

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



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

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

**REPLY COMMENTS OF PACIFICORP (U 901 E)
ON THE WILDFIRE MITIGATION PLANS**

Jedediah J. Gibson
Ellison Schneider Harris & Donlan LLP
2600 Capitol Avenue, Suite 400
Sacramento, CA 95816-5905
Telephone: (916) 447-2166
Facsimile: (916) 447-3512
Email: jjg@eslawfirm.com

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Attorney for PacifiCorp

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In accordance with the December 7, 2018 Assigned Commissioner’s Scoping Memo and Ruling (Scoping Memo), the February 28, 2019 Corrected Email Ruling on Attachments to Comments and Reply Comments, and the March 5, 2019 Administrative Law Judge’s Email Ruling Regarding Briefing, PacifiCorp, d.b.a. Pacific Power (PacifiCorp) provides these reply comments in response to intervenor comments on utility wildfire mitigation plans (WMPs) and addressing various issues outlined in the Scoping Memo and discussed at the February 26, 2019 prehearing conference.

Introduction

In accordance with Senate Bill (SB) 901 and requirements outlined in the instant proceeding, PacifiCorp submitted its WMP on February 6, 2019. Given the ambitious schedule set out in SB 901 and implemented by the California Public Utilities Commission (Commission), PacifiCorp’s WMP describes planned efforts before, during, and after the 2019 fire season to construct, maintain, and operate its electrical lines and equipment in a manner that will minimize the risk of catastrophic wildfire. The WMP appropriately addresses risks in a manner to minimize and mitigate against wildfires and PacifiCorp is committed to working with the

Commission and interested parties to further refine and improve future WMPs to best combat wildfires as explicitly outlined by the Commission.¹

PacifiCorp provides additional details about its WMP below, as well as recommendations for how the Commission should adopt and implement WMP requirements. Additionally, PacifiCorp responds to opening comments addressing its WMP. Specifically, PacifiCorp responds to comments submitted by the Public Advocates Office (Cal Advocates), the Office of the Safety Advocate (OSA), joint comments of AT&T California, AT&T Mobility and AT&T Corp., and the California Cable & Telecommunications Association (collectively AT&T), the California Environmental Justice Alliance (CEJA), the California Farm Bureau Federation (Farm Bureau), the Mussey Grade Road Alliance (MGRA) and Small Business Utility Advocates (SBUA).

I. Meaning of Plan Approval

While SB 901 requires the Commission’s “review and approval” of WMPs,² parties disagree as to what approval of a utility’s WMP means. As described by MGRA, the process outlined by SB 901 creates a fundamental timing problem:

If the Commission decides ***not*** to hold that approval of the plans constitutes a reasonableness review, and to defer that decision to a future application by the utilities, then the utilities are operating at-risk with regard to spending on new programs specified in the WMPs, and have no guarantee of recovery. The constraints placed on the Commission with regard to the timeline for WMP scope and development have created a situation where due process rights for one or more parties may well be violated. ... There may be safety impacts as well. If utilities are

¹ As recognized in the OIR:

The Commission does not expect to achieve perfection in the short time that will be available for the initial review and implementation of the first wildfire mitigation plans, but will work with the parties to make the best use of that time to develop useful wildfire mitigation plans. The Commission will also use this proceeding to further refine its approach to the review and implementation of subsequent electric utility wildfire mitigation plans. (OIR, p. 3.)

² Pub. Util. Code § 8386(b).

unsure as to certainty of recovery, they may hesitate to undertake expensive but possibly necessary improvements.³

While parties disagree as to the meaning of WMP approval, there is a way to harmonize the process so that utilities can move forward with wildfire mitigation measures while ensuring that the costs associated with such measures can still be thoroughly reviewed and ultimately approved in a utility's general rate case (GRC).

To ensure that utilities have the funding assurance necessary to implement WMPs and further mitigate against wildfires as intended by SB 901, approval of a utility's WMP should mean that the proposed programs and mitigation measures outlined in the WMP are approved and deemed reasonable. Subsequently, in a utility's GRC, intervenors and interested parties will have the opportunity to review the reasonableness of any costs associated with implementing WMP programs and mitigation measures. That is, how a utility spends money and resources executing approved WMP programs and mitigation measures would be subject to review. However, the actual scope of WMP programs and mitigation measures themselves, having already been approved by the Commission as reasonable, would not be subject to second-guessing or additional review. In other words, why a utility chose to execute an approved WMP project would no longer be subject to review.⁴

This approach is consistent with SB 901. Under SB 901, before the Commission approves a utility's WMP, parties and the public are afforded the opportunity to examine and

³ MGRA Comments, p. 4, footnote omitted, emphasis in original.

⁴ For example, if a WMP proposes to replace existing bare overhead conductor with covered conductor, once the WMP is approved, the utility's determination to replace the conductor with covered conductor would be deemed reasonable. However, parties would have the opportunity to contest the costs of the conductor replacement as part of the utility's GRC.

contest the proposed WMPs and the proposed measures and programs included in the WMPs.⁵ SB 901 requires that the Commission consider comments from “the public, other local and state agencies, and interested parties, and verify that the plan complies with all applicable rules, regulations, and standards, as appropriate.”⁶ In addition to considering stakeholder feedback on WMPs, the Commission will also carefully review WMPs and any proposals in the WMPs. Based on this information and the record developed in the instant proceeding, the Commission can then approve, disapprove, or require modifications to the WMPs.⁷

Once WMPs are approved, utilities will begin implementing the programs and mitigation measures outlined in their WMPs. Indeed, SB 901 requires that once approved, utilities must demonstrate compliance with their WMPs, which is reviewed by the Commission.⁸ However, the utilities can only implement their WMPs if there is funding for the WMP programs and mitigation measures. SB 901 recognized the necessity for WMP funding and accordingly requires that the Commission “shall authorize the utility to establish a memorandum account to track costs incurred to implement the plan.”⁹ However, providing the assurance and certainty needed to actually implement WMPs, requires that approval of the WMP constitutes approval of the programs and mitigation measures outlined in the WMP.

⁵ Furthermore, parties have the opportunity to review proposed costs for WMP programs and mitigation measures. As noted by Farm Bureau, “in establishing the templates for the WMPs cost estimates were required to weigh the cost implications.” (Farm Bureau Comments, p. 3.)

⁶ Pub. Util. Code § 8386(d).

⁷ “Prior to approval, the commission may require modifications of the plans.” (Pub. Util. Code § 8386(b).)

⁸ Once approved, “the commission shall oversee compliance with the plans.” (Pub. Util. Code § 8386(b).)

⁹ Pub. Util. Code § 8386(e).

PacifiCorp’s proposed meaning for WMP approval is consistent with Commission precedent. In Decision 10-06-048, the Commission approved a flexible spending approach for a utility reliability program, concluding that “expenditures authorized by this decision will be subject to the same reasonableness standards as for projects that are forecasted and adopted in the GRC process. That is, once completed, there is no requirement for a reasonableness showing or review.”¹⁰ The Commission should similarly conclude that approval of a utility’s WMP constitutes approval of the WMP programs and mitigation measures, ensuring that there is no requirement for any additional reasonableness review of the approved WMP programs and mitigation measures.

PacifiCorp’s proposal is also consistent with recommendations made in opening comments. For example, the approach recommended by Cal Advocates describes how “each utility is authorized to establish a memorandum account to track costs beginning with the date the Plans are approved, which allows for the consideration of whether the costs incurred to implement the plan was just and reasonable in their GRCs.”¹¹ Further, as described by Farm Bureau, this process will ensure “that specified programs would commence as soon as possible yet ensure the Commission would exercise its full oversight over the costs.”¹² Accordingly, approval of WMPs should ensure that WMP programs and mitigation measures are approved and deemed reasonable.

¹⁰ D.10-06-048, p. 43.

¹¹ Cal Advocates Comments, p. 2, footnote omitted.

¹² Farm Bureau Comments, p. 4.

A. Approval of WMPs Must Allow for Modifications and Improvements

As described above, once approved, utilities must demonstrate compliance with their WMPs, which is reviewed by the Commission.¹³ As described by CEJA:

SB 901 requires an analysis of factors including whether the “noncompliance resulted in harm,” whether the utility self-reported the “circumstances,” whether the utility implemented corrective actions, and whether the utility “had previously engaged in conduct of a similar nature that caused significant property damage or injury.” As shown by this language, SB 901 hinges on evaluation of the harm that occurs from a utility’s actions, circumstances that may cause harm, self-corrections, and exercise of reasonable care. These factors are not focused, for example, on the specific amount of hardening done, but rather on how well the system is working at preventing wildfires.¹⁴

As outlined by SB 901 and described by CEJA, WMPs should be implemented to most effectively prevent wildfires. To do so, it is important that utilities have the flexibility to improve upon proposals in WMPs to best mitigate against risks. Such an approach will ensure that WMPs are most “effective for mitigating wildfire risk,”¹⁵ while similarly ensuring that utilities can incorporate lessons learned and best practices to avoid or limit proposals and associated costs that may prove less effective or which may be better addressed by other measures. This will allow utilities to incorporate lessons learned to most effectively address wildfire risk.

Such flexibility is also necessary given the timeframe and limits that are likely to impact WMP implementation. For example, availability of resources may require utilities to adjust proposals in their WMPs, at least until market conditions adjust to this volume of work. If, for example, there is a shortage of covered conductor or a shortage of certified contractors that can

¹³ Once approved, “the commission shall oversee compliance with the plans.” (Pub. Util. Code § 8386(b).)

¹⁴ CEJA Comments, p. 4, footnote omitted.

¹⁵ CEJA Comments, p. 4.

implement WMP proposals, utilities should have the flexibility to deviate from their approved WMPs given the lack of available resources to timely implement approved WMP proposals. Similarly, if scarcity, increased demand, or other factors impact prices for products or services such that costs for approved WMP proposals become unreasonable or restrictive, utilities should have the ability to deviate from the approved WMP to ensure mitigation measures can occur without subjecting customers to unreasonable costs.

Flexibility is particularly important given the expedited schedule required by SB 901. As described by the Commission in the OIR:

The Commission does not expect to achieve perfection in the short time that will be available for the initial review and implementation of the first wildfire mitigation plans, but will work with the parties to make the best use of that time to develop useful wildfire mitigation plans. The Commission will also use this proceeding to further refine its approach to the review and implementation of subsequent electric utility wildfire mitigation plans.¹⁶

Utilities should similarly be allowed to make the best use of the limited time they have to implement WMPs to refine proposals to enact effective and reasonable mitigation measures. While flexibility to modify and improve WMPs is essential, PacifiCorp is not suggesting that modifications to approved WMP programs and mitigation measures automatically be deemed reasonable. To the extent that a utility deviates from its approved WMP to address situational needs and/or improve mitigation measures, any such deviations would be subject to additional scrutiny and review to ensure that the utility acted prudently and reasonably to enhance or improve upon, rather than avoid, wildfire mitigation measures given existing conditions. A utility could include a description of any deviations from its approved WMP as part of the annual

¹⁶ OIR, p. 3.

“report addressing its compliance with the plan during the prior calendar year.”¹⁷ Additionally, deviations from the approved WMP could be fully reviewed and addressed in the utility’s GRC.

II. Overall Objectives and Strategies

A. Wind Impacts

In opening comments, OSA states:

On January 12, 2018 the Associated Press (AP) reported that California’s wind speed record had been broken “SAN FRANCISCO (AP) — Scientists say a 199-mph (320-kph) gust that blasted a mountaintop at the Alpine Meadows ski resort last February was the strongest wind ever recorded in California.”

Considering the effects of climate change and the extreme weather conditions that are part of the new normal in California, OSA recommends that PacifiCorp investigate unique topography within their service territory. Specifically, within the Tier 2 & Tier 3 high fire risk areas that includes mountain ridges, canyons and other topographical features that create extreme wind corridors. Then utilize this information to develop targeted, enhanced inspections and determine if structural improvements are necessary for their most vulnerable distribution and transmission assets. These inspections and considerations should be given to both overhead distribution facilities and transmission facilities.¹⁸

As outlined in its WMP, PacifiCorp proposes to install local weather monitoring points before or early in the 2019 wildfire season to better identify wind and weather conditions and improve its situational awareness. As PacifiCorp compiles data from its weather stations, in addition to those already in operation, it can then identify normal and unusual weather events at a more local level, which will further inform operational practices and risk mitigation measures, including inspection and system hardening strategies and practices. This will not only assist PacifiCorp in identifying unique conditions that may occur based on topographical features, but will also help to evaluate new technologies in weather modeling to inform risk decisions and mitigate against wildfires.

¹⁷ Pub. Util. Code § 8386(h)(1).

¹⁸ OSA Comments, p. 8.

Additionally, it is important to note that extreme data points, while illustrative to show extreme weather events and changes in climate, should not be relied upon as standard cases for planning purposes. Furthermore, the referenced 199 mph wind event occurred during an atmospheric river event at high elevation in a location with significant snowfall, which coincides with very low fire risk. PacifiCorp believes that its proposed weather monitoring points will provide more accurate and reasonable weather data; in addition they will collect weather factors beyond wind speed that can impact fire risk. This information can then be used to inform reasonable planning elements to better inform fire risk mitigation decisions.

B. Conductor Size

OSA's opening comments raise the following issue:

PacifiCorp's response to OSA's data request 01, question number 4 is as follows, "PacifiCorp has 33.39 miles of conductor size #6 and smaller that is in service for their primary distribution system within the three designated high fire threat areas of the Commission's HFTD map."

Small conductors are problematic. They are more prone to breakage, which contributes to downed wires and faults. If a small conductor has been in service for a long time it is more likely to have developed pitting from arcing during lightning strikes. Also, aluminum conductors can experience corrosion issues especially in coastal areas. Older smaller copper conductors become brittle and can break easily due to annealing causing them to lose strength over time.

OSA recommends that PacifiCorp prioritize the replacement of their existing small conductors located within the three HFRA areas Zone 1, Tier 2, and Tier 3 as a high-risk driver (the highest risk being given to Tier 3 small conductors) to insure their replacement as soon as possible.¹⁹

PacifiCorp's WMP prioritizes issues to minimize the risk of catastrophic wildfire in accordance with SB 901 by considering impacts on customers and communities, any effect on the provision of reliable and safe electric service, and the extent that any measures impact risks

¹⁹ OSA Comments, pp. 8-9.

and costs. Based on these factors, PacifiCorp will seek to replace small conductors to the extent that it can, and, when doing so, will seek to prioritize conductors located in Tier 3 areas.

Additional factors, including the segment's exposure to fault currents, construction efficiency and impacts to customers will also be evaluated to most effectively mitigate against risks.

PacifiCorp's WMP is designed to make overall evaluations on a risk basis to best mitigate against wildfire risks.

C. Happy Camp Evacuation

OSA states:

Happy Camp is located on State Route 96 along the Klamath River and because of its location on the river and because it is in a thick forested area, it draws a lot of tourists in the summertime who are outdoor enthusiasts. With all the recreational attractions there, Happy Camp's population may increase dramatically during fire season. Happy Camp is also a high fire risk community and is also very isolated. It is located about 70 miles west of Interstate 5 and 100 miles northeast of Willow. Highway 96 is the only way in and out of the town to get to a more populated area. Also, highway 96 is a two-lane highway.

For these reasons OSA is recommending that PacifiCorp do a traffic simulation and evacuation study. PacifiCorp should find an expert to work with who can do an evacuation study to examine anticipated traffic conditions and evacuation times associated with various rates of evacuation responses and alternative management strategies that could be used in response to them and develop a workable plan. PacifiCorp needs to work with their jurisdictional representatives from Cal FIRE, the county's sheriff's department, and the California Office of Emergency Services (OES) to develop a plan. This should always be a consideration when determining if a PSPS is necessary in the area of Happy Camp. Additionally, there maybe other small, isolated communities in the PacifiCorp territory that need to be examined for evacuation issues.²⁰

PacifiCorp agrees that additional studies may be necessary to examine traffic impacts and evacuation options, but notes that as an electric utility, PacifiCorp is not ideally positioned to most effectively conduct or organize such studies. OSA correctly references the important roles

²⁰ OSA Comments, p. 9.

that additional agencies, including Cal FIRE, local sheriff's departments, and OES play in emergency planning, and as a result, are ideally suited to collaborate with PacifiCorp to evaluate and assess evacuation options. This is particularly important because the need for evacuation may be due to fire (whether from utility ignition or not) or other emergency scenarios.

Evacuation plans should be examined to address all wildfires, not just those that may be caused by a utility. Accordingly, traffic simulations and evacuation studies should be evaluated by emergency service providers best suited to address emergency situations.

PacifiCorp has and will continue to work with other agencies and emergency responders to provide support. However, any such process should be done hand-in-hand with emergency services, like OES and other emergency responders, to provide the appropriate expertise to address emergency situations. Such coordinated work is more appropriate, and has, in fact, been done with emergency service representatives to address other emergency risks. For example, PacifiCorp and emergency service departments have partnered to address tsunami risks in coastal areas in which PacifiCorp serves. Regardless of PacifiCorp's involvement, it is important that local communities work to address potential risks, as utility WMPs cannot, and are not intended to, mitigate against all emergency situations, particularly those that are not caused by utilities.

D. SCADA Controls

PacifiCorp currently has the ability to change any Supervisory Control and Data Acquisition (SCADA)-controlled equipment via a centralized system that can be controlled from any of PacifiCorp's system operations centers, allowing PacifiCorp to remote enable and remote disable auto-reclosing, and remotely de-energize circuits via circuit breakers or circuit switchers. However, this remote ability is only available for equipment with SCADA capabilities, which does not include distribution feeder reclosers and many substation circuit breakers. While

PacifiCorp is working²¹ to implement measures that will allow it to remotely control and change settings on substation and recloser relays, OSA recommends that PacifiCorp do so as soon as possible. According to OSA:

Having the ability to remotely control or change settings on distribution feeder reclosers is needed to ensure the public's safety during high fire threat days. OSA recommends that these improvements to PacifiCorp's SCADA system be completed as soon as possible.²²

PacifiCorp agrees with OSA's recommendation, and is making progress toward the 2019 delivery of this work.

III. Risk Analysis and Risk Drivers

A. Lightning Strikes and Steel Structures

According to OSA:

PacifiCorp has stated in their WMP that they have a five-year plan to proactively replace wooden poles with steel structures. PacifiCorp has also said that the largest contributor to wildfires in their territory is light[n]ing strikes which is discussed in their WMP on page 19. Light[n]ing strikes were the cause of wildfires in PacifiCorp's territory in the years 2007 - 2017 62.81% of the time.

OSA is concerned that using steel structures in an area where there are so many fires started by lightning strikes may not be a good solution and recommends that other materials be considered. Additionally, OSA recommends that before the steel structures are purchased PacifiCorp meet with a lightning expert to determine if the steel structures, that PacifiCorp is proposing to use, will attract light[n]ing strikes that could potentially ignite a wildfire.²³

PacifiCorp appreciates the input provided by OSA and intends to engage experts to evaluate materials and configurations. In developing its WMP, and when addressing risks in general, PacifiCorp incorporates known risks to determine the best approach for wildfire

²¹ Project scoping and detailed design is being completed as of March 2019, with expected completion of the majority of these stations and line devices during 2019; these improvements were proposed in PacifiCorp's 2018 GRC.

²² OSA Comments, p. 10.

²³ OSA Comments, p. 19.

mitigation and prudent planning. To the extent that lightning risks outweigh fire risks and cannot be mitigated against, other materials may be selected for specific locations with high probability of lightning events.

B. Schedule for System Hardening

OSA states:

PacifiCorp has outlined a number of systems hardening projects that it plans to execute, but no start dates or completion dates have been provided in their WMP.

OSA recommends that PacifiCorp either hire or designate someone within their organization to organize, manage, and direct their system hardening projects. This person should be responsible for all the public safety, system hardening projects that PacifiCorp is proposing and has the authority to make sure that these projects are the company's highest priority.²⁴

Upon approval of the WMP, PacifiCorp will make appropriate organizational adjustments to designate an individual to lead a team to ensure the substantial system hardening activities are rapidly delivered.

C. Public Safety Power Shut-Off (PSPS) Notifications

According to OSA:

PacifiCorp does not define in their plan who a vulnerable customer is and when they will be notified of a potential PSPS. Are these customers dependent on medical devices only, does this list include elderly people who live alone, people who depend on refrigerated medications, or people who are handicapped and need special assistance? Also, there is no clear statement about when these customers will be notified of a potential PSPS. It is implied from reading the WMP that it will be 48 hours before the de-energization event occurs. This may not be enough time for these types of customers to prepare.

OSA recommends that PacifiCorp work to expand their knowledge of who these vulnerable and medical baseline customers are in their territory, what their needs are, and maintain up to date records on them. Also, this population of customers should be notified as soon as possible of the potential of a de-energization event to allow them as much time as they need to prepare.²⁵

²⁴ OSA Comments, p. 19.

²⁵ OSA Comments, p. 20.

PacifiCorp appreciates the feedback provided by OSA. PacifiCorp identifies life support customers as those customers being billed on the medical baseline special condition as part of its residential rate schedule. Customers on medical baseline must rely on life sustaining equipment which is verified by a qualified medical professional. Customers must notify PacifiCorp and provide the appropriate documentation. Information regarding the program is provided as part of an annual communication and is specified on all final notices. PacifiCorp does not inquire with individual customers about their medical status, but will offer information when a customer asks about the program. Other customers may have short-term medical conditions that do not qualify for the medical baseline. Due to a temporary medical condition in the home, these customers are also identified in PacifiCorp's customer information systems. Both types of customers will receive additional notification in the event of a PSPS. All customers, regardless of medical status, will received the previously stated notifications. PacifiCorp will also work with other agencies, medical facilities, and local emergency services in the event of a PSPS so they are able to reach other vulnerable customers they serve that PacifiCorp may not have identified in its records.

Additionally, as noted in the Scoping Memo, while PSPS “is on the list of items that utility wildfire mitigation plans must cover, ... the subject requires more in-depth consideration than it can receive in this proceeding.”²⁶ The issues raised by OSA would be more appropriately addressed in the Commission's de-energization proceeding, R.18-12-005. Nevertheless, PacifiCorp's PSPS notification process fully complies with Resolution ESRB-8.

²⁶ Scoping Memo, p. 3.

Furthermore, other parties support PacifiCorp’s PSPS notification process. As described by Cal Advocates, PacifiCorp’s “notification protocol appears likely to ensure that impacted customers will be aware that a PSPS will occur.”²⁷ AT&T similarly states that PacifiCorp’s PSPS notification process is “practicable and operationally feasible” in accordance with Resolution ESRB-8, and “[i]n addition, PacifiCorp proposes to provide status updates during an outage whenever the status of the outage or estimated time of restoration changes.”²⁸ AT&T even recommends that the WMPs of the large utilities “be modified to include the same notice intervals as PacifiCorp’s.”²⁹ PacifiCorp’s PSPS notification process is robust. However, PacifiCorp will continue to evaluate its PSPS protocols and after a PSPS event will consider how the notification process worked and whether any modifications are needed.

OSA also states the following concern:

PacifiCorp does not make clear when this group (public safety authorities, local municipalities, emergency responders) will be notified of a potential PSPS event. It is implied from reading the WMP that it will be 48 hours before the de-energization event occurs. This would not be enough time for these agencies to prepare for the event. Also, hospitals, nursing homes, and other similar facilities were not mentioned in the WMP for early notification or special outreach.

OSA recommends that PacifiCorp increase their weather monitoring program to be able to identify conditions that can trigger a PSPS at least 4 to 5 days ahead of the event. As soon as this information is received, and it is determined that there is the possibility that a PSPS may occur, public safety authorities, local municipalities, emergency responders, hospitals, medical clinics, nursing homes, and schools should be notified.³⁰

In PacifiCorp’s PSPS, which it has shared with emergency service professionals, community leaders, and with telecommunications companies, it outlined the thresholds it would use to

²⁷ Cal Advocates Comments, p. 21.

²⁸ AT&T Comments, p. 5.

²⁹ AT&T Comments, p. 5.

³⁰ OSA Comments, pp. 20-21.

initiate a potential PSPS event, affording these organizations an opportunity to be informed well in advance of the potential PSPS 48 hour notice. Additionally, as proposed in its WMP, PacifiCorp is seeking to install additional local weather monitoring points, which will allow increased weather monitoring and provide additional information to inform potential PSPS events. PacifiCorp plans not only to use such information to help determine when PSPS may be necessary, but to share such information so that agencies, emergency responders, and others will have a better understanding of when PSPS may be implemented and can better prepare for such events.

However, as described above, specific de-energization issues are better addressed in R.18-12-005, where such issues can be more fully examined and vetted. To date, PacifiCorp has not experienced fire weather conditions extreme enough to initiate proactive de-energization. Accordingly, PacifiCorp recommends that the Commission hold additional de-energization workshops where parties can share information and lessons learned to further enlighten and guide parties in developing and effectuating de-energization protocols and requirements, particularly for utilities that have little experience in planning, execution, and recovering from a proactive de-energization event.³¹

IV. Wildfire Prevention Strategy and Programs

A. System Hardening

Cal Advocates states:

PacifiCorp's primary strategies to address wildfire risks are to install covered conductor on its distribution and transmission lines and replace wooden structures totaling about \$77 million. Overall, PacifiCorp's WMP lacks detail and risk-spend

³¹ See the February 8, 2019 Joint Comments of Bear Valley Electric Service, a Division of Golden State Water Company, Liberty Utilities (CalPeco Electric) LLC, and PacifiCorp on the Order Instituting Rulemaking to Examine Electric Utility De-Energization of Power Lines in Dangerous Conditions, available at <http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M265/K165/265165576.PDF>.

efficiency comparisons with alternative measures. PacifiCorp does address some of its more immediate concerns regarding vegetation and animal power line contact. Cal Advocates recommends that PacifiCorp further develop its more immediate mitigation strategies and address timeline feasibility, possible obstacles, and alternatives considered with cost-efficiency justifications in the 2020 WMP.³²

PacifiCorp appreciates the feedback provided by Cal Advocates. However, given the expedited schedule required by SB 901, initial WMPs cannot completely cover and address everything. As described in the OIR:

The Commission does not expect to achieve perfection in the short time that will be available for the initial review and implementation of the first wildfire mitigation plans, but will work with the parties to make the best use of that time to develop useful wildfire mitigation plans. The Commission will also use this proceeding to further refine its approach to the review and implementation of subsequent electric utility wildfire mitigation plans.³³

PacifiCorp's immediate strategies are designed to best address risks and mitigate against wildfires. PacifiCorp's strategy in its WMP is not just to seek clearance around overhead lines, but to avoid any contact with lines, whether by maintaining vegetation clearances or by otherwise mitigating contact with lines (e.g., animal contact, wind-blown debris, etc.).

PacifiCorp will work to incorporate Cal Advocates' feedback and improve its demonstration of the risk spend efficiency of its mitigation strategies in future WMPs.

B. PSPS

Cal Advocates states:

PacifiCorp has narrowed the areas where it will utilize the PSPS while also developing criteria with different inputs. In addition, PacifiCorp will follow a notification protocol starting 48 hours, 24 hours, 2 hours, and 1 hour prior to an event, as well as 2 hours after power restoration. This notification protocol appears likely to ensure that impacted customers will be aware that a PSPS will occur.

³² Cal Advocates Comments, p. 15, footnote omitted.

³³ OIR, p. 3.

While PacifiCorp mentions additional outreach and back-up plans for medical baseline customers, it does not detail what these measures would be nor the effort to determine if the count of Medical Baseline customers identified is accurate. PacifiCorp should provide these measures and explain how it will determine an accurate Medical Baseline customer count and locations in its next WMP filing.³⁴

PacifiCorp agrees with Cal Advocates' recommendation. PacifiCorp has collaborated, and will continue to work, with emergency services to best address how to improve notifications.

Additional improvements to PSPS notification processes will be further addressed and refined in

R.18-12-005. Any new PSPS requirements will be incorporated into future WMPs.

C. Customer Support After a Wildfire

SBUA states:

SBUA recommends that all of Mitigation Plans (with the exception of SCE's Plan, as noted below) be revised to specifically consider how best to assist small business customers. The utilities should be required to propose tangible provisions post-wildfire for customer support and outreach, financial assistance, and collaboration that are targeted to help small business customers, especially in small business health providers and hard-to-reach communities that rely on small commercial centers to remain operational in times of emergency.

...

SBUA suggests using SCE's Plan as a model for the minimal requirements the utilities should have to comply with.

...

To improve these outreach programs, the utilities should follow SCE's procedure for notifying critical care customers of power outages. For these customers, SCE provides outage notifications using the customer's primary and alternative preferred methods of communication, and, in the event the customer cannot be reached, SCE attempts to reach the customer via other methods including sending a field representative to attempt to physically contact the customer. Likewise, to provide customers with information on disaster relief they are eligible for, all of the other utilities should include in their Mitigation Plans a proposal for exhausting every method of communication if they cannot reach a customer using the customer's preferred communication method.³⁵

³⁴ Cal Advocates Comments, p. 21, footnotes omitted.

³⁵ SBUA Comments, pp. 7-9, footnotes omitted.

While SBUA recommends that PacifiCorp (as well as all other utilities) modify its WMP to mirror SCE's WMP to provide customer support in emergencies, SBUA fails to recognize that such customer support requirements are already required of, and provided by, PacifiCorp. D.18-08-004 extended the emergency customer protections adopted in Resolutions M-4833 and M-4835 to customers of all investor-owned utilities, including PacifiCorp. Accordingly, SBUA's recommendation is unnecessary as PacifiCorp already provides customer support, in accordance with its Emergency Customer Protection Plan, to residential and small business customers. Specifically, PacifiCorp's Emergency Customer Protection Plan is available to residential and small business customers in areas where a state of emergency proclamation is issued by the Governor of California where the disaster has either resulted in the loss or disruption of the delivery or receipt of utility service, and/or resulted in the degradation of the quality of utility service. PacifiCorp's Emergency Customer Protection Plan is extended to eligible customers in the affected disaster area for a period of one year commencing from the date the state of emergency proclamation was issued, or until PacifiCorp service is restored.³⁶

Additional recommendations SBUA or other parties may have with respect to post-disaster customer support would more appropriately be addressed in the Commission's emergency disaster relief proceeding, R.18-03-011. To the extent additional requirements are developed in R.18-03-011, PacifiCorp will incorporate any such requirements into future WMPs, as applicable.

SBUA also states:

In the event that a utility does not have the capacity to serve all customers impacted by a fire at once, utilities should prioritize serving customers who meet the

³⁶ See PacifiCorp Advice Letter No. 568-E for additional information and details about PacifiCorp's Emergency Customer Protection Plan.

definition of hard-to-reach customers adopted by the Commission in D.18-05-041. Finally, SBUA recommends that the Mitigation Plans include surveys within the small business communities to better understand the needs of these customers.³⁷

PacifiCorp is open to conducting additional outreach to better understand the needs of small businesses. However, as described above, such issues would be more appropriately considered in R.18-03-011, particularly given the expedited timing required for WMPs by SB 901. Additionally, it is inappropriate to prioritize restoration to “hard-to-reach” customers in emergency situations. Instead, the goal of the utility is to focus on service restoration, as directed by emergency service providers and agencies. This will ensure that critical infrastructure and vulnerable customers are prioritized (e.g., hospitals, emergency responders, etc.), helping to address and remedy any emergency situation and provide necessary and critical services to best enhance overall safety. Historically, PacifiCorp has coordinated with emergency service professionals and community leaders through its emergency manager and regional business managers to determine how best to prioritize service restoration.

V. Emergency Preparedness, Outreach and Response

OSA recommends that “[w]orking groups be established to address important aspects of wildfire mitigations programs.”³⁸ PacifiCorp supports OSA’s recommendation, particularly with respect to developing any requirements related to emergency preparedness, outreach, and response. Through workshops, working groups can share best practices and lessons learned to best develop future WMPs. This will also allow individuals and agencies with experience and firsthand knowledge to share information to best promote safety and allow utilities to incorporate risk reduction measures into their WMPs. Such an environment and information sharing would

³⁷ SBUA Comments, p. 9, footnote omitted.

³⁸ OSA Comments, p. 27.

be particularly beneficial for those with less experience responding to wildfire emergency situations, allowing experienced agencies, utilities, and individuals to share real world information to allow WMPs to incorporate best practices and lessons learned.

VI. Performance Metrics and Monitoring

A. Any Performance Metrics Should Account for Modification to WMPs

SB 901 requires that once approved, utilities must demonstrate compliance with their WMPs, which is reviewed by the Commission.³⁹ It is important to monitor a utility's compliance with its WMP, as required by SB 901, but as described in Section I.A, above, it is equally important that utilities have the flexibility to implement WMPs to most effectively prevent wildfires. This means that modifications to approved WMP proposals or schedules may be necessary to ensure that utilities can incorporate lessons learned and best practices to improve upon proposals in WMPs to best mitigate against risks. Conversely, utilities should have the flexibility to avoid, defer, or limit the implementation of approved WMP proposals and associated costs if it is determined that such proposals will be less effective than anticipated or if wildfire mitigation is better addressed through other measures or a different schedule.

As described above, flexibility is especially important for monitoring compliance with initial WMPs given the expedited timeframe that, as acknowledged by the Commission, is “not expect[ed] to achieve perfection.”⁴⁰ Flexibility will allow utilities to address resource availability and scarcity, unanticipated demand for resources or contractors, price fluctuations, and other situational events and needs that may require modifications to approved WMP proposals or schedules. Such modifications, however, will ensure that the overarching goal of

³⁹ Once approved, “the commission shall oversee compliance with the plans.” (Pub. Util. Code § 8386(b).)

⁴⁰ OIR, p. 3.

SB 901 to best mitigate against wildfires, can be achieved as expeditiously and cost effectively as possible.

PacifiCorp is not suggesting that utilities be given explicit approval that any deviations from an approved WMP will be deemed reasonable. However, it is essential that utilities have the ability to modify approved proposals to best implement wildfire mitigation measures and achieve the goals of SB 901. To the extent that a utility deviates from its WMP, any such deviations would be subject to additional scrutiny and review to ensure that the utility acted prudently and reasonably to enhance or improve upon, rather than avoid, wildfire mitigation measures given existing conditions. A utility could include a description of any deviations from its approved WMP as part of the annual “report addressing its compliance with the plan during the prior calendar year.”⁴¹ Additionally, any deviations from the approved WMP could be fully reviewed and addressed in the utility’s GRC, as WMP costs will already be evaluated in the GRC.

B. Reporting Requirements

SBUA states:

SB 901 requires the utilities to make public an “accounting of the responsibilities of persons responsible for executing the plan.” Although the Plans include information on the positions, Plans should include additional information including the names of the specific people holding those positions as well as providing their contact information. ... PacifiCorp does not disclose the name or contact information of the directors ... Although a strict reading of subdivision (c)(1) suggests that only the titles and descriptions of duties need to be disclosed in the Plans, the utilities should disclose the names and contact information of people holding these positions so that the Commission and the public may be aware of who to address correspondence to in the event of a future issue.⁴²

⁴¹ Pub. Util. Code § 8386(h)(1).

⁴² SBUA Comments, pp. 11-12, footnotes omitted.

If necessary, PacifiCorp can provide access to the names and contact information requested by SBUA. However, as admitted by SBUA, SB 901 only requires “that the titles and descriptions of duties need to be disclosed in the Plans.”⁴³ Listing the position and responsibilities is appropriate, not only in accordance with SB 901, but because individuals may change positions, making names and contact information irrelevant. Additionally, should the public or the Commission need to raise future issues regarding the WMP or an individual’s responsibilities, WMPs, as well as the R.18-10-007 service list, already provide multiple names and contact information for utility representatives. Further, as required by Commission rules, utility contacts listed on the service list are regularly updated, ensuring both the Commission and the public can always contact the utility regarding WMP issues.

VII. Recommendations for Future WMPs

PacifiCorp recognizes that future WMPs will incorporate lessons learned, feedback received, best practices, and additional requirements that may be developed in this and other proceedings related to wildfire mitigation, de-energization, and emergency response. As recognized by Cal Advocates:

... some programs and strategies in the WMPs lacked details, descriptions and supporting analysis, particularly large new programs. Future WMPs should include fully developed strategies, and metrics based on risk reduction, cost, and program goals. To address these concerns regarding the adequacy of the plans in the next WMP cycle, the Commission should consider a Notice of Intent type process, where the utilities would provide their future WMPs and parties would have a limited time opportunity to identify shortcomings in the WMPs so they can be addressed prior to the formal WMP filing.⁴⁴

PacifiCorp generally agrees with Cal Advocates. Future WMPs will continue to provide a healthy dialogue between utilities, the Commission, and parties. Public participation is an

⁴³ SBUA Comments, p. 12.

⁴⁴ Cal Advocates Comments, p. 23.

essential element to the development of WMPs, not only allowing utilities to incorporate public feedback, but by providing a forum to educate the public by addressing feedback received as well. To this end, PacifiCorp supports Cal Advocates' proposal that parties have the opportunity to make recommendations on future WMPs before they are adopted by the Commission.

Going forward, PacifiCorp requests that the Commission adopt a firm schedule for WMPs, outlining due dates and comment deadlines so utilities and parties can plan accordingly. The Commission should also consider streamlining and harmonizing various wildfire mitigation requirements. For example, utility Fire Prevention Plans required by General Order 166, D.12-01-032, and D.14-05-020 could be incorporated into WMPs to reduce overlapping and/or duplicative reporting requirements. Perhaps most importantly, however, the Commission should ensure that sufficient time is provided so that WMPs can be submitted, reviewed, and approved to allow utilities to begin implementing priority mitigation measures before the start of fire season.

VIII. Other Issues

As described in Section V, above, PacifiCorp supports OSA's recommendation to establish "working groups for the next phase of this proceeding ... to address important aspects of wildfire mitigation programs."⁴⁵ This process will help effectively and efficiently develop improvements and refinements to WMPs while providing a forum to share real world knowledge, lessons learned, and best practices, to ensure that all WMPs can benefit from the extensive expertise of agencies, utilities, and individuals related to wildfire risks and mitigation.

Furthermore, working groups should consider how modifications to approved WMP programs and mitigation measures can be undertaken and implemented prior to the approval of

⁴⁵ OSA Comments, p. 27.

the next WMP. As described in Section I.A, above, it may be appropriate for utilities to modify approved WMP proposals or schedules to incorporate lessons learned and best practices.

IX. Conclusion

PacifiCorp appreciates this opportunity to provide additional details on its WMP and to address comments and concerns raised by parties regarding its WMP. PacifiCorp looks forward to working with the Commission and parties going forward to further refine and improve future WMPs.

Respectfully submitted,

/s/

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Jedediah J. Gibson
Ellison Schneider Harris & Donlan LLP
2600 Capitol Avenue, Suite 400
Sacramento, CA 95816-5905
Telephone: (916) 447-2166
Facsimile: (916) 447-3512
Email: jjg@eslawfirm.com

Attorney for PacifiCorp