) proposals issued by the Wildfire Safety Division (WSD) and on the related workshops held on August 11 and 12, 2020. While TURN offered its initial feedback at the workshops, these comments provide more complete comments on the WSD proposals. In general, TURN supports the further development and refinement of the WMP Requirements to ensure that the accelerated period for review allows for the sufficient analysis of the utilities’ proposed WMPs. In addition, TURN here offers comments on the Wildfire Safety Advisory Board’s (WSAB) recommendations for avoiding the use of public safety power shutoffs (PSPS).³

TURN has actively participated since the inception of the WMP process and, throughout, has provided analysis and comments on the requirements and metrics to be used for WMPs. One of TURN’s prior pleadings, dated January 7, 2020, included extensive analysis and recommendations regarding WSD’s proposed metrics. TURN incorporates those comments by reference, and still recommends that those modifications to the proposed metrics be adopted by the WSD. The January 7, 2020 TURN comments are attached here for ease of reference.

2. WMP REQUIREMENTS

2.1. TURN Supports WSD Proposals that Will Facilitate More Meaningful Review of the WMPs in a Compressed Period of Time

By statute, the WMP process requires an abbreviated time frame for the submission and review of detailed and complex plans and an extraordinary amount of accompanying data. Much was learned in the review of the 2019 WMPs that served to improve the 2020 WMP submissions. The proposed changes to the WMP Requirements should further improve the 2021 WMP submissions and the ability of the WSD and interested intervenors to review the WMPs within the time allowed.

¹ WSD Staff Proposal on Changes to Wildfire Mitigation Plan Requirements and Metrics Tables, Aug. 11, 2020.

² WSD Draft Recommendations for Developing a Safety Culture Assessment Process, Aug. 12, 2020.

³ WSAB, Recommendations for Developing the SHEUR Threshold.

As an initial matter, tools such as Recommended Change 2a -- establishing a “check list” of the relevant § 8386(c) requirements and indexing where in the WMP submission the required information is provided – will serve as a useful guide for stakeholders reviewing the comments.⁴ Similarly, TURN appreciates Recommended Change 3a which would include a summary table that would include not only forecast expenditures on wildfire mitigations but actual expenditures.⁵ Such information will assist not only in the review of the proposed WMP but also provide a tool by which to judge the accuracy of past WMP submissions and their estimates of risk reduction.

2.2. Continued Failure to Present Risk Spend Efficiencies Consistent with the Commission Approved SMAP Settlement in D.18-12-014 Should Result in the Rejection of a Proposed Wildfire Mitigation Plan

Section 8386(c)(10) requires that the WMP include:

A list that identifies, describes, and prioritizes all wildfire risks, and drivers for those risks, throughout the electrical corporation’s service territory, including all relevant wildfire risk and risk mitigation information that is part of Safety Model Assessment Proceeding and Risk Assessment Mitigation Phase filings.⁶

Consistent with this requirement, the Commission (in 2019) and the WSD (in 2020), have directed that the WMP submissions provide the Risk Spend Efficiency (RSE) scores for proposed mitigation measures, using the methodology adopted by the Commission in the Safety Model Assessment Proceeding (SMAP). In its comments on both the 2019 and the 2020 WMP submissions, TURN has demonstrated that the RSEs relied on by SCE and PG&E were inadequate: the RSEs were incorrectly calculated and risks and mitigations were aggregated in such a way that WSD and stakeholders were prevented from being able to compare programs.⁷ Consistent with this position,

⁴ WMP Requirements Proposal at 6.

⁵ WMP Requirements Proposal at 7.

⁶ Cal. Pub. Util. Code § 8386(c)(10).

⁷ TURN Comments on 2020 Wildfire Mitigation Plans, R.18-10-007 (April 7, 2020) at 7-13 (hereinafter TURN Comments on 2020 WMPs); TURN Comments on 2019 Wildfire Mitigation Plans, R.18-10-007 (Mar 13, 2019) at 17-19.

TURN supports the WSD proposal “requiring risk-spend efficiency calculations for mitigations, both for individual mitigations and for aggregated categories of mitigations.”⁸

In order to empower the utility to identify the optimal combination of mitigations to address a utility’s risk, RSEs must be calculated consistent with the SMAP Settlement adopted in D.18-12-014, on a sufficiently granular basis and for all programs, whether new or existing. The proposed changes to the WMP Requirements would properly require the utilities to provide this information.

TURN recommends that, in addition to identifying these requirements, WSD clearly state that any failure to provide this information in 2021 submissions will result in an unequivocal rejection of the proposed WMP. Not only must the utilities be put on notice that their continued failure to provide this information is unacceptable, but the WSD must demonstrate that incomplete WMP submissions will not be tolerated. California residents and utility ratepayers deserve and are legally entitled to safe utility service consistent with affordable rates. The WSD should make clear that further delay in supplying information that WSD needs in order to determine the cost effectiveness of proposed mitigations is unacceptable.

2.3. The Utilities Should Be Required to Include in their RSE Calculations for PSPS the Adverse Consequences to the Public of Such Power Shutoffs

TURN supports WSD’s proposal that Public Safety Power Shut offs (PSPS) be presented in a stand-alone chapter rather than alongside other mitigations. This reflects the singular role that PSPS can play within a utility’s mitigation strategy. PSPS should be treated in most respects as a risk to utility customers and only as a last-resort mitigation when absolutely necessary to avoid a wildfire. WSD-002 pointed out that the misleadingly high RSE values calculated for PSPS are attributable to the utility’s failure to include the societal impacts of PSPS on its customers.⁹

The final guidance documents should require the utilities to include estimates of the adverse impacts of PSPS on customers in their RSE calculations. Experience to date with PSPS events has shown that they pose risks to health and safety and cause significant financial harm to businesses and residences. Including the adverse consequences of a PSPS is important to the consideration of whether a

⁸ WMP Requirements Proposal at 8.

⁹ WSD-002, June 19, 2020, at 20.

PSPS is absolutely necessary. Unless these adverse consequences are included in the risk assessment of PSPS, the utility cannot properly assess its value as a mitigation. Consistent with this recommendation, the new proposed reporting requirements related to “fatalities and injuries associated with all initiatives reported in the previous WMP” should include any deaths or serious injuries related to a PSPS event.¹⁰

2.4. If Bill Impact Estimates of New Mitigations Are to Be Required, WSD Should Require Detailed Workpapers and Not Accept the Estimates at Face Value

The WMP Requirements Proposal broadly suggests (without making a specific proposal) that WMPs include bill impacts to better quantify the rate impact of proposed wildfire expenditures.¹¹ TURN appreciates the potential usefulness of this information and the desire to include it in the WMP filing. However, it is important to recognize that bill impact estimates are complex and require numerous input calculations and assumptions, including (but certainly not limited to) how costs are allocated among customer classes. In addition, for long-term capital investments, a bill impact estimate for a single or even a few years will understate the total cost to customers. As a result, utilities can manipulate inputs and assumptions in order to underestimate the likely impact on ratepayers. If WSD believes that bill impact estimates are warranted despite these risks, WSD should identify, with specificity, the assumptions that utilities should use in developing their estimates and require the utilities to provide detailed workpapers clearly identifying all relevant assumptions and inputs into the calculations. To address the heavy reliance on capital expenditures in WMPs, rate impacts should be provided for at least a 10-year period. Even if these recommendations are adopted, WSD should still be skeptical of the accuracy of any bill impact information given the limited opportunity in the accelerated WMP review process to carefully assess the accuracy of complicated bill impact calculations.

¹⁰ WMP Requirements Proposal at 16.

¹¹ WMP Requirements Proposal at 4; August 11 Workshop Presentation at Slide 12.

3. WSD'S SAFETY CULTURE ASSESSMENTS SHOULD INCLUDE BRIGHT LINE TRIGGERS FOR AN UNSATISFACTORY FINDING AND SAFEGUARDS AGAINST UTILITY MANIPULATION

Section 8389(d)(4) directs the WSD to “conduct annual safety culture assessments for each electrical corporation.”¹² This safety culture assessment is used to determine the eligibility for a utility to obtain a safety certification. Specifically, section 8389(e)(2) requires the WSD to find that “the electrical corporation is in good standing, which can be satisfied by the electrical corporation having agreed to implement the findings of its most recent safety culture assessment.”¹³ The WSD seeks feedback on its proposal for review of and granting of a Safety Culture Assessment (SCA) pursuant to this direction.

As noted by the WSD, the SCA is distinct from the broader safety culture assessments that are ongoing at the CPUC. While the WSD SCA process is limited by its requirement to be completed annually, that should not mean that the process is insufficiently vigorous. The WSD proposes a three-part utility submission:

1. Response to specific guidelines, which would include demonstrations of compliance with certain Safety Governance requirements that have been established by the Commission and the Legislature;
2. Utility-provided self-assessments of Safety Culture practices and policies; and
3. A process, potentially a survey, to solicit feedback from relevant employees on their assessment of the electrical corporation's Safety Culture.

In addition, the WSD proposes that the SCA include a review of:

- a) Guideline Response: Utility demonstrations of compliance with certain Safety Governance requirements that have been established by the Commission and the Legislature;
- b) Management Self-Assessment: Evaluation of utility-provided self-assessments of Safety Culture practices and policies;
- c) Use of employee feedback and observations through a survey or another tool to measure behaviors (and motivations) throughout the organization;
- d) Interviews and observational visits, as needed; and

¹² Cal. Pub. Util. § 8389(d)(4).

¹³ Cal. Pub. Util. § 8389(e)(2).

e) Monitoring of certain safety performance metrics related to wildfire risk and mitigation.¹⁴

Judging whether a utility culture is “safe” is a comprehensive task, made especially difficult when the assessment must be repeated on an annual basis. TURN recognizes that the WSD process is designed with these facts in mind, but TURN is concerned that the WSD process does not adequately protect against potential utility manipulation. TURN’s recommendations are made consistent with this concern and with the intent to provide bright line guidance regarding when a safety culture cannot be deemed to be satisfactory.

As an initial matter, it must be noted that the SCA is required in order for the utility to obtain the safety certification. The intent of the safety certification is to “encourage[] electrical corporations to invest in safety and improve safety culture to limit wildfire risks and reduce costs.”¹⁵ Under Public Utilities Code Section 451.1(c), a safety certification entitles a utility to a relaxed burden of proof in demonstrating the reasonableness of costs resulting from a wildfire. In addition, under Section 3292(h), whether or not a utility has a safety certification can affect how much it must reimburse the Wildfire Insurance Fund for wildfire claims costs. Thus, the safety certification decision – and the safety culture determination that is a key element of that decision -- has potentially multi-billion dollar financial consequences for both utilities and ratepayers. For this reason, ensuring that utility safety cultures are satisfactory is an important tool for meeting the State’s goal of preventing catastrophic wildfires and other safety failures.

TURN recommends that WSD identify certain triggering events in its SCA that would preclude the utility’s receipt of a safety certificate for the following year. The events identified below should be treated as evidence that the utility’s safety culture is unsatisfactory and that the utility is not “in good standing” for the purposes of the safety certification assessment. TURN submits that these events should include, at a minimum:

- Any failure of the utility to meet applicable legal requirements to report a safety incident to the California Public Utilities Commission during the preceding year;

¹⁴ Wildfire Safety Division Draft Recommendations for Developing a Safety Culture Assessment Process, August 12, 2020 at 7 (SCA Proposal).

¹⁵ AB 1054 Preamble § 2(f).

- Any CPUC finding of a Rule 1 violation related to a safety matter in the preceding year;
- Any felony conviction in the preceding year;
- Any violation of the conditions of probation in the preceding year; and
- Any finding by the CPUC in the preceding year that a utility called an unnecessary PSPS or a PSPS that exceeded an appropriate scope by 25% or more;

TURN submits that any of these triggering events demonstrates a deep safety problem and should be treated as sufficient evidence that the utility in question needs to further develop its internal safety culture before reaping the benefits of a safety certificate.

In addition to the bright line restrictions identified above, TURN recommends that the WSD take care to develop a process that minimizes opportunities for utility manipulation of the results. TURN is concerned that, in particular, the “utility-provided self-assessment of Safety Culture” is unlikely to provide helpful information sufficient to outweigh the obvious self-serving nature of such a submission. TURN therefore recommends that this element of the SCA proposal be dropped and that WSD’s efforts should be focused elsewhere. Employee surveys may be more helpful, but any survey must be drafted by WSD or some other unbiased third party and administered in a manner that ensures participation by those employees that would best be able to evaluate wildfire safety. Furthermore, any such surveys should be done anonymously and without any interference or fear of retaliation by the utility. The WSD should consider working with a consultant to design and administer the survey free from utility influence.

WSD also proposes that each of the utilities establish a “Chief Safety Officer” who, among other responsibilities, would act as an intermediary between utility employees and the Board level safety committee. TURN is not convinced that additional corporate officers will necessarily ensure that safety is adequately communicated between employees and the board of directors. Given that this position has been required for PG&E in its Bankruptcy, TURN recommends that WSD monitor the impact of this position on PG&E’s safety culture before requiring the other utilities to adopt the position within their corporate structure.

WSD further proposes that the Division track metrics “as a measure of how well the utility is driving down the aggregate risk from wildfires and Public Safety Power Shutoffs.”¹⁶ TURN agrees that metrics can have an important role in understanding utility progress addressing wildfire risk. However, TURN cautions that “the greater the stakes assigned to metric outcomes, the more care needs to be taken in adopting metrics.”¹⁷ The recently initiated follow-on Safety Model Assessment Proceeding (SMAP 2), R.20-07-013, will include a discussion of metrics within its scope. TURN has recommended that metrics refinement, especially as it relates to identifying metrics for PG&E emerging from bankruptcy should be the initial issues addressed during that proceeding. WSD should coordinate any effort to identify metrics for use in the SCA with the metrics adopted in the SMAP 2 proceeding.

4. THE WILDFIRE SAFETY DIVISION SHOULD ADOPT TOOLS TO ALLOW FOR BETTER PRIORITIZATION OF POTENTIAL MITIGATIONS TO AVOID THE USE OF PLANNED POWER SHUTOFFS

At the August 11, 2020 workshop, WSAB member John Mader made a presentation on the System Hardening for Electric Utility Resiliency (SHEUR) threshold. The SHEUR threshold is proposed by Mr. Mader and the WSAB as a means for the IOUs to target mitigations at the highest risk circuits. In essence, the SHEUR would treat PSPS as a risk rather than a mitigation and would consider proposed mitigations ability to avoid PSPS as well as wildfires.

Adoption of the SHEUR would identify “an acceptable level of operational risk an electrical utility should assume before initiating a PSPS.”¹⁸ Utilities would be required to “analyze the circuits with unacceptable risk and use RSE calculations to determine the most cost-effective application of wildfire mitigation resources.”¹⁹ Implementation of the threshold would help prioritize the application of mitigation measures on those circuits where PSPS are most likely to be called.

TURN supports the adoption of the SHEUR framework. Given scarce utility resources, especially in light of the ongoing economic downturn, the utilities must target mitigations to where they

¹⁶ SCA Proposal at 11.

¹⁷ Opening Brief of The Utility Reform Network, I.19-09-016 (March 13, 2020) at 87.

¹⁸ Wildfire Safety Advisory Board, Recommendations for Developing the SHEUR Threshold at 5 (SHEUR Presentation).

¹⁹ SHEUR Presentation at 6.

will have the greatest impact at reducing wildfire risk. While a budget may not provide the ability to replace all lines with covered conductor, knowledge of the risk profile of a circuit should allow the utility to target its actions where they will have the most benefit.

The adoption of the SHEUR threshold will require additional work to quantify the threshold, and while a final threshold may not be adopted within the time frame of the 2021 guidance documents, the principles of SHEUR can be adopted before the next review of WMP. In particular, the WSD guidelines can direct that the utilities prioritize the proposed mitigation programs based on wildfire risk. WSD should also direct that the mitigations be prioritized by their ability to avoid PSPS events. To the extent these prioritizations diverge, they can then be compared against one another to better understand the impact of resource allocation choices.

Further the SHEUR can ultimately be used as an input, alongside other identified constraints, to determine the optimal mix of mitigation program. A key goal of the Commission's work on risk-based decision making is the ability to determine the optimal portfolio of mitigations. In its comments on the 2020 WMP TURN warned that the WSD could not find that the utilities were pursuing an optimal risk reduction strategy.²⁰ Instituting the SHEUR and requiring the utilities to provide prioritization of their wildfire risk reduction strategies is a step towards a more coherent optimization strategy.

5. CONCLUSION

TURN appreciates this opportunity to provide comments on the August 11-12 workshops and accompanying proposals. For all the foregoing reasons, TURN recommends that the WSD adopt the recommendations described herein.

Respectfully submitted,

Dated: August 26, 2020

By: _____/s/_____

Katy Morsony

Katy Morsony, Staff Attorney
THE UTILITY REFORM NETWORK

²⁰ TURN Comments on 2020 WMPs at 7-8.

EXHIBIT A

January 7, 2020 Comments of TURN on WSD Proposals, Including WSD's Proposed Metrics

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

Order Instituting Rulemaking to
Implement Electric Utility Wildfire
Mitigation Plans Pursuant to Senate Bill
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**COMMENTS OF THE UTILITY REFORM NETWORK
ON THE DECEMBER 16, 2019 ADMINISTRATIVE LAW JUDGE'S RULING**



Thomas J. Long, Legal Director
Eric Borden, Staff Analyst

THE UTILITY REFORM NETWORK
785 Market Street, Suite 1400
San Francisco, CA 94103
(415) 929-8876 (office)
TLong@turn.org

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1. INTRODUCTION AND SUMMARY

The Utility Reform Network (TURN) submits these comments on the Administrative Law Judge's Ruling on Wildfire Mitigation Plan (WMP) Templates and Related Material and Allowing Comment (ALJ Ruling). The ALJ Ruling includes five dense and detailed Attachments: Attachment 1 - WMP Guidelines (Guidelines); Attachment 2 - Utility Wildfire Mitigation Maturity Model (Maturity Model); Attachment 3 - Utility Survey; Attachment 4 - WMP Metrics; and Attachment 5 – Supplemental Data Request (SDR). As explained in the ALJ Ruling (p. 1), the Attachments contain templates and other evaluative materials that the Commission and the newly created Wildfire Safety Division (WSD) expect to use in 2020 and that will evolve over time.

In general, the ALJ Ruling and Attachments reflect an impressive and commendable effort to improve and standardize the information that utilities are required to provide in connection with their WMPs. The required information should promote better and more cost-effective WMPs and enable the Commission and WSD to have more tools to ensure that the WMPs do the best possible job of mitigating the risk of catastrophic wildfires. This was clearly a major undertaking that was well worth the time and effort to produce it.

In the limited time and space afforded for comments, TURN will offer constructive suggestions to improve and clarify certain material in the Attachments. These comments will begin with issues that apply generally to the ALJ Ruling and Attachments or that warrant highlighting from TURN's perspective. The remaining comments will address specific aspects of the Attachments that can be improved or clarified.

2. GENERAL COMMENTS

2.1. The Commission Should Reiterate that WMP Approval Does Not Address Cost Recovery

The ALJ Ruling and Attachments include requirements for the utilities to present information about the costs of their plan elements and the cost-effectiveness of their proposed mitigations. These requirements reflect the universal recognition that utilities and their ratepayers lack the resources to implement all possible wildfire mitigations all at once and that, practically, the focus must be on the most cost-effective mitigations.

TURN is concerned that utilities may wrongly argue that such cost information requirements transform WMP review into cost approval cases. Indeed, in the proceedings leading to the 2019 WMP decisions, utilities tried to contend that because, they were required to submit cost information, WMP approval should be construed as approval of the costs of their WMP programs.¹ The Commission soundly rejected such arguments in D.19-05-036, finding that the Commission “sought cost information so the Commission could understand the magnitude of certain mitigation elements, but made clear that it would neither ‘consider’ nor ‘approve’ those costs here.”² For its determination in D.19-05-036 that WMP approval does not mean cost approval, the Commission relied on provisions of SB 901 that were re-affirmed in AB 1054. Specifically, as in SB 901, re-numbered Section 8386.4(b)(1)³ states that the Commission “shall consider whether the cost of implementing [a WMP] is just and reasonable in [each utility’s] general rate case” (GRC) and that the Commission “shall review the costs” of WMPs tracked in memorandum accounts and “disallow recovery” of costs found to be unreasonable. This same language formed the basis for the Commission’s previous conclusion that WMP approval is distinct from cost approval.⁴

The ALJ Ruling and Attachments wisely seek to ensure that the utilities’ WMPs and the Commission’s review of those WMPs is informed by concerted efforts to seek the most cost-effective mitigations. To forestall any utility arguments that these information requirements reflect a change in the Commission’s thinking, the Phase 2 decision should make clear that, under AB 1054, WMP approval does not constitute approval of the WMP costs.

2.2. The Commission Should Clarify that, Contrary to the Attachment 1 Timeline, Parties Will Be Afforded Sufficient Time to Provide Meaningful Comments on the Extensive WMP Submissions

Draft Resolution WSD-001 proposes that 2020 WMPs be submitted by February 7, 2020 and that any person may submit comments on the WMPs by April 7, 2020, a two-month period for

¹ See, e.g., the Commission’s recitation of arguments made by SCE in D.19-05-036, p. 24.

² D.19-05-036, p. 24.

³ All references are to the California Public Utilities Code unless otherwise indicated.

⁴ D.19-05-036, pp. 21-23.

comments. In contrast, Attachment 1 (p. 3), Figure 1 shows a review timeline that allows *only 20 days* for the public to submit comments. Attachment 1 states that this figure shows “the future view” of the WMP submission and review timeline; thus, TURN understands that it may not be intended to apply to 2020 WMPs. Still, if WSD’s intent is to allow only 20 days for WMP comments in the future, TURN strongly urges WSD to reconsider this position. Twenty days is a ridiculously short period of time for public comments, particularly for the extensive (and necessary) amount of information that is now to be required in WMPs. Even if utilities provide some information (via response to a Standard Data Request) in advance of the formal WMP submission as Figure 1 indicates, parties cannot provide any meaningful analysis of the considerable information that the ALJ Ruling and Attachments require in just a few weeks. Parties like TURN have experience and expertise that can greatly aid the WSD’s review of WMP submissions, but we cannot do the necessary deep dive into utility conclusions regarding such complex matters as claimed risk reduction and risk spend efficiency without sufficient time to scrutinize the underlying data and assumptions behind the utility presentations, much of which will still need to be pursued through data requests.

WSD and the Commission should disavow the timeline in Figure 1 for not just the 2020 WMP process, but for the foreseeable future. Instead, CPUC and WSD should make clear that non-utility parties will be afforded two months for WMP review and analysis and the preparation of comments, consistent with Draft Resolution WSD-001. TURN notes that, under Section 8386.3(a), the 3-month deadline for WSD’s decision can be extended if the WSD makes a written determination that the three-month deadline cannot be met. In light of the new and ambitious information requirements in the ALJ Ruling and Attachments, at least in the early years of working with this additional information, WSD would be well-justified in extending the three-month deadline.

2.3. The Success of the New Process and the Proposed Metrics Depend on Aggressive and Extensive Field Audits

Key aspects of the “new process” (ALJ Ruling, p. 1) to be set in place under the ALJ Ruling and Attachments depend on an effective auditing capability. As Attachment 4 acknowledges, many of the proposed Progress metrics, such as grid condition findings (Table 1, #1) and vegetation clearance findings (Table 1, #2) will require “deep-dive audits.” The utilities, PG&E especially (but not exclusively), should not be trusted to provide reliable information about the condition of their assets and

the effectiveness of their vegetation management efforts. Assessing the reliability of the utility-provided information will require audits *in the field* to assess important matters such as whether inspections and vegetation management have been performed properly and yielded the required results, not just paper audits to assess whether information in company records has been accurately compiled and conveyed to the Commission. Similarly, the success of the new Maturity Model program entirely depends on an accurate understanding of the maturity of the utility’s capabilities and efforts, unvarnished by the utilities’ instinctive efforts to portray themselves in a flattering light. Intensive and extensive field audits will be needed to determine whether the utilities are accurately assessing their maturity with respect to the 52 capabilities in the Maturity Model.

The ALJ Ruling and Attachments seem to recognize the need for at least some audits. The ALJ Ruling (p. 5) notes that the utility-provided Maturity Survey responses will be “confirmed by additional data disclosures and audits, as needed.”⁵ And, as referenced above, the proposed Metrics include a column identifying options for audit, which in some cases, indicate the need for “deep dive audits of select portions of the utility grid.” However, for the new processes and Metrics that are proposed in the ALJ Ruling and Attachments to achieve their intended purpose, the required auditing will need to be at a level that far surpasses the scale and scope of Commission auditing in the past few decades. An effective auditing program will require a major commitment of personnel and resources, including outside contractors. The Commission and WSD need to be bold and aggressive in seeking the necessary funding from the Legislature to support a major expansion of the audit capabilities of the CPUC and the new WSD. Moreover, to give the public confidence that the Commission and WSD are working with accurate and reliable information, the CPUC and WSD will need to be fully transparent about the specifics of the audits they are conducting and the results of those audits.

2.4. Metrics that Rely on Subjective Assessments Are Vulnerable to Utility Bias and Hence Unreliable

Metrics should be viewed as information that has been given an elevated status by virtue of being particularly useful as a yardstick to measure progress or performance. As reflected in Metrics Guiding Principles (MGP) 2 and 10 in D.19-04-020, Attachment 4, WMP metrics are most useful if they allow

⁵ Attachment 2, p. 2 notes that the utility self-reported Maturity data will be “subject to verification and audit.”

reliable comparisons over time (is progress being made?) and comparisons among utilities (how is Utility X performing compared to utility Y?).

Metrics that are based on subjective assessments defeat these goals because their results can be manipulated by the utilities in order to show trends or comparisons that cast the utility in an unduly favorable light. Auditing does not necessarily rescue subjective metrics, as audit findings cannot “correct” metric results that reflect a difference of subjective judgment. For these reasons, MGP 6 in D.19-04-020, Att. 4 states: “To avoid bias, we should focus on objective data to the extent possible.” This important principle is not listed among the “six key principles” in Attachment 4, p. 1.

As shown in Section 3 of these comments, the problems with subjectivity arise most prominently with the proposed “leading” metrics in Attachment 4. TURN understands the value of having leading metrics, and is aware that there are many proponents of using “near misses” as key leading indicators. However, while TURN views near misses as valuable information for a utility to track and even report, it is a dubious concept to use for assessing trends in progress or performance or comparing across utilities, and therefore seems unfit to serve as the basis *for a metric*. The problem is that whether an event constitutes a near miss is subjective, as evidenced by the Attachment 4 Glossary definition, which is based on the notion of “significant probability”; obviously whether a probability is “significant” can be the subject of dispute between two reasonable people. For this reason, in Section 3, TURN has proposed revising the “near miss” based metrics to rely solely on objective, auditable data. Where such modifications do not seem possible, TURN recommends that the CPUC/WSD either demote the proposal from metric status to a required item of information or, at the very least, acknowledge the limitations of the metric and give it reduced weight in assessing utility progress or performance.

2.5. More Focus Is Needed in Using Metrics and Required Data to Assess the Efficacy of Individual Mitigations

In its comments on the Phase 2 workshop, TURN recommended that individual mitigations be assessed for effectiveness using historical data:

A primary way to assess individual mitigation measures is to track ignitions and outages for the miles or segments of utility infrastructure where a mitigation measure has been deployed, compared with areas where it has not. The areas should be roughly similar to ensure

comparability. This is similar to a “randomized control trial,” in which a “treatment” and “control” group are contrasted to understand the effect of a specific intervention.⁶

However, the Ruling and Attachments leave to the utilities how to demonstrate the effectiveness of their proposed mitigations, stating that each utility should provide “how [it] plans to demonstrate over time whether each component of the initiatives is effective and, if not, how the utility plans to evolve each component to ensure effective spend of ratepayer funds.”⁷ This critical task should not be left to utilities to potentially accomplish at a future date in an unspecified manner. The Commission should require the utilities to report, either as a metric or in response to the Supplemental Data Request, the information specified in TURN’s 11/6/19 comments to assess the effectiveness of individual mitigations. In addition, TURN’s comments in Section 3 below regarding Table 2, item 17, include suggested additional metrics that can help inform the comparative effectiveness of covered conductor and enhanced vegetation management mitigations.

2.6. Risk Reduction and Risk Spend Efficiency Calculations Should Be Based on the Methodology Adopted in D.18-12-014 and Utilities Should Be Required to Show Their Work

The ALJ Ruling (p. 4) notes that the new processes outlined in the WMP Guidelines place an “emphasis on ‘risk spend efficiency’ – maximizing the amount of risk reduction achieved per dollar spent.” TURN fully supports such an emphasis. However, it is important to understand that, unless RSE is calculated using a sound methodology with reasonable inputs, RSE figures may not be useful and may even be misleading. Fortunately, in the settlement adopted in D.18-12-014, TURN, the utilities and other key parties have agreed on a sound methodology and have also agreed on transparency principles to allow the reasonableness of inputs to be assessed. Accordingly, whenever risk reduction and RSE calculations are required, the large utilities should be required to use the methodology adopted in D.18-12-014 and to “show their work” so that the reasonableness of the inputs to the methodology can be evaluated.

Perhaps unintentionally, the top paragraph on p. 50 of the WMP Guidelines would potentially allow the utilities to revert to the inferior methodologies they used in their last RAMP submissions. This

⁶ TURN Comments on Workshops in Phase 2, 11/6/19, p. 4. Footnote omitted.

⁷ WMP Guidelines, Att. 1, p. 52.

language should be changed to unequivocally require each of the large utilities to use the methodology adopted in D.18-12-014, with specific mention of that decision.

3. COMMENTS ON PROPOSED METRICS

As discussed in Sections 2.3 and 2.4 above, several of the proposed Metrics in Attachment 4 are vulnerable to utility puffery or manipulation of subjective assessments, and therefore of reduced usefulness as metrics -- though they may still provide useful information as long as the limitations are understood. The table in this section elaborates on these and other concerns, with the goal of providing constructive feedback on the Staff's thoughtful proposal.

CPUC Table / Metric Number / Name	TURN Comments / Recommendation	TURN Recommended Changes or Additional Metrics
Progress Metrics		
Table 1 / 1 / Grid condition findings from inspection	<p>1. As discussed in Section 2.3, this and several of the other Progress Metrics are only useful if the data reported by the utilities is subjected to rigorous field audits as necessary to provide confidence that the utility-provided data are accurate and the result of necessary and competent work by the utility. Utility reported data should be corrected based on audit results. Absent such audits, this and other Progress Metrics should be given reduced weight.</p> <p>2. In addition, for this metric, Level 1, 2, and 3 findings should be broken out by distribution and transmission-level inspections for each priority level in addition to the total number of findings. Ensuring safe transmission facilities is particularly important in avoiding broad-scope PSPS events.</p>	Separate out distribution and transmission-level findings (respectively) in HFTDs.
Table 1 / 3 / Extreme weather prediction accuracy	While the total percentage of PSPS predictions that are inaccurate provides a useful guide to utility prediction accuracy, TURN believes an additional metric would be helpful for understanding the potential impact of inaccurate utility weather predictions related to PSPS. In addition to the provided metric, TURN recommends the <i>number of customers</i> in each	Additional metric: <i>Number of customers subject to PSPS predictions that are false positives or false negatives 2 days before a potential PSPS event.</i>

	<p>PSPS event subject to a false negative or positive prediction should be provided by each utility.</p>	
<p>Table 1 / 5 / Equipment operating above nameplate capacity</p>	<p>TURN is not aware of data that demonstrates that this metric correlates strongly with ignitions. At a minimum, TURN recommends it be focused on times of risky weather conditions (RFWs) as this represents when overloaded conditions would potentially lead to a catastrophic wildfire.</p>	<p>Number of circuit hours operated above nameplate capacity <i>during RFWs</i> in HFTD areas.</p>
<p>Table 1 / 6 / Risk spend efficiency of resources deployed towards wildfire mitigation efforts</p>	<p>1. As an initial matter, this item actually appears to consist of three separate measures which should be listed separately in a,b,c format. 2. A better name for these metrics would be “Cost-effectiveness of resources deployed . . .” as these are not true risk spend efficiency (RSE) calculations, which are defined as risk reduction divided by cost. Instead, these are specific and alternative means of assessing the cost-effectiveness of wildfire mitigation efforts. TURN supports efforts to assess cost-effectiveness of mitigations, but cautions that these metrics are likely to be highly dependent on the subjective judgment of utility personnel. If these are to have any value as metrics, the utilities must be required to “show their work” as discussed in Section 2.6 above. Even so, the results may be too subjective to warrant giving significant weight as metrics, as discussed in Section 2.4 above.</p>	<p>The name of this metric should be changed to “<i>Cost-effectiveness</i> of resources deployed towards wildfire mitigation efforts” and the three listed “units” should be treated as separate metrics, 6a, 6b, and 6c.</p>
<p>Table 1 / 7 / Extent of hardening across grid</p>	<p>The metric as proposed lacks clarity and could be potentially misleading. For example, the term “hardening” encompasses a wide variety of activities, as evidenced by the Glossary’s broad definition of Grid Hardening, and the long list of Grid Hardening activities in Section 5.3.3 in Attachment 1. It is therefore highly unclear and hence subjective whether a grid asset is using “proven and demonstrated wildfire-resistant equipment.” In addition, it is unclear whether the percentage intended to be calculated represents all assets, all miles of assets, or some other measurement. TURN recommends this metric be removed or sufficiently clarified to focus on</p>	

	specific activities targeted by utilities for wildfire mitigation, with a clear definition for what should be used in the numerator and denominator of the percentage calculation.	
Table 1 / 8 / Community engagement activity and effectiveness	There are two separate metrics listed in the Table: (1) residents made aware of PSPS . . . ; and (2) residents agreeing to participate Thus they should be listed separately.	Separate the two metrics into 8a and 8b.
Outcome Metrics - Leading, Utility-Sourced		
Table 2 / 1 / Near Misses	<p>The Attachment 4 Glossary defines a “near miss” as “an event with significant probability of ignition. . .” As discussed in Section 2.4 above, this leaves a substantial degree of subjectivity for each utility to determine what a “significant probability of ignition” means. Such subjectivity creates the possibility that utilities can manipulate the reported data to show trends or other results that cast the utility in an unduly favorable light. In addition, to the extent this data reliably correlates with risk mitigation, it is most important to track “near misses” that have the highest potential consequences with respect to catastrophic wildfires – in high consequence weather conditions (RFWs) and areas (HFTDs). For example, data incorporating a fault that occurs during a rainstorm in a low wildfire threat area is uncorrelated with wildfire risk.</p> <p>Therefore, TURN recommends the Commission adopt “near miss” metrics that remove subjectivity by simply counting the number of events in each case (e.g. outages, faults), rather than relying on utility judgment of whether the event has a “significant probability of ignition.” Further, the Commission should include additional metrics that track the highest potential consequence “near miss” events (during RFWs in HFTDs). These are provided in the column to the right.</p>	<p>Additional metrics:</p> <p><i>Number of faults during RFW (total)</i></p> <p><i>Number of faults during RFW (normalized)</i></p> <p><i>Number of faults during RFW in HFTD (total)</i></p> <p><i>Number of faults during RFW in HFTD (normalized)</i></p> <p><i>Number of wire down events during RFW (total)</i></p> <p><i>Number of wire down events during RFW (normalized)</i></p> <p><i>Number of wire down events during RFW in HFTD (total)</i></p> <p><i>Number of wire down events during RFW in HFTD (normalized)</i></p>

Table 2 / 2 / Utility inspection findings	For the reasons discussed in Section 2.4 and with the immediately preceding metric, TURN recommends that the subjectivity of whether a finding “increase[s] the probability of ignition,” be removed by simply providing a count of the average number of Level 1 findings. Further, the metric should assess relative progress in the highest consequence areas of a utility territory with respect to wildfire risks (HFTD).	Average number of Level 1/2/3 findings that could increase the probability of ignition discovered <i>in HFTDs</i> , per circuit mile per year.
Table 2 / 3 / Risk spend efficiency of WMP programs	<p>1. As an initial matter, 3a and 3b appear to be identical metrics per the Unit column, differing only in name. TURN does not understand how “all WMP programs” (3a) differ from “wildfire-only WMP programs,” as WMP programs should be wildfire-only.</p> <p>2. More substantively, there is a disconnect between the name and the units. Similar to Table 1/#6, the described units are not true RSEs, but alternative measures of cost-effectiveness. However, these alternative measures leave out the consequence side of the risk equation, focusing only on the likelihood of ignition. Using a true average RSE across all WMP mitigations would be a better metric, as it would capture the full risk reduction benefits, including consequence reductions, from WMP mitigations. That said, to assess the usefulness of such RSE metrics, the utilities must be required to “show their work” in detail as discussed in Section 2.6 above. Furthermore, because the risk reduction calculations may be highly dependent on subjective judgment, the value of this calculation as a metric may be limited, although it would still be useful information.</p>	<p>Delete 3b, which appears duplicative.</p> <p>Replace the Unit description with: <i>Total risk reduction of all WMP programs divided by total cost of all programs, calculated in accordance with the settlement adopted in D.18-12-014</i></p>
Table 2 / 5 / Customer hours of PSPS based on stress test conditions	This proposed “metric” actually seems to require the use of a necessarily complex model. For example, the model would need values to reflect the extent of hardening of assets, ideally at a granular level. The results would only be useful if the model is well-specified and the inputs are reasonable, which would require significant analysis before a determination could be made that	

	<p>the utility-reported results are accurate and useful. Rather than treating results of an opaque model as a “metric,” which connotes a high level of reliability, this information could be required as a data submission under Attachment 1 or Attachment 5, to which the CPUC and WSD could give the appropriate weight based on their ability to assess the quality of the model and its inputs. In the long term, the CPUC/WSD should specify the model and require that all utilities use the same model, to allow for comparability of results.</p>	
Outcome Metrics – Lagging, Utility-Sourced		
<p>Table 2 / 6 / Customer hours of PSPS and other outages</p>	<p>In addition to the recommendations for each sub-part provided in the rows below, TURN recommends incorporating metrics that allow the Commission and parties to easily understand the degree to which PSPS is utilized by each utility in high consequence areas (HFTDs) and weather (RFWs). This will help inform the degree to which a utility is relying on PSPS to prevent ignitions during risky conditions.</p>	<p>Additional metrics:</p> <p><i>Customer hours of PSPS during RFW (total)</i></p> <p><i>Customer hours of PSPS during RFW (normalized)</i></p> <p><i>Customer hours of PSPS during RFW in HFTD (total)</i></p> <p><i>Customer hours of PSPS during RFW in HFTD (normalized)</i></p> <p><i>Customer hours of PSPS during RFW / Total RFW Hours (total percentage)</i></p>
<p>Table 2 / 6a / Customer hours of planned outages including PSPS (total)</p>	<p>It is unclear why metrics that are supposed to focus on prevention of wildfires should be concerned with planned outages that are unrelated to wildfires. This metric should be revised to focus on PSPS events, as many “planned outages” are unrelated to wildfire mitigation efforts.</p>	<p>Customer hours of planned outages including PSPS (total)</p>
<p>Table 2 / 6b / Customer hours of planned outages including PSPS (normalized)</p>	<p>See previous comment.</p>	<p>Customer hours of planned outages including PSPS (normalized)</p>

Table 2 / 6c / Customer hours of unplanned outages, not including PSPS (total)	Unplanned outages that are unrelated to wildfires, such as outages caused by winter storms, are not relevant to preventing wildfires. TURN recommends this metric be modified to focus on outages resulting from wildfires.	Customer hours of unplanned outages <i>resulting from wildfires</i> , not including PSPS (total)
Table 2 / 6d / Customer hours of unplanned outages, not including PSPS (normalized)	See previous comment. TURN recommends this metric be modified as shown.	Customer hours of unplanned outages <i>resulting from wildfires</i> , not including PSPS (normalized)
Table 2 / 6e / Increase in System Average Interruption Duration Index (SAIDI)	SAIDI includes outages that are unrelated to wildfires and wildfire mitigation efforts. TURN recommends this metric be removed as a metric to measure the effectiveness of wildfire mitigation efforts.	
Table 2 / 7 / Electricity cost to ratepayers	<p>TURN supports a metric that tracks costs to ratepayers related to wildfires, but recommends changes to clarify and simplify what would be tracked.</p> <p>Rates are complex with numerous rate schedules based on customer class and use. Translating cost increases into rate impacts is a complex endeavor that requires selection of representative customers and assumptions about electricity usage, among other things. A simpler measure would be to track wildfire-related costs (expenses and capital, separately) that have been authorized for recovery. In addition, rather than attempting to calculate increases, utilities should simply be required to annually report their wildfire related cost recovery for the next five years; increases can be determined by comparing those costs from year to year.</p> <p>TURN recommends tracking two distinct, non-overlapping categories of costs: 1) authorized cost recovery for mitigation activities; and 2) other wildfire-related cost recovery which could include costs of repair and remediation of utility facilities affected by wildfires, wildfire insurance, and wildfire liabilities. (TURN hastens to note that, because of the Wildfire Insurance Fund created by</p>	<p>In the Name column, change 7a and 7b to: “Increase in Electric costs <i>authorized for rate recovery due to wildfire liability claims, wildfire insurance, and repair/remediation of utility facilities . . .</i>”</p> <p>In the Name Column, change 7c to: “Increase in Electric costs <i>authorized for rate recovery due to wildfire mitigation activities . . .</i>” and add a 7d to require a normalized calculation.</p> <p>In the Unit(s) column, change 7a and 7b to: “<i>Total authorized expenses and total authorized capital expenditures for the next five years for wildfire liability claims, wildfire insurance and repair/remediation of utility facilities. . .</i>”</p>

	<p>AB 1054 to which ratepayers will contribute substantially, TURN does not expect ratepayers to be required to pay any additional costs for wildfire liabilities.) These costs should also be required to be presented in “normalized” form by dividing by the total number of circuit miles in HFTD.</p> <p>Wildfire cost recovery can change from year to year by virtue of true-ups and other between-rate-case decisions (e.g., CEMA, WEMA), so the collection frequency should be annual.</p>	<p>In the Unit(s) column, change 7c (and 7d) to: “<i>Total authorized expenses and total authorized capital expenditures for the next five years for wildfire mitigation activities...</i>”</p> <p>The 7a-7d costs should also be presented in normalized form by dividing by the utility’s number of HFTD circuit miles.</p> <p>The Collection frequency should be changed to <i>Annual</i>.</p>
Outcome Metrics – Leading, Externally-Sourced		
Table 2 / 9 / Impact of utility ignitions based on ignition simulation	TURN has similar concerns as noted regarding the Table 2, #5 metric above, including potential lack of standardization and transparency regarding utility models, calculations, and assumptions to derive the results. However, because these simulations could provide important information, utilities should be required to provide the information, models and inputs as a data submission under Attachment 1 or Attachment 5, to which the CPUC and WSD could give the appropriate weight based on their ability to assess the quality of the model and its inputs. In the long term, the CPUC/WSD should specify the model and require that all utilities use the same model, to allow for comparability of results.	
Outcome Metrics – Lagging, Externally- Sourced		
Table 2 / 11 / Fatalities from utility wildfire mitigation activities	The Commission should include, as a separate metric, fatalities that occur due to PSPS events. This tracks the most adverse consequence of utility PSPS events, which is critical for understanding the full impact of PSPS.	<p><i>Fatalities due to PSPS events (total).</i></p> <p><i>Fatalities due to PSPS events (normalized).</i></p>
Table 2 / 12 / OSHA-reportable injuries from utility wildfire mitigation activities	See comment above. Injuries to members of the public should be defined as injuries requiring medical care.	<p><i>Injuries due to PSPS events (total).</i></p> <p><i>Injuries due to PSPS events (normalized)</i></p>

<p>Table 2 / 17 / Number of utility wildfire ignitions</p>	<p>While all ignitions that occur in a utility territory represent important data points, ignitions that occur in relatively high consequence areas (HFTDs) under high consequence conditions (RFWs) must be tracked and compared among utilities to understand relative progress in preventing the most significant events. In addition, data regarding ignitions that occur on lines where primary utility mitigations have been deployed – namely covered conductor and enhanced vegetation management – is critical for tracking the performance of these mitigation efforts over time as well as to compare with utility risk-mitigation assumptions. Furthermore, each ignition metric should present transmission and distribution-level incidents separately where applicable.</p>	<p><i>Number of ignitions during RFW (total)</i></p> <p><i>Number of ignitions during RFW (normalized)</i></p> <p><i>Number of ignitions during RFW in HFTD (total)</i></p> <p><i>Number of ignitions during RFW in HFTD (normalized)</i></p> <p><i>Number of ignitions on lines with covered conductor (total)</i></p> <p><i>Number of ignitions on lines with covered conductor (normalized)</i></p> <p><i>Number of ignitions on lines subject to enhanced vegetation management (total)</i></p> <p><i>Number of ignitions on lines subject to enhanced vegetation management (normalized)</i></p>
<p>Table 2 / 18 / Estimated GHG emissions from utility-ignited wildfire</p>	<p>To provide the most useful information, ideally, Cal ARB would provide GHG emissions for each catastrophic utility-caused fire event (e.g., Camp fire) to enable comparisons among the different fire events and across utilities.</p>	

4. COMMENTS ON WMP GUIDELINES

Because Sections 2 and 3 of the WMP Guidelines overlap to some extent with the Attachment 4 Metrics, many of TURN’s comments in Section 3 above are equally applicable to information that is required to be provided by the WMP Guidelines. In addition to those comments and the General Comments in Section 2 above, TURN offers the following specific comments:

Section 2.6, Tables 5 and 6. These should include a row for fatalities and injuries resulting from the loss of power in PSPS events, such as deaths and injuries caused by inoperability of electricity-dependent medical equipment or home/commercial lighting, and fatalities or injuries from inoperable traffic signals or roadway lighting.

Section 3.4.2, Table 17. “Grid hardening” consists of numerous activities, as shown by the Glossary definition (p. 10), Section 5.3.3, and item C in Section 5.3.11. This table does not require a breakdown by the various activities and thus would count a mile of relatively minor grid hardening work the same as major work. This information could nevertheless have some utility as long as the Commission understands this limitation of the data it is requesting.

Section 3.4.3, Table 18. To help understand the information reported in this table, the utilities should be required to provide a database of information that identifies the cause of each ignition and includes key information to assess which, if any, mitigations were used for the asset in question, such as whether covered conductor was in place, or enhanced vegetation management was used for that segment of the grid. This would help address the concern identified in Section 2.5 of these comments.

5. COMMENTS ON MATURITY MODEL AND SURVEY

The limited time and space allowed for these comments prevent TURN from providing comments on the details of Attachments 2 and 3, such as the particular maturity elements and the scoring criteria. However, viewed at a high level, the Maturity Model and accompanying Utility Survey appear to be worthwhile efforts that are well-conceived and executed. Maturity assessment has the potential to be an extremely valuable tool.

To achieve the full potential of this tool, TURN emphasizes two high-level considerations. First, as discussed in Section 2.3 above, it is essential that WSD not rely on unaudited utility self-evaluations. Particularly in the early years of using this new tool, the utilities need to know that they will be audited and will not get away with responses that misrepresent their level of maturity. Second, the process needs to be transparent and invite interested party participation. Surveys and responses should be shared with interested parties who so request. And there should be a process for interested parties to comment on utility survey responses. With a broad variety of experience and expertise, the many non-utility parties and members of the public who are focused on preventing catastrophic wildfires can provide analysis and insights that will greatly assist WSD’s use of this tool.

Respectfully submitted,

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By: _____ /s/ _____

Thomas J. Long

Thomas J. Long, Legal Director
Eric Borden, Staff Analyst
THE UTILITY REFORM NETWORK