

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

Wildfire Safety Division  
California Public Utility Commission

**COMMENTS OF THE GREEN POWER INSTITUTE ON THE  
WSD PROPOSED INDEPENDENT EVALUATOR LIST**

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## **COMMENTS OF THE GREEN POWER INSTITUTE ON THE WSD PROPOSED INDEPENDENT EVALUATOR LIST**

The proposed Independent Evaluators on the IE list are identified as aligning with the Request for Qualifications (RFQ No.: 20NC0427) posted on [CaleProcure.ca.gov](http://CaleProcure.ca.gov). GPI has no issue with conducting the IE applicant alignment and selection process via [CaleProcure](http://CaleProcure). We are, however, concerned with how the initial IE Listing Criteria were disseminated; whether the Utility Forester criteria are adequate; missing IE roles; the lack of IE applicant information provided; the lack of a standardized IE reporting format; and a potential IE conflict of interest. GPI does not support the proposed IE list for these reasons.

GPI provides the following recommendations:

- Adopt formal CPUC emailing standards for all WSD documents going forward
- Adopt stricter minimum requirements for “Utility Forester”
- Provide public access to and a notice of availability of IE applications for the IEs on the Proposed Independent Evaluator List
- The IE roles should include a Data Governance Specialist and other specialist roles
- The IE assessment process should include a standardized reporting format and rubrics that are identical or similar to the WMP and established WSD review methods
- Remedy the identified IE conflict of interest issue

### **1. Adopt formal CPUC emailing standards for all WSD documents going forward.**

GPI is concerned with how the initial Independent Evaluator Listing Criteria were provided to parties and intervenors for public comment. Comments by the Mussey Grade Road Alliance (MGRA) on the draft IE qualification document titled, “CPUC Wildfire Safety Division Seeks Public Comments on Proposed Criteria for Safety Evaluators,” state that their knowledge of the document and opportunity for public comment came from

Twitter and LinkedIn posts. The document was not initially distributed through the WMP R.18-10-007 formal CPUC listserv. Given the use of limited and informal postings it is unsurprising that only one party (MGRA) provided timely, formal comments on the draft IE qualification document. Twitter and LinkedIn are not acceptable pathways, in and of themselves for entering WSD draft documents “on the record,” or for notifying parties and intervenors that formal draft documents are available and open for public comment.

Protect our Communities Foundation later filed comments on June 10, 2021 and noted that there was an email sent to the WMP R.18-10-007 listserv on May 26, 2020. While GPI closely monitors all emails on the WMP proceeding listserv we were not aware of the follow-up email requesting public comment on the IE qualification criteria and cannot locate it in our records. It is perhaps telling that only one party provided comments in response to this more formal communication. GPI strongly recommends that the WSD adopt the CPUC’s more formal emailing standards for all WSD draft and final documents. This includes ensuring that all documents available for public comment are emailed to the WMP R.18-10-007 proceeding list-serve and any other relevant WSD list-serves in order to properly notify intervenors and stakeholders about all draft documents open for public comment or final documents. Furthermore, GPI recommends that documents for comment and review should not be embedded in multi-topic emails (e.g. workshop announcement plus document for comment), but should rather be disseminated in separate correspondences with clear subject headings (e.g. Subject: “Official Email Service of WSD Proposed Independent Evaluator List”) to improve transparency and party response rate. Posting to broad social media platforms may be used to complement the formal email list-serve notification process utilized by the CPUC, **not** supplant it.

While the draft IE qualification document does explicitly include a 2-week timeline for public review, the document is not dated. This is unacceptable. It is unclear from the document alone when the 2-week public comment window opened and closed. Further, the Twitter posting date and the listed due date only provide an 8-day comment window. A Twitter or LinkedIn post date is not an acceptable standard for establishing a formal comment period. Draft documents for public review should include an explicit date in

order to clarify when they are entered onto the formal and/or public WSD record, and to establish the comment window. GPI urges the WSD to include formal release dates on *all* draft and final documents in order to provide clarity regarding when the document was entered into the formal record or made available for public comment.

The lack of more formal intervenor and stakeholder notification and the resulting paucity of comments on the Proposed Criteria for Safety Evaluators raise the question as to whether they have been adequately vetted. As reflected in the proposed criteria for IEs, the WMP development process must incorporate expertise from an extremely broad array of fields and topics that range from electric infrastructure and engineering considerations, to impacts on Disadvantaged Communities and the efficacy, environmental and wildfire implications of vegetation management. The CPUC intervenor program and stakeholders subscribed to proceeding list serves intentionally include and reach many parties with wide ranging expertise precisely for the purpose of adequately evaluating all of the disparate yet interconnected aspects of developing multifaceted energy policy. The intervenor program and WMP proceeding stakeholder listserv should therefore be considered a key tool at the WSD's disposal for adequately reviewing any and all draft documents related to ongoing WMP development, expectations, requirements, outputs, outcomes and evaluations. The opportunity for the WSD and WMP development process to leverage and benefit from the wealth of third-party intervenor and stakeholder expertise as well as their existing knowledge of the WMP itself will be lost once the WSD is moved from the CPUC to the California Natural Resources Agency (CNRA). GPI therefore strongly recommends capitalizing on the available knowledge base in the CPUC intervenor program and via the WMP R.18-10-007 listserv before this invaluable resource is lost to the WSD and WMP process.

## **2. Adopt stricter minimum requirements for “Utility Forester”.**

GPI is concerned that the minimum requirement established in the RFQ for vegetation management (VM) IEs is inadequate. The existing requirement states “Firm(s) or individual(s) must have a minimum of one (1) year of experience relating to vegetation management.” As written, VM IEs only need one year of VM experience at a utility.

Presumably this could be a person that held an entry level VM position at a Utility for 1 year and worked in a non-decision making capacity *under* certified arborists or expert forestry personnel. In their June 10, 2020 comments, POC noted that the minimum qualifications do not align with Section 8386.3(c)(5)(B), which references utilizing an independent evaluator with an arborist certification. The proposed qualifications also do not necessarily constitute an expertise in mandatory minimum or enhanced WMP clearances and VM activities such as targeted tree removal. This is particularly the case given the updated specificity of many of the Utilities' enhanced vegetation management programs that include tree removal qualifications and trimming based on tree species and/or genera. They also do not ensure that the IEs will be familiar with more technical VM evaluation methods many Utilities are employing including Drone and LIDAR surveys. We are also concerned that 1 year of VM experience is insufficient to ensure that an IE is able to adequately evaluate whether best practices such as lop and scatter, chipping, and/or residue repurposing opportunities are appropriately followed for clearing biomass residues produced by VM activities. Properly evaluating *all* VM aspects is fundamental for ensuring that Utilities comply with their own WMP goals, ensuring the methods are effective and appropriate, and for vetting Utilities' VM Maturity Model self-assessments. IE reviews regarding actual VM activities and accomplishments will also help the WSD evaluate, define, and establish best practices going forward.

Given these concerns GPI agrees with MGRA comments on the Draft Proposed IE Listing Criteria, which recommend that minimum qualifications for vegetation management and inspections should include a BS in forestry or credentials as a certified arborist including direct experience with Utility VM and tree-trimming. GPI further recommends that Utility experience should exceed 1 year and should be commensurate with the typical or average years of experience of Utility VM management and decision-making personnel.

### **3. Provide public access to and a notice of availability of IE applications for the IEs on the Proposed Independent Evaluator List.**

The Announcement of Proposed Independent Evaluator List does not provide access to the IE RFQ 20NC0427 applications, including completed application Attachment B which

lists Individual(s) and Firm(s) that will address each IE “role” and their justification for meeting the minimum qualifications. Without this information it is impossible to evaluate whether the proposed “Utility Forester” IEs can meet the criteria recommend by MGRA in their May 21, 2020 comments, and by GPI above. It is also impossible to evaluate whether all other listed IE personnel/firms adequately meet the minimum requirements of their role, or even what their respective IE roles are. Based on the final IE application posted on CaleProcure, and the nature of the public comment request specifically regarding the IE list, we have no reason to believe that the IE applications are confidential information. The WSD should provide access to IE applications in order for stakeholders, intervenors, and the public to provide useful comments on the proposed IE list.

If the WSD moves forward with approving the IE list, GPI strongly recommends that the WSD approve only those “Utility Forester” IEs that have the minimum qualifications described by MGRA in their May 21, 2020 comments, and by GPI above.

**4. Provide public access to and a notice of availability of IE applications for the IEs on the Proposed Independent Evaluator List.**

MGRA recommended the following IE Data Governance minimum qualifications:

BS or equivalent work experience in field related to data management, including computer science and statistics. N years experience defining metrics, working with databases or designing data structures, and data analysis (MGRA May 21, 2020 Comments on IE Qualifications).

GPI supports these recommendations. However, the finalized IE roles in the RFQ did not include a Data Governance Specialist or a related position with adequate qualifications for evaluating Utility Data Governance strategies. Improving Data Governance both for WMP reporting and Utility internal systems is a stand-alone required WMP capability, as well as a reoccurring thread throughout the WMP development process and within many WMP initiatives. It is paramount for assessing and tracking risk and risk mitigation outcomes and ultimately for determining the efficacy of Utility WMPs. Data governance is also included as a category in the Maturity Model where it is broken down into four capabilities. Establishing well designed data governance at the Utility scale and for

multiple WMP initiatives is a substantial undertaking that requires advanced database development and analytical skills. The RFQ defined IE roles and qualifications leave a substantial gap in the ability to conduct an independent evaluation of Utility Data Governance activities and progress. GPI recommends adding a Data Governance Specialist IE role to the IE teams.

Other specialist roles not included in the IE RFQ are Emergency Planning and Stakeholder/Community Engagement Professionals. MGRA highlighted these two roles in their May 21, 2020 Comments on the IE Qualifications and GPI supports their recommendations. Like Data Governance and the corresponding IE role, Emergency Preparedness and Community Engagement are important WMP elements and constitute specialized knowledge and skill sets that are not currently included in the RFQ.

Alternatively, the WSD should clarify if they intend to preform independent evaluations of these WMP capabilities through another pathway and identify who will perform the evaluations. This is in keeping with the objective to maximize transparency in the WMPs and WMP review process, as well as identify all key individuals and their credentials in the WMPs as well as the IE list.

**5. The IE assessment process should include a standardized reporting format and rubrics that are identical or similar to the WMP and established WSD review methods.**

It should be expected that the numerous IE Primary organizations as well as each of the nested “Team Members” will come to the table with a different method for collecting, documenting, and reporting their independent evaluations. GPI anticipates that this could lead to the presentation to the WSD of a variety of different IE report formats and evaluation metrics. IE reports should include both data and narrations that align with WMP data and narration requirements. We therefore strongly recommend that the WSD develop a standardized and detailed template for IE reporting that includes a document structure which aligns with the updated WMP structure, and metrics that align with WSD’s WMP approval rubrics/metrics, the Maturity Model, and any other existing evaluation-focused data structures. Elements of the report should contribute to the WSD’s

efforts to vet Utility maturity model self-assessments. The format should also require IEs to reference where the Utility established, altered or withdrew (i.e. off ramping reports) each WMP activity evaluated in their report. For example, reports should include a narration on how the IE assessed and vetted the reported percent or number of utility line miles “treated”, the assessment outcome and any data on the location and number of line miles physically inspected by the IE. These are general examples of what the IE reports should include and are by no means comprehensive.

Standardizing WMP IE reports from numerous firms is mandatory to ensure report quality and that the reports provide equal value for assessing each utilities’ WMP compliance. It will also improve the ability for the CPUC, WSD and stakeholders to perform a critical review and comparison of each IE’s findings and each utilities’ WMP compliance. Failure to establish a standardized and detailed IE report format may reduce the usefulness of the IE reports in this first IE reporting cycle. Given its importance, GPI recommends developing a draft IE report and data template and disseminating it for public comment via the WMP R.18-10-007 listserv and any other WSD related listservs prior to establishing a final IE report format.

#### **6. Remedy the identified IE conflict of interest issue.**

POC reiterated the issue of IE conflict of interest and independence given the draft RFQ language stating IEs would be paid by the IOUs (POC June 10, 2021 Comments, p. 7). The final RFQ states: “PU Code 8386.3(c)(3) states: ‘The commission shall authorize the electrical corporation to recover in rates the costs of the independent evaluator.’” The WSD should clarify how IEs are ensured independence despite the conflict of interest raised on account of direct utility payment of their bills.

#### **Conclusions**

The GPI urges the Commission to adopt our recommendations.

Dated February 4, 2021  
Respectfully Submitted,





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