

CPUC Wildfire Safety Division Seeks Public Comment on Proposed Criteria for Safety Evaluators

The California Public Utilities Commission's (CPUC's) Wildfire Safety Division (WSD) and the California Department of Forestry and Fire Protection (CAL FIRE) are seeking public comment on the proposed criteria for a list of qualified independent evaluators (IE) with experience in assessing the safe operation of electrical infrastructure.

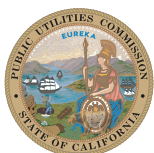


Background

In accordance with Public Utilities Code (PU Code) 8386.3(c)(2) the IOU's compliance with its' wildfire mitigation plan (WMP). The engaged IE shall consult with, and operate under the direction of, the WSD of the Commission. Costs incurred for hiring listed IEs shall be the sole responsibility of the IOU and not the Commission or CAL FIRE.

Legislative Review

- PU Code 8386.3(c)(2)(B)(i), (ii), (iii) and (iv) state, “(i)...The independent evaluator shall issue a report on July 1 of each year in which a report required by paragraph (1) is filed. As a part of the independent evaluator's report, the independent evaluator shall determine whether the electrical corporation failed to fund any activities included in its plan.
- ii. The Wildfire Safety Division shall consider the independent evaluator's findings, but the independent evaluator's findings are not binding on the division, except as otherwise specified.
- iii. The independent evaluator's findings shall be used by the Wildfire Safety Division to carry out its obligations under Article 1 (commencing with Section 451) of Chapter 3 of Part 1 of Division 1.
- iv. The independent evaluator's findings shall not apply to events that occurred before the initial plan is approved for the electrical corporation.”
- PU Code 8386.3(c)(3) states, “The commission shall authorize the electrical corporation to recover in rates the costs of the independent evaluator.”
- In summary, PU Code 8386.3(c)(5)(C) requires the IE to perform the following tasks:
 - » **TASK 1** – Consult with the WSD on compliance assurance auditing that will be performed,
 - » **TASK 2** – Perform compliance assurance auditing, including field inspections,
 - » **TASK 3** – Draft and provide to the WSD a report on audit findings, including deficiencies of underfunded WMP activities,
 - » **TASK 4** – Draft and provide to the WSD a report on deficiencies of IOUs and expected resolution timelines, and
 - » **TASK 5** – Track and report deficiencies of audit findings.



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Implementation

The WSD is working closely with the CPUC's Contracts and Legal Offices to draft a rubric that will outline conditions of participation on the IE list. Minimum qualifications will be utilized in assessing interested parties. Please refer to **Table 1 – Minimum Qualifications Overview** for insight to the various categories of minimum qualifications. Minimum qualifications will be assessed on a pass/fail criterion. Additionally, circumstances may require an IE be removed from the list. Detailed criteria surrounding these instances will be established and included in the rubric to be posted/advertised for interested parties.

Once the established list of IEs has been finalized, this and any associated documents will be posted to the [WSD's website](#).



Public Comment Period

The public and industry stakeholders will have two (2) opportunities to provide comments during the process. (1) The WSD Compliance Branch will provide the draft minimum qualifications for a two-week public review before soliciting submissions for consideration for inclusion on the IE list from interested parties. (2) Upon completion of the coordinated review with CAL FIRE, the draft IE list will be posted for a two-week public review. The WSD will review any comments received, finalize and post the IE list to the WSD webpage.

Considerations

The WSD is carefully taking into consideration the listed IE's ability to demonstrate having the capability to act independently and meet the expectations outlined in the PU Code. The WSD is also taking into consideration contracting timelines. Specifically, the IE list will be reviewed on an annual basis to ensure the IEs still meet minimum qualifications and can perform the services needed by IOUs. This annual review is being examined against the potential need for IOUs to secure IEs for multiple years via contract. IE eligibility status may change at any time (before or after annual review) causing a potential disruption in IOU compliance with engaging a listed IE as required in PU Code 8386.3(c)(2)(B)(i). The WSD staff will work closely with both the IE and the IOUs to address any of these considerations to mitigate the need for delisting an active IE.



Proposed Listing Process

Wildfire Safety Division staff worked with staff from CAL FIRE to develop the proposed evaluation criteria for IEs. Development of the IE solicitation and associated processes are also underway. Staff proposes to leverage the extensive scope development and bid evaluations completed for the Compliance Assurance Contractor (Request for Proposal 18NC2227) by allowing IE applicants to qualify in the following three categories:

- 1** Any individual(s)/firm(s) that submitted a proposal for the Request for Proposal (RFP) **18NC2227 - Electric Safety and Wildfire Mitigation Plan Compliance Assurance** and were not successfully awarded the contract but met the minimum qualifications shall automatically qualify for enlistment.
- 2** Any individual(s)/firm(s) that submitted a proposal for the Request For Proposal (RFP) **18NC2227 - Electric Safety and Wildfire Mitigation Plan Compliance Assurance** and were not successfully awarded the contract due to being disqualified during the evaluation process shall have the opportunity to be considered for enlistment by rectifying areas of the submitted proposal that were deemed nonresponsive.
- 3** Any individual(s)/firm(s) looking to participate in the IE enlistment process shall complete the IE Workbook based on **Table 1 – Minimum Qualifications Overview** and provide incidental documentation:
 - a. IE Workbook
 - i. - *Tab 1:* Introduction (brief description/history, legislation review, how questions will be handled, how responses will be submitted, etc.)
 - ii. *Tab 2:* Scope of Work
 - iii. *Tab 3:* Expectations (tasks, de-enlistment criteria)
 - iv. *Tab 4:* WMP Categories (fillable worksheet to be completed by applicant)
 - v. - *Tab 5:* Score Key
 - vi. *Tab 6:* Checklist of required submittal items
 - b. Cover Letter
 - c. References/Resumes

WSD and CAL FIRE staff would review all submittals received in categories 2 and 3, adding qualified IEs to the 5 qualified IEs under category 1. The list of all IEs would be posted for a 15-day public comment period before being made available to electrical corporations on the Wildfire Safety Division website as the official list until March of 2022.

Table 1 – Desired Competencies

| CATEGORY | COMPETENCIES |
|--|---|
| Grid Design and System Hardening | Understand and evaluate grid design/hardening technology implementation and implications. |
| Vegetation Management and Inspections | Perform inspections before, during, and after maintenance activities take place. Ensuring work products are sustainable for safe future operations. |
| Asset Management and Inspections | Perform inspections before, during, and after maintenance activities take place. Ensuring work products are sustainable for safe future operations. |
| Risk Assessment and Mapping | Interpretive skills considering climate data in conjunction with ecological and cultural landscapes. |
| Resource Allocation Methodology | Collect, analyze, and share data analytics associated with risk spend efficiencies. |
| Data Governance | Comprehensive, efficient, timely reporting capabilities that can be shared amongst interest groups. |
| Grid Operations and Operating Protocols | Understand and evaluate power inputs, outputs, and appropriate transformation according to load distribution. |
| Situational Awareness and Forecasting | Technical field and educational experience in Engineering, Biological, and Natural Resources. |
| Emergency Planning and Preparedness | Proficient in emergency preparedness and response protocols. |
| Stakeholder Cooperation and Community Engagement | Networking capabilities to engage with communities, agencies, and organizations as needed. |



Current Schedule

1ST QUARTER

Post IE solicitation, review and submission of qualifications

2ND QUARTER

WSD to start evaluation of interested party submittals

3RD QUARTER

Post draft IE list for public review

4TH QUARTER

Post final draft IE list for electrical corporations

Comments and Questions

Interested parties can send inquiries to wildfiresafetydivision@cpuc.ca.gov and reference “Proposed Independent Evaluator Listing Criteria”.

For any other questions, please contact the Public Advisor’s Office:



CALL: 1-866-849-8390



E-MAIL: wildfiresafetydivision@cpuc.ca.gov



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