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Re: Comments of the California Association of Small and Multi-Jurisdictional Utilities on the Draft Compliance Operational Protocols

In accordance with the January 8, 2021 letter from Wildfire Safety Division (“WSD”) Director Thomas Jacobs for the Draft Compliance Operational Protocols, (“Draft Protocols”), Bear Valley Electric Service, Inc. (“BVES”), Liberty Utilities (CalPeco Electric) LLC (“Liberty”), and PacifiCorp, d.b.a. Pacific Power (“PacifiCorp”) (collectively, the California Association of Small and Multi-Jurisdictional Utilities (“CASMU”)), submit these comments on the Draft Protocols. As described below, in light of the extensive information already being compiled and submitted by utilities, CASMU recommends that the WSD eliminate the new requirement to submit Quarterly Initiative Updates (“QIUs”). Alternatively, if the WSD determines that QIUs are required, utilities should not be required to submit QIUs until 2022 to ensure that utilities have sufficient time to plan for and adapt to this new reporting requirement and submit the information required in new QIUs. Further, if QIUs are required, given the burdensome and duplicative nature of the QIUs, as well as the small sizes of the CASMU members and correspondingly more limited scope of CASMU WMP initiatives, CASMU members should only have to submit the information required in QIUs annually rather than quarterly.

As outlined in the Draft Protocols, the proposed QIU submission would provide the same or similar data to what utilities are already providing in their other submissions to the WSD. The QIU will include “[s]tatus updates for all initiatives (both quantitative and qualitative) laid out in the [electrical corporation’s] EC’s Wildfire Mitigation Plan for the prior calendar quarter.”<sup>1</sup> However, the Quarterly Advice Letter (“QAL”)<sup>2</sup> already includes “[s]tatus updates for the prior calendar quarter of all initiatives laid out in the EC’s Wildfire Mitigation Plan.”<sup>3</sup> Similarly, the Quarterly Data Report (“QDR”) provides “quarterly updates on planned, in-progress, and completed initiative activity points, lines, and polygons, based on the last day of the calendar quarter of the report.”<sup>4</sup> It is unclear why the WSD is now requesting that utilities provide similar or identical information on utility Wildfire Mitigation Plan initiatives in a separate QIU. While the WSD raises broad concerns regarding “consistent format,” “[c]onsistent reporting requirements,” a reduction of “ad hoc data requests from the WSD to ECs,” and “streamline[d] communications between the WSD and ECs,”<sup>5</sup> there is no evidence that the WSD is not receiving timely information from utilities or that there are demonstrable issues or problems with information formatting or communications between WSD and utilities. Given that the QIU provides duplicative information and that there is no obvious need for the information requested in the new QIU, CASMU recommends that the new QIU requirement be eliminated.

Not only is there no discernible need for the new QIU submissions, but the new QIU requirements are overly burdensome, particularly given the rapid turnaround before the first proposed QIU deadline and the significant volume of other work utilities are already conducting

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<sup>1</sup> Appendix to the January 8, 2021 letter from WSD Director Thomas Jacobs for the Draft Protocols, p. 7.

<sup>2</sup> The QAL is the Tier 1 Advice Letter submitted pursuant to Pub. Util. Code § 8389(e)(7).

<sup>3</sup> Appendix to the January 8, 2021 letter from WSD Director Thomas Jacobs for the Draft Protocols, p. 6.

<sup>4</sup> Appendix to the January 8, 2021 letter from WSD Director Thomas Jacobs for the Draft Protocols, p. 9.

<sup>5</sup> January 8, 2021 letter from WSD Director Thomas Jacobs for the Draft Protocols, pp. 1-2.

to address Wildfire Mitigation Plan requirements. Utilities face numerous impending deadlines, including the March 5, 2021 Wildfire Mitigation Plan<sup>6</sup> and QDR deadlines, March 8, 2021 QAL deadline, and the March 31, 2021 Annual Report on Compliance (“ARC”) deadline pursuant to Public Utilities Code Section 8386.3(c)(1). Adding a new QIU submission, which, as proposed, would first be due on March 8, 2021, is overly burdensome in light of the other imminent deadlines. Accordingly, the new QIU requirements should be eliminated.

Additional burdens of reporting new QIU information are especially onerous for the CASMU utilities which are significantly smaller than the Large IOUs. Each CASMU member has less than 50,000 customers and face disproportionate administrative burdens in implementing new requirements.<sup>7</sup> The significantly smaller sizes of the CASMU members also necessitate that WMP initiatives be more appropriately tailored and scaled in comparison to the Large IOUs. This means that the CASMU members typically have fewer WMP initiatives than the Large IOUs and less data to report. Therefore, if new QIU reporting requirements are adopted, the requirements should recognize the unique characteristics of the CASMU members and only require that the CASMU members submit QIU information on an annual basis.

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<sup>6</sup> While the Draft Protocols indicate that the WMP is due February 5, 2021, that deadline only applies to California’s three largest electric utilities, Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company (collectively, the “Large IOUs”). Resolution WSD-011 set the deadline for the CASMU members’ WMPs as March 5, 2021.

<sup>7</sup> Indeed, utility planning efforts and compliance with Wildfire Mitigation Plan and WSD requirements is conducted and handled by significantly smaller staff for the CASMU members than at the Large IOUs. These differences have traditionally been recognized by the California Public Utilities Commission which has routinely determined that “the small size of [CASMU members] and the nature of their operations” make it inappropriate and burdensome for the Commission to impose certain requirements on CASMU members or require that the Commission allow CASMU members to take a more limited approach than that required for the Large IOUs. (*See, e.g.,* D.09-12-046, at 2 (exempting CASMU members from certain smart grid-related requirements).)

For the reasons described above, the new QIU requirements should be eliminated from the Draft Protocols to avoid duplicative and overly burdensome reporting. Alternatively, if the WSD determines that QIUs are required, QIUs should not be required until 2022. Deferring any QIU requirements until at least 2022 will provide utilities with sufficient advanced notice to plan and prepare for QIU requirements, helping to reduce the administrative burden of completing the new QIU. Furthermore, if QIUs are required, given the small sizes and unique characteristics of the CASMU members, the CASMU members should only be required to submit QIU information on an annual basis.

Respectfully Submitted,



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