

June 15, 2020

California Wildfire Safety Advisory Board
Marcie Edwards, Chair
505 Van Ness Avenue
San Francisco, California 94102
wildfiresafetyadvisoryboard@cpuc.ca.gov

Re: Joint Local Governments' Comments on Draft 2021 Wildfire Mitigation Plan Guidelines, Performance Metrics, and Safety Culture

Dear Ms. Edwards and Board Members:

The Counties of Kern, Marin, Mendocino, Napa, Nevada, San Luis Obispo, Santa Barbara, and Sonoma, and the City of Santa Rosa (the Joint Local Governments) appreciate the opportunity to provide comments on the Board's Draft Recommendations for the 2021 Wildfire Mitigation Plan Guidelines. The recommended changes and improvements are well-considered and important. The Joint Local Governments urge the Wildfire Safety Division to incorporate the Board's recommendations for the upcoming Wildfire Mitigation Plan cycle.

At the outset, the Joint Local Governments greatly appreciate the Board's recognition of the importance of preparing for concurrent emergencies and the Board's endorsement of the issues raised in the recent joint motion for an emergency order regarding de-energization protocols during the COVID-19 pandemic, filed in R.18-12-005.¹ The Board's statement that "[w]e must proactively decide to protect human life and come up with additional plans now" is correct and critically important.

Structural Recommendations for 2021 WMP Guidelines

The Joint Local Governments support the Board's recommendation to streamline the overall structure and organization of the utilities' WMPs, as well as more workable timelines for WMP creation, review, and approval. In particular, the recommendation that the guidelines be organized to highlight Public Safety Power Shutoffs, due to the importance of the issue to the public, is appropriate.² Leading off the WMP program sections with lessons learned will focus the discussion and—hopefully—the utilities' ever-improving mitigation measures on moving away from past shortcomings, which is one of the fundamental purposes of the WMPs. The Joint Local Governments also support the recommendation that stakeholder cooperation and

¹ Draft Recommendations, introductory section, p. 4.

² Draft Recommendations, p. 13.

community engagement should be the first mitigation program category discussed³; the effectiveness of the utilities' wildfire mitigation efforts, and particularly their de-energization programs, is contingent on the utilities' ability to effectively communicate and coordinate with their customers and communities.

Recommendations that Align with Guidance Resolution WSD-002

The importance of the recommendation that the 2021 WMP guidelines require the utilities to stop characterizing PSPS events as a solution to lower ignition risk in their Risk Spend Efficiency analysis, without considering the consequences of PSPS events, cannot be overstated.⁴ The utilities have, as the Board aptly observes, used de-energization as the least expensive and most readily available tool to mitigate wildfire risk.⁵ De-energization may be inexpensive for the utilities, but it comes at great cost to the impacted communities, and the utilities' de-energization analysis has never shown the level of sophistication necessary to demonstrate that the decision to shut off the power was well-reasoned. The 2021 WMP guidelines *must* require the utilities to factor into their RSE calculations the assumed risk and cost to customers that result from PSPS events, and to quantify PSPS mitigation measures.⁶

The Joint Local Governments also support the Board's recommendations that the utilities be required to properly train wildfire mitigation workers and that the High Fire Threat District maps be updated regularly to include infrastructure risk assessment, completed mitigation measures, and other variables relevant to wildfire and de-energization risk.⁷

Finally, the Joint Local Governments support the Board's recommendation for standardizing data across the utilities to allow for apples-to-apples comparisons of wildfire mitigation activities.⁸

Recommendations That Go Beyond Resolution WSD-002

The Joint Local Governments support the Board's recommendations that the 2021 WMP guidelines require the utilities to disclose their modeling methods and assumptions, either to an independent advisory panel or to the public; require the utilities to contribute to a federated data repository to allow wider access to wildfire-related data by first responders, the scientific community, CCAs and developers, local and tribal governments, peer utilities, and the public; and aligning vegetation management practices with the best available science.⁹ The Board's recommendation that the Wildfire Safety Division assist the Commission in reviewing the

³ Draft Recommendations, p. 13.

⁴ *Id.* at pp. 19–20.

⁵ *Id.* at p. 20.

⁶ *Ibid.*

⁷ *Id.* at pp. 21–24.

⁸ *Id.* at pp. 24–25.

⁹ *Id.* at pp. 25–33.

reasonableness of the utilities' wildfire mitigation expenditures in their respective general rate cases is also important and should be adopted.¹⁰

Recommendations on Performance Metrics

The Joint Local Governments believe that the utilities must improve and meticulously analyze their infrastructure risk thresholds, must rigorously examine the risk reductions achieved by their wildfire mitigation measures, and must ensure that they do not de-energize without fully analyzing the risks and likelihood of equipment failure causing a catastrophic wildfire. The Joint Local Governments do not oppose the Board's recommendation that the Commission develop a Prudent Operator standard for de-energization, though it may be more appropriate to address that issue in R.18-12-005.¹¹ The Commission has not yet defined what constitutes "prudent" management of a de-energization event, though it has identified a number of actions from the 2019 events that are not acceptable. Until the utilities have clear guidance on the parameters of reasonable or prudent decisionmaking for de-energization events, the public will continue to bear the brunt of ill-considered or poorly executed outages.

The Joint Local Governments' only concern with the proposed Prudent Operator standard is that it not obviate the existing—but as yet unfulfilled—requirement that the utilities demonstrate that they considered the risks to public safety of de-energizing and that de-energization was truly a measure of last resort.

The Board's recommendation that the 2021 WMP guidelines include progress metrics on community outreach and emergency preparedness—including feedback from local governments on their level of satisfaction with the utilities' communication, planning and outreach—is important and should be adopted.¹² The Commission must hear input from the local governments and emergency response agencies that are on the receiving end of the utilities' informational presentations, outreach, and coordination efforts; one-sided reporting paints an inaccurate picture.

Recommendations on Utility Safety Culture

The Joint Local Governments support the Board's recommendations relating to improvements to the utilities' safety cultures. The recommendation to develop a process to analyze black swan events and predict potential future events that is based on the process used by nuclear engineers is particularly important.¹³ As the host community to PG&E's Diablo Canyon Nuclear Power Plant, San Luis Obispo County has first-hand experience with the importance of the safety precautions for nuclear facilities; PG&E's nuclear program is the utility's only line of business that hasn't suffered catastrophic failures. The utilities should take safety in their electric and natural gas lines of business as seriously as they do their nuclear programs.

¹⁰ Draft Recommendations, pp. 33–34.

¹¹ *Id.* at pp. 35–37.

¹² *Id.* at pp. 37–38.

¹³ *Id.* at pp. 39–40.

Recommendations Needing Legislative or Gubernatorial Action

Finally, the Joint Local Governments support the Board's recommendation that the Wildfire Safety Division remain at the Commission instead of moving to the Natural Resources Agency, in light of the ongoing COVID-19 pandemic and other considerations cited by the Board.

Very truly yours,

GOODIN, MACBRIDE,
SQUERI & DAY, LLP

/s/ Megan Somogyi

Megan Somogyi

cc: Service List, R.18-10-007