

ALJ/SRT/avs

Date of Issuance 3/18/2020

Decision 20-03-004 March 12, 2020

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

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

Rulemaking 18-10-007

**DECISION ON COMMUNITY AWARENESS AND PUBLIC OUTREACH  
BEFORE, DURING AND AFTER A WILDFIRE, AND  
EXPLAINING NEXT STEPS FOR OTHER PHASE 2 ISSUES**

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**DECISION ON COMMUNITY AWARENESS AND PUBLIC OUTREACH  
BEFORE, DURING AND AFTER A WILDFIRE, AND  
EXPLAINING NEXT STEPS FOR OTHER PHASE 2 ISSUES**

**Summary**

This decision addresses Phase 2 of this proceeding on electrical corporations' Wildfire Mitigation Plans. It resolves one Phase 2 issue by requiring all electrical corporations to conduct outreach to communities and the public before, during and after a wildfire in all languages "prevalent" in their respective service territories. A language is "prevalent" if it is spoken by 1,000 or more persons in the territory of an Investor Owned Utility or Small or Multijurisdictional Utility. These utilities will be responsible for determining which languages are prevalent in accordance with the guidance set forth in this decision.

The decision also clarifies where the additional Phase 2 issues will be resolved. Under Assembly Bill 1054<sup>1</sup> and Commission Resolution WSD-001, the Commission's newly created Wildfire Safety Division will review 2020 Wildfire Mitigation Plans, present resolutions for Commission consideration on the 2020 Plans, and oversee independent evaluation and other compliance activity with regard to both 2019 and 2020 Plans.

Both this proceeding and Wildfire Safety Division will consider the templates, maturity model, data requests, metrics and other materials furnished to parties with the Administrative Law Judge's December 16, 2019 ruling, along with party comment on those materials and on the issue of metrics development scoped into Phase 2.

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<sup>1</sup> Stats. 2019, Ch. 79 (Holden).

This decision also brings back into the formal proceeding several Tier 3 "Off-Ramp" Advice Letters filed by the electric utilities pursuant to the Phase 1 guidance decision, Decision 19-05-036. It is more efficient to handle the Advice Letters here, since several of them go beyond the scope of the Phase 1 decision language on what constitutes an "Off-Ramp" and guidance on that language is needed.

The Commission's work on wildfire issues will also continue in several other forums, including its proceedings on Disaster Relief (Rulemaking (R.) 18-03-011), Microgrids and Resiliency (R.19-09-009), Public Safety Power Shutoff/De-Energization (R.18-12-005), and various proceedings focused on investigating past wildfire and power shutoff events. The new Wildfire Safety Division will review Wildfire Mitigation Plans filed on February 7, 2020 and present its recommendations to the full Commission for ratification before commencement of this year's wildfire season.

This proceeding will remain open to consider the wildfire issues listed here, as well as other wildfire issues that may arise.

## **1. Procedural Background**

The Commission opened this proceeding in 2018 as required by Senate Bill (SB) 901<sup>2</sup> to consider electrical corporations' Wildfire Mitigation Plans (WMP). On May 30, 2019, the Commission issued decisions on all 2019 WMPs as well as guidance on the legal meaning of such decisions pursuant to SB 901.<sup>3</sup> The decisions acted on the WMPs of Investor Owned Utilities (IOUs) Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE), and

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<sup>2</sup> Stats. 2018, Ch. 626 (Dodd).

<sup>3</sup> Decision (D.) 19-05-036, D.19-05-037, D.19-05-038, D.19-05-039, D.19-05-040 and D.19-05-041.

San Diego Gas & Electric Company (SDG&E); and Small and Multijurisdictional Utilities (SMJUs) Liberty Utilities/CalPeco Electric (Liberty), Bear Valley Electric Service, a division of Golden State Water Company (Bear Valley), and Pacific Power, a division of PacifiCorp (PacifiCorp); and several Independent Transmission Owners (ITOs).<sup>4</sup>

The decisions established a Phase 2 of this proceeding to deal with a small number of important issues that the Commission could not resolve in the 3-month window allotted it by Public Utilities Code Section 8386(e) (now Section 8386.3(a)) to act on the WMPs. The Commission deferred the issues to Phase 2 to ensure the WMPs were in place by the 2019 wildfire season, but also to give more attention to the following issues that required further record development: 1) metrics for determining the effectiveness of WMPs in reducing the risk of catastrophic wildfire as required by Public Utilities Code Sections 8386(c)(4) and (5), 2) the independent evaluator process prescribed in Section 8386(h),<sup>5</sup> 3) community outreach before, during and after a wildfire as required by Section 8386(c)(18)(B), including outreach in-language to those with limited English language proficiency, and 4) the process for handling future WMPs.

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<sup>4</sup> The decisions approved the WMPs of ITOs 1) Trans Bay Cable LLC and 2) Horizon West Transmission LLC., formerly known as NextEra Energy Transmission West, LLC (Horizon West) with regard to its Suncrest Dynamic Reactive Power Support Project; and relieved the following ITOs of the obligation to file 2019 WMPs because they are operated and maintained by third parties: 3) DATC Path 15, LLC (successor in interest to Trans-Elect NTD Path 15, LLC and indirectly owned by Duke-American Transmission Company LLC), with regard to its Path 15 Upgrade transmission project; 4) Citizens Sunrise LLC, aka Citizens Sunrise Transmission; and 5) Startrans IO, LLC (Startrans).

<sup>5</sup> Under Assembly Bill (AB) 1054, the independent evaluator provision was moved to new Section 8386.3(c)(2), but other than moving the task to the Wildfire Safety Division, AB 1054 left the language of the provision unchanged.

During Phase 2, the Commission held workshops and took comments on each of these topics. The Administrative Law Judge (ALJ) issued an August 19, 2019 ruling describing the Phase 2 issues, held a prehearing conference on August 28, 2019 on the issues, and, with the assigned Commissioner, issued a Phase 2 scoping memo on September 18, 2019. The Commission held 3 days of workshops on the issues on September 17, 18 and 19, and the ALJ solicited comments on the workshops by ruling dated October 10, 2019. Parties filed opening comments on the Phase 2 topics/workshops on November 6, 2019 and reply comments on November 18, 2019.

An important Legislative change occurred while Phase 2 was underway. After issuance of the foregoing decisions, Governor Newsom signed AB 1054. That statute added Section 8386.3 of the Public Utilities Code establishing the Wildfire Safety Division (WSD) within the Commission to review and resolve WMPs for 2020 and beyond.<sup>6</sup> The statute also transferred to Wildfire Safety Division the responsibility of independently evaluating WMPs after the fact.<sup>7</sup>

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<sup>6</sup> Pub. Util. Code § 8386.3(a) (“The Wildfire Safety Division shall approve or deny each wildfire mitigation plan and update submitted by an electrical corporation within three months of its submission, unless the division makes a written determination, including reasons supporting the determination, that the three-month deadline cannot be met. Each electrical corporation’s approved plan shall remain in effect until the division approves the electrical corporation’s subsequent plan. The division shall consult with the Department of Forestry and Fire Protection on the review of each wildfire mitigation plan and update. In rendering its decision, the division shall consider comments submitted pursuant to subdivision (d) of Section 8386. Before approval, the division may require modifications of the plan. After approval by the division, the commission shall ratify the action of the division”).

<sup>7</sup> Pub. Util. Code § 8386.3(c)(2):

Following approval of a wildfire mitigation plan, the Wildfire Safety Division shall oversee compliance with the plan consistent with the following:

Two actions took place after AB 1054 was enacted. First, the Commission issued Resolution WSD-001 prescribing the process for WSD handling and Commission ratification of WMPs. Resolution WSD-001 provided for the electrical corporations to file and serve their 2020 WMPs on February 7, 2020 and stated that thereafter Wildfire Safety Division would oversee review and approval, if appropriate, subject to Commission ratification.

Second, the WSD prepared and the ALJ issued in a December 16, 2019 ruling a set of new templates, models, data requests, metrics and other materials WSD plans to use for the 2020 WMPs (2020 WMP Templates). Parties commented on the materials on January 7, 2020.

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(2) (A) Before March 1, 2021, and before each March 1 thereafter, the Wildfire Safety Division, in consultation with the Department of Forestry and Fire Protection, shall make available a list of qualified independent evaluators with experience in assessing the safe operation of electrical infrastructure.

(B) (i) Each electrical corporation shall engage an independent evaluator listed pursuant to subparagraph (A) to review and assess the electrical corporation's compliance with its plan. The engaged independent evaluator shall consult with, and operate under the direction of, the Wildfire Safety Division of the commission. 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.

(3) The commission shall authorize the electrical corporation to recover in rates the costs of the independent evaluator.

(4) The Wildfire Safety Division shall complete its compliance review within 18 months after the submission of the electrical corporation's compliance report.

Finally, the Phase 1 guidance decision, D.19-05-036, contained language allowing the IOUs and SMJUs to propose Off-Ramps for certain mitigation measures proposed in their 2019 WMPs. Several Advice Letters were filed, and some were protested by parties to this proceeding on the ground they exceed the scope of the language of D.19-05-036. This proceeding evaluates the Advice Letters rather than having them be the subject of Resolutions.

## **2. List of Where Phase 2 Issues Will be Resolved**

As is clear from the foregoing history, circumstances have changed since the Commission issued its Phase 1 decisions. So that all parties and stakeholders are aware of our intended next steps, the following describes how each Phase 2 issue will be resolved:

*Material for evaluating effectiveness of Wildfire Mitigation Plans:* The 2020 WMP Templates, attached to a December 16, 2019 ALJ ruling, contain an extensive list of metrics that address the concerns the Commission addressed in its Phase 1 decisions, and that parties raised in Phase 2 comments. The 2020 WMP Templates also contemplate a maturity model that assesses utility preparedness for catastrophic wildfire, a master data request aimed at collecting data before Wildfire Mitigation Plans are filed, and contain other material guiding future WMP filings.

The parties commented on the material on January 7, 2020. Those comments suggest several changes to the 2020 WMP Templates. Further, AB 1054 added Public Utilities Code Section 326.2, providing that the new Wildfire Safety Advisory Board (WSAB) established in Section 326.1 shall “Develop and make recommendations to the Wildfire Safety Division related to wildfire safety and mitigation performance metrics.” Due to this new provision, there may be decisions updating the WMP Templates for 2021 in both this



proceeding and in WSD's review of the Wildfire Safety Advisory Board's proposals. We expect at least one decision on the 2021 WMP Templates in this proceeding.

*Independent evaluation of WMPs (2019, 2020 and beyond):* AB 1054 moves this responsibility to WSD, and WSD has already commenced the first task in the statute – gathering a list of potential independent evaluators.<sup>8</sup> Once the list is available, WSD will take other steps set forth in statute to implement the independent evaluator process, both for the 2019 WMPs and for future WMPs as appropriate.

*Process for handling future WMPs:* The parties gave input into how the Commission should process WMPs commencing in 2020, and Resolution WSD-001 resolved those issues. We expect that WSD will adopt additional processes going forward, with appropriate transparency to stakeholders and the general public.

*Off-Ramp Advice Letters filed in accordance with Guidance Decision, D.19-05-036:* The Phase 1 Guidance decision applicable to all WMP filers provided for “Off-Ramps” so the IOUs and SMJUs did not continue mitigation measures that were not effective and had the flexibility to increase measures showing great promise. However, the Advice Letters (ALs) filed, purporting to use the Off-Ramp procedures, went far beyond the language of D.19-05-036. The Advice Letters are suspended, and will be resolved in this formal proceeding, rather than in individual Commission Resolutions.

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<sup>8</sup> Pub. Util. Code § 8386.3(c)(2)(A) (“Before March 1, 2021, and before each March 1 thereafter, the Wildfire Safety Division, in consultation with the Department of Forestry and Fire Protection, shall make available a list of qualified independent evaluators with experience in assessing the safe operation of electrical infrastructure”).

*Communication before, during and after a wildfire.* This decision determines that IOU and SMJU communication with affected communities and the general public before, during and after a wildfire is essential to the Commission's role of ensuring Californians' access to safe and reliable utility infrastructure and services. Therefore, we expand on the outreach requirements adopted in the Phase 1 decisions and go beyond the in-language requirements of the Wildfire Mitigation Plan statutory requirements. We issue these requirements pursuant to our obligation assure Californians' access to safe and reliable utility infrastructure and services.

Phase 1 implemented the statute<sup>9</sup> by requiring the IOUs to conduct community awareness and public outreach in English, Spanish, and “and the top three primary languages used in the state other than English or Spanish.” Relying on the United States Census, the Commission required IOUs and SMJUs to use Chinese (including Cantonese, Mandarin and other Chinese languages), Tagalog, and Vietnamese in addition to the statutorily required English and Spanish. The Commission also required the IOUs and SMJUs to provide outreach in Korean and Russian where those languages are prevalent in their service territory.

This proceeding expands upon Phase 1 by requiring all respondent IOUs and SMJUs to conduct community awareness and public outreach in all languages that are “prevalent” in their service territory. A language is prevalent if it is spoken by 1,000 or more persons in the IOU's or SMJU's territory.

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<sup>9</sup> Pub. Util. Code § 8386(c)(16)(B) (requiring “Plans for community outreach and public awareness before, during, and after a wildfire, including language notification in English, Spanish, and the top three primary languages used in the state other than English or Spanish, as determined by the commission based on the United States Census data.”).

Indigenous languages shall be included, and Mixteco and Zapoteco shall be included regardless of prevalence. The decision also requires better collaboration with Community Based Organizations (CBOs), local government and others, as well as after-event surveys and metrics to evaluate whether the awareness and outreach is actually helping communities and residents before, during and after a wildfire.

### **3. Community Awareness and Public Outreach**

#### **3.1. Summary**

This decision determines that, no later than May 15, 2020, each IOU and SMJU shall demonstrate to the Commission's satisfaction that it conducts community awareness and public outreach before, during and after a wildfire in any language that is "prevalent" in its service territory or portions thereof. A language is "prevalent" if it is spoken by 1,000 or more people in the affected IOU's or SMJU's service territory. Such languages shall include languages spoken by indigenous communities, such as Mixteco and Zapoteco, that occupy significant roles in California's agricultural economy regardless of prevalence. An IOU or SMJU may conduct outreach in languages that are less than prevalent at its option, but prevalent languages are a minimum requirement for all IOUs and SMJUs. Because the WMP statute requires outreach in English, Spanish, and the top three language, all IOUs and SMJUs are required to conduct outreach in those languages regardless of prevalence.

The decision also requires that the IOUs and SMJUs demonstrate that their communications and outreach are effective through surveys and metrics.

#### **3.2. Workshop and Party Comments**

The language access workshop took place on September 19, 2019, was facilitated by one of the Commission's staff member skilled in language

outreach, and had as its panelists Susan Shaw, North Bay Organizing Project; Mad Stano, California Environmental Justice Alliance; Jeff Hoffman, California Rural Legal Assistance; and Mariano Alvarez, California Rural Legal Assistance. The workshop focused on outreach to communities that speak indigenous languages, but the ALJ's October 10, 2019 ruling asked for comment on a wide array of communication topics:

16. All utilities – how do the utilities assess the effectiveness of their community outreach and public awareness before, during and after a wildfire” pursuant to Section 8386(c)(16)(B), whether conducted in English or other languages?
17. All utilities – how do the utilities evaluate whether additional or different outreach methods are needed to adequately inform communities?
18. Is it appropriate to require outreach in languages other than those adopted in Phase 1, including indigenous languages discussed at the workshops? (*e.g.*, Mixteco, Zapoteco, Triqui). How should such outreach occur?
19. All utilities – What outreach to linguistically isolated communities have you done, including in indigenous languages?
20. What kind of analysis should be done to understand language access needs in utility service territories? Who should do this analysis and how should it be done?
21. What tools and resources should utilities utilize to better understand language needs?
22. What kind of strategies should IOUs utilize in order to reach Limited English Proficient communities? What are suggested communication channels and community partners?
23. How should effective outreach to Limited English Proficient communities be measured? What are metrics for success, other than simply translating materials?

24. What strategies can IOUs employ to counteract misinformation in Limited English Proficient communities, and build trusted relationships?

25. All utilities – What coordination have you done with local communities to track and motivate customer buy-in and participation in the roll out of enhanced vegetation management programs (*i.e.*, beyond minimum regulatory requirements)?

The parties made the following comments in response to questions in the October 10, 2019 ruling, with CEJA and the IOUs providing most of the input:

#### CEJA

- All populations need to know if a wildfire is approaching.
- Linguistically isolated communities have an even greater need to be informed as far in advance as possible if there is a likelihood of power loss or fire. Many indigenous populations do not speak Spanish and will be left behind if indigenous languages are not included.
- Outreach is especially important for socioeconomically vulnerable communities, who may be hard to reach, transit-limited, have limited language access, or lack infrastructure to respond quickly to wildfire.
- Outreach must be tailored to the specific community at issue.
- Utilities can work with community-based organizations, such as the ones that spoke at the Phase 2 Workshops, to facilitate outreach. CEJA hosts an annual statewide gathering, at which it actively engages community members from each of its member and partner organizations.
- Ways of determining languages spoken:
  - Census data can be used as an initial screen to identify places where additional languages may be spoken. In addition, as part of the 2020 census, California has launched the “California Complete Count,” which includes categorization of hard-to-count communities. Each census tract is scored according to numerous indicators, including

English-limited and foreign-born population. Scores are totaled, and each tract is ranked in comparison to all other tracts.<sup>10</sup>

- The Commission should also instruct utilities to use the American Community Survey (ACS) tabulated and untabulated data as a screening tool to identify where English-limited individuals are likely to be in their service territory.
- Lessons from the San Joaquin Valley proceeding, R.15-03-010, can be used as a starting point for language outreach.
- Because utilities have full access to their own customer lists, and are statutorily responsible for ensuring customers are notified, the utilities should do the analysis. Utility analysis should be conducted pursuant to guidance from the Commission and input and feedback from parties to the proceeding, community members, and organizations in each utility's service territory that work with English-limited communities and individuals.
- First target communities that are either in Tier 2 or 3 territories or have been already subject to either a wildfire or a PSPS event.
- Outreach due to an ignition is only one of the responsibilities utilities must undertake. Utilities are statutorily required to conduct outreach "before" a wildfire, in addition to "during and after" wildfire.
- Outreach and relationship-building must begin prior to wildfire. Building relationships with English-limited communities requires scoping, research, and time investment that must occur before utilities can communicate the vital information these communities need. The earlier the utilities provide notice, the more effectively communities can ready

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<sup>10</sup> CA Census, 2020, <https://census.ca.gov/california-htc/>.

themselves to implement emergency plans, or with evacuation.

- Success of outreach should focus both on reaching the isolated populations and ensuring that the communications are understood.
- In addition to English and some of the other statutorily required languages, CEJA member language needs include Mien and Hmong.
- How to communicate:
  - Text messages can be effective if community members have high rates of literacy in their native languages, and if community members tend to keep the same phone number. These two factors are not necessarily as likely as English-proficient communities.
  - Some languages, such as Shoshone have limited or no written form. Others, like the Hmong spoken in Laos, have had written forms developed but are not broadly taught, so native speakers who live in California are unlikely to understand text putatively sent in their native languages.
  - Community members in English-limited communities may rely on a series of inexpensive “burner” (prepaid) phones that they acquire as needed. Each disposable phone comes with a different phone number, so community members may not receive text messages sent to a prior phone.
  - Where individual calls by live people are not feasible, pre-recorded in-language messages could be effective, although less so because community will not freely ask questions or be able to confirm understanding.
  - Where a relationship has already been established, utilities can provide a phone number for community members to call to inform themselves in specific languages.
  - Radio Indigena in Central California broadcasts in several Indigenous American languages, as does KBBF in Sonoma.
  - Many English-limited communities are strongly connected through social media such as WhatsApp and Facebook.

Some social media may accept paid in-language advertising. Utilities may have to build relationships so that community members “follow” them.

#### **PG&E**

- Does not consider additional language accommodation necessary.
- Measure communication before, during, and after wildfire through quantitative and qualitative approaches; use focus groups, feedback, traffic tracking.
- Has not conducted direct outreach to linguistically isolated communities or specifically targeted organizations that support these communities.
- Recommends leveraging customer language preference data associated with PG&E customer accounts.
- Has materials in 240 languages.
- Recommends continued and enhanced coordination with CBOs and multi-cultural media partners that have existing relationships to provide education when most appropriate.
- Can build trust and counteract misinformation by partnering with trusted CBOs and community leaders.
- Has begun communicating increased vegetation clearance requirements to customers.

#### **SCE**

- SCE’s Customer Attitude Tracking (CAT) study surveys residential and business customers every month in English and Spanish (outreach metrics).
- Many customer groups rely heavily on trusted agencies or CBOs for information.
- Performance can also be compared to tactical benchmarks across communication channels serving both English and non-English proficient populations.
- The languages outlined in D.19-05-036 adequately represent the languages spoken by the overwhelming



- majority of customers. Case-by-case basis for indigenous populations.
- SCE is expanding its outreach to the Mixtec indigenous community.
  - Collaborative approach with CBOs about understanding language needs beyond those already provided by the utility would be the most effective at understanding language access needs.
  - Leveraging the 2020 US Census will help define the current state of language in SCE's service territory.
  - SCE met with every city and county in its High Fire Risk Area (HFRA) to discuss its 2019 WMP, including vegetation management activities.

#### **SDG&E**

- Assesses the effectiveness of its outreach and public awareness using several analytics to measure the reach and impressions of the public education campaign tactics.
- Has worked with its Public Safety Partners, CBOs and other local entities to evaluate its outreach methods.
- Future language requirements should be modified to align with the San Diego County and Orange County Registrar of Voters language requirements (English, Spanish, Chinese, Vietnamese, Tagalog and Korean).
- Utilities should continue to work closely with CBOs who have the capability to do the following: a) to translate material into indigenous languages as these organizations are trusted sources of information for the non-English/limited English population; b) to reach limited English Proficient communities; c) to share SDG&E information as they are trusted partners in their communities.
- Effectiveness of outreach to Limited English Proficient communities should be based on these industry standard metrics.

- SDG&E participates in community town hall meetings centered in its service territory and produce media content on its web page to illustrate its enhanced vegetation management operations.

### **PacifiCorp**

- Closely monitor call volume and summarize the content of the call to evaluate effectiveness of an alert or an event.
- Conducts outreach to impacted customers via outbound phone calls, texts, emails, updates to social media, updates to the outage map for the area, and media releases.
- English and Spanish were identified as the predominant languages spoken by our customers. Prior to the next fire season, the company intends to reach out to the community to ensure any language barriers are eliminated.
- Hmong communities may require outreach.
- Tracks customers who request notices in a language other than English.
- Track languages requested by its customers and review census data.
- Utilities should work with local community organizations and partner with existing community resources to understand limited English communities.

### **Liberty**

- The metrics Liberty uses to assess its outreach include, but are not limited to, wildfire webpage visits, wildfire-related social media views, the number of articles published and circulation of such publications, and the number of workshops and attendees at workshops.
- English and Spanish are the only two languages significantly used in Liberty's service territory. Will continue to make to increase the number of outreach materials and methods available in Spanish.
- Has not identified linguistically isolated communities.

### **Bear Valley**

- Assess the effectiveness of outreach through analytics, like number of calls received, number of emails viewed, social media. Focus groups could work but are expensive.
- Plans to ensure key audiences receive important info on topics like wildfire mitigation efforts. Measure through feedback and working closely with community leaders on whether outreach methods are required.
- Has no linguistically isolated communities.
- No current need for linguistic geography analysis. City or County would do it because it would be useful to more than just the electric utility.
- Suggests contact with community groups, like churches, schools, nonprofits, etc. that serve limited English proficient communities.
- Regularly checking in with contacts to gauge awareness is a way to effectiveness.
- Establish trust by working with community groups.
- Aggressive campaigning to educate the community regarding wildfire mitigation. Utilize all available channels.

### **Will Abrams**

- Quantity of communications should not be the criteria for outreach and community awareness regardless of the language or target audience because the PSPS events have been mismanaged by PG&E.
- IOUs should conduct focus groups, pre/post surveys and other assessments to evaluate communications and outreach relative to wildfire mitigation.

### **Green Power Institute (GPI)**

- Critical of utilities' inadequate outreach efforts.

**Small Business Utility Advocates (SBUA):**

- Increase outreach to small business customers, which are at heightened risk of permanent wildfire-related closures.
- Evaluations should not only assess the quantity of outreach but also the extent to which those who are reached in fact are achieving the educational and informational objectives of the outreach.

**3.3. Discussion**

**3.3.1. In Language Requirements**

Communication before, during and after a wildfire may be a life-or-death matter. The diversity of California’s population and the vast number of languages spoken here is part of what makes the state strong, vibrant, tolerant, and forward-looking. We should honor and support all residents of the state, especially when dealing with public safety and catastrophic risk. However, people cannot act on outreach they cannot understand; public safety requires that outreach actually reach the intended audience. Outreach that is not in-language simply will not be effective in protecting all California residents.

Therefore, the Commission will require each of the IOU and SMJU respondents in this proceeding to communicate before, during and after a wildfire with community residents, businesses, state and local first responders, and CBOs in all languages that are prevalent in their service territories.

Prevalent means that 1,000 or more people speak the language in an IOU's or SMJU's territory. We further describe below how the IOUs and SMJUs will be required to determine language prevalence. Further, nothing in this decision limits an IOU or SMJU from communicating in a language that is not prevalent, or changes the requirement that the IOUs and SMJUs communicate in English, Spanish, and the top three primary languages adopted in Phase 1 regardless of prevalence.

The communication methods need not all be the same, because different communities may get their information in different ways. However, all IOUs and SMJUs, at a minimum, should consider using radio, broadcast, cable and print earned and unearned media, shareable video or audio content, door-to-door contact, social media and websites, texting and other communications-based methods such as live phone calls, emergency alerts, emails, or prerecorded messages to communicate with their customers in-language.

Further, the audience targeted by the communication may vary based on the reason for the communication. For example, outreach *before* a wildfire (*i.e.*, to educate the public about preparedness) will likely target all customers in an IOU's or SMJU's territory, and language prevalence for those communications should be determined using service territory boundaries. However, outreach *during and after* a wildfire may need to be more focused on the affected area(s). This decision leaves to the IOUs and SMJUs determination of the appropriate area and content of communications as long as the communications are appropriately designed to reach persons affected by each event.

The Commission may provide additional guidance on content and reach of communications in this or other proceedings. Further, nothing in this decision is intended to change any state or local emergency requirements, rules, protocols or agreements on the content of utility communications during a wildfire. Appendix A to this decision provides the details of how IOUs and SMJUs shall obtain in-language information using the American Community Survey (ACS). The IOUs and SMJUs may also use U.S. Census data, where available, to determine prevalent languages in their service territories, as well as the data sources suggested by CEJA ("California Complete Count," "Hard to Count"

data) if ACS data is not sufficient in determining languages spoken in the target area.<sup>11</sup> They should also use lessons from the San Joaquin Valley proceeding, R.15-03-010 to inform them on appropriate language outreach. CEJA shall forward relevant information from that proceeding to the IOUs and SMJUs no later than 30 days after issuance of this decision.

In addition to the foregoing analysis and Appendix A, the IOUs and SMJUs shall include data based on prior experience and information from CBOs, community representatives and leaders (*i.e.*, identifying key sites like a migrant housing site or mobile home park). To the extent the IOUs' and SMJUs' own customer data reveals language usage or preference, they shall also utilize customer information data to determine language prevalence.

IOUs and SMJUs shall, to the maximum extent, use their existing CBO networks, and partner with new CBOs where they do not have existing relationships with a specific language minority community. Some principles that should guide CBO relationships are the following:

- Ensure partnerships, particularly with community partners, are resourced and include a clear Memorandum of Understanding to articulate roles, responsibilities, and activities. This should include outreach and translation needs.
- Consider strategies such as phone trees to help quickly disseminate information across trusted sources.
- Create a team of cross-sector partners, with a designated coordinator, to be able to work across purposes, share feedback, and steer the effort.

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<sup>11</sup> See <https://census.ca.gov/htcfactsheets>, and <https://census.ca.gov/HTC-map/>.

- Include methods and strategies for information sharing and dealing with confidentiality between partner organizations (both CBO and government).

The IOUs and SMJUs should consider the following community partnerships in developing and carrying out community outreach:

- Community Organization Partnerships:
  - Churches, schools, non-profits, medical clinics and hospitals, social service providers, legal services, and small businesses.
- Local Government Partnerships:
  - Emergency services, public health departments, other service providers, and first responders.

The IOUs and SMJUs shall take input from parties to this proceeding in a meet and confer format to ensure they are reaching the appropriate CBOs. They need not communicate their meet and confer process to the Commission unless there are problems or concerns. In the event of problems or concerns, the parties shall first contact and work with [Monica.Palmeira@cpuc.ca.gov](mailto:Monica.Palmeira@cpuc.ca.gov) (the September 2019 workshop moderator), or such other contact person the Commission shall later designate, and s/he will determine whether to involve the ALJ and other parties to the proceeding.

The IOUs and SMJUs shall also reach out to the telecommunications, water and transportation utilities in their territory in order to partner with language access services and CBO relationships those utilities may have. Further, they shall gather – with the assistance of the parties to this proceeding – information on available governmental and non-governmental communications before, during and after a wildfire and coordinate their efforts with those communications to the maximum extent possible.

The IOUs' and SMJUs' communications methods shall accommodate language minorities without a common written language, as well as the indigenous languages Mixteco and Zapoteco. At the workshop, it appeared Triqui use is rare,<sup>12</sup> but if it meets the definition of prevalence, the IOUs and SMJUs should also use Triqui.

In summary, the IOUs and SMJUs shall be prepared to conduct the outreach before, during and after a wildfire in time for the 2020 wildfire season.

### **3.3.2. Surveys and Metrics to Determine Effectiveness of Outreach**

Public safety requires that the IOUs and SMJUs survey the communities where they conduct outreach and use other metrics to determine that they are using effective methods. Several parties have commented – both in this Phase and in Phase 1 – that community meetings, conference calls or other group events the IOUs hold may not adequately inform communities about wildfire risk. Existing surveys that meet all of the requirements of this decision may be used.

No later than May 30, 2020, the IOUs and SMJUs shall prepare, file and serve the results of an independent survey that assesses the effectiveness of their community outreach in 2019 pursuant to Public Utilities Code Section 8386(c)(16)(B). For the 2020 wildfire season, the survey results are due no later than December 31, 2020. At a minimum, the IOUs and SMJUs shall:

- Ask communities and individuals to which the IOU or SMJU has conducted outreach if the outreach was effective in helping them before, during and after a wildfire.

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<sup>12</sup> See Chart 2, used at the workshop, at [http://www.indigenousfarmworkers.org/indigenous\\_languages.shtml](http://www.indigenousfarmworkers.org/indigenous_languages.shtml).



- Provide survey responses categorized by type of outreach – *e.g.*, community meetings, over the air broadcast information, social media, print media, etc. – so that there is data in the proceeding showing what outreach is most effective that the Commission and stakeholders may use to direct future outreach.
- File and serve any existing survey results that assess the effectiveness of outreach before, during and after a wildfire conducted since the passage of SB 901.

Prior to conducting either survey, the IOUs and SMJUs, alone or in combination, shall gather input from the parties to this proceeding on appropriate survey questions and methodology through a meet and confer process that is open to all parties. This meet and confer process shall conclude no later than 30 days before the surveys are conducted.

In addition to surveys, the IOUs and SMJUs should use metrics to determine the *reach* of their efforts. One set of metrics should be quantitative in nature, and include data related to web site visits, click rates, conversions, in-person meetings, radio spots, number of partners, number of customers reached, customer acknowledging information, read receipts, video shares, and other quantitative measurement.

Another set of metrics should document *comprehension*, especially after a significant wildfire event. Such metrics can be more qualitative in nature and include metrics collected from surveys and post-event interviews/sessions with stakeholders and partners. Metrics should capture satisfaction with outreach and engagement from utility, understanding of information and whether communities or individuals feel equipped to act, and whether communities or individuals feel connected to resources they may call upon before, during and after a wildfire. Potential avenues for collecting this information include debriefs with partners to discuss what could be improved, public listening sessions to

discuss what could be improved, and customer surveys to understand what could be improved.

### **3.3.3. Cost and Budget**

To the extent IOUs and SMJUs require additional budgets for the activity this decision requires, they may track costs in their existing Wildfire Mitigation Plan memorandum accounts, which will be subject to recovery in accordance with SB 901 and AB 1054. No later than 60 days following issuance of this decision the IOUs and SMJUs shall file and serve in this proceeding a budget and workplan for the community outreach required by this decision.

### **3.3.4. Languages Ordered in Phase 1 Decisions**

The requirements in Sections 3.3.1, 3.3.2 and 3.3.3 shall also apply to IOU and SMJU communications in English, Spanish, and the top three primary languages used in the state other than English or Spanish, as determined by the Commission based on the United States Census data, except for the definition of prevalence. The statute requires use of these language without regard to whether they are spoken by 1,000 or more persons in the relevant affected area(s).

The Commission determined in Phase 1 that the following languages are the three most common languages used in the state other than English or Spanish: Chinese (including Cantonese, Mandarin and other Chinese languages), Tagalog, and Vietnamese. We also required the IOUs and SMJUs to conduct outreach before, during and after a wildfire in Korean and Russian where prevalent in their service territories. The term "prevalent" adopted here shall also apply to the Phase 1 languages; that is, a language is "prevalent" if spoken by 1,000 or more persons in the IOU or SMJU territory, except for English, Spanish, and the top three primary languages as determined in Phase 1.

**4. Off Ramp Advice Letters to Be Addressed in this Proceeding**

In D.19-05-036, the "Guidance" decision issued in Phase 1, the Commission provided for the electrical corporations to file Tier 3 Advice Letter proposals for "Off-Ramps" to their Wildfire Mitigation Plans. The decision provides:

It is essential that there be a process for modifying, reducing, increasing, or ending mitigation measures that are not working, or otherwise require modification. Therefore, all electrical corporations named as respondents shall file via a Tier 3 Advice Letter "Reports on Possible Off Ramps" describing any concerns about the effectiveness of any program in the WMP. The first Advice Letter shall be filed no later than 6 months from the effective date of this decision and the second one no later than 12 months after the effective date of this decision.

The reports shall clearly describe the concern, contain a specific proposal for action, including if applicable a recommendation to modify, reduce, increase, or end the specific mitigation identified, and include any expert or other authoritative information available on the efficacy of the mitigation.

Several IOUs and SMJUs filed Tier 3 Advice Letters, but some of them go beyond the parameters set forth in D.19-05-036 and propose new programs that were never considered or evaluated during the 2019 WMP review process. While such programs may be meritorious, the clear language of the Off-Ramp provision was to allow IOUs and SMJUs to decrease wildfire mitigation measures to avoid waste of potential ratepayer funds on measures that were not effective and increase the scope of work where effectiveness was significant. The provision was not a place to vet entirely new programs, but rather provided a mechanism for IOUs and SMJUs to report on the effectiveness of WMP programs more frequently than the next WMP filing. The foundational element of the Off-

Ramp provision is the measure of mitigation program effectiveness supported by expert and authoritative information, which is fundamentally lacking in all Off-Ramp ALs.

Several parties protested the ALs on the ground they exceeded the scope of the Off-Ramp provision. We amend D.19-05-036 to address the Off-Ramp ALs in this formal proceeding rather than by resolution, since passing on the ALs requires interpretation of the language of D.19-05-036.

A summary of the Advice Letters appears below.

<b>Utility</b>	<b>AL</b>	<b>Protests?</b>
PG&E	5703-E	Public Advocates Office
SCE	4120-E	TURN and Public Advocates Office
SDG&E	3472-E	The Protect Our Communities Foundation
Bear Valley	374-E	No
Liberty	133-E	No
PacifiCorp	596-E	No

**4.1. PG&E 5703-E**

PG&E’s AL states that several risk factors impacting the execution of wildfire mitigation activities, generally identified in PG&E’s WMP (namely Table 9 at 39-46), have been experienced. As a result, PG&E says it previously identified and communicated specific modifications to mitigation timelines or targets to address specific external conditions. However, PG&E concludes none of these modifications to program timelines constitute a concern about the effectiveness of the mitigations, but rather a reflection of necessary execution timelines given external factors. PG&E concludes "PG&E has not identified concerns about the effectiveness of the programs identified in its approved 2019 WMP."

Public Advocates Office protested the AL, recommending the Commission reject the AL as inadequate because there is evidence of shortcomings in PG&E's wildfire mitigation activities. Further, Public Advocates argue PG&E should be directed to resubmit its Off-Ramp Report using the same template as SCE to identify programs needing modification. PG&E's reply to the protest argues that no PG&E program merited off ramping and therefore Public Advocates' recommendations go beyond the scope of what is required in the AL.

PG&E's Advice Letter does not list any programs as requiring "Off-Ramp" treatment. The Off-Ramp provision states the following:

It is essential that there be a process for modifying, reducing, increasing, or ending mitigation measures that are not working, or otherwise require modification. Therefore, all electrical corporations named as respondents shall file via a Tier 3 Advice Letter "Reports on Possible Off Ramps" describing any concerns about the effectiveness of any program in the WMP. The first Advice Letter shall be filed no later than 6 months from the effective date of this decision and the second one no later than 12 months after the effective date of this decision.

The reports shall clearly describe the concern, contain a specific proposal for action, including if applicable a recommendation to modify, reduce, increase, or end the specific mitigation identified, and include any expert or other authoritative information available on the efficacy of the mitigation.

The provision asks the IOU to describe concerns, not other parties. While the Commission may disagree with an IOU's or SMJU's determination in its Off-Ramp Advice Letter of whether a mitigation measure is effective, the Commission's process for determining effectiveness is separate from the Off-Ramp Advice Letter process. As noted earlier in this decision, Wildfire Safety Division will oversee the independent evaluation of WMPs, and metrics

for determining WMPs' effectiveness will be applied at that time. Therefore, the Advice Letter has no bearing on whether the Commission or other parties believe any of PG&E's wildfire mitigation is effective. Further, nothing in this decision acts on the timelines of PG&E's wildfire mitigation activity as noted in the Advice Letter.

Therefore, PG&E's Advice Letter is approved, subject to the limitations set forth above.

#### **4.2. SCE 4120-E**

The majority of SCE's AL relates to proposed minor modifications to its WMP reflecting lessons learned to-date for existing programs. TURN and Public Advocates Office protested the AL's proposal related to a "Battery Backup Incentive Program" for medical baseline CARE customers. The protests argue this portion of the AL must be rejected, as it exceeds the authority provided in D.19-05-036, and any such program must be more closely reviewed in an appropriate proceeding addressing this topic.

In reply to the protests, SCE argues the AL should be approved because the program is a modification to a program in its approved WMP, meets the requirements in the WMP Guidance Decision, and is consistent with requirements of R.18-10-007.

We agree with TURN and Public Advocates that the Off-Ramp Advice Letters were not intended as a means of proposing new resiliency programs, regardless of their merits. The clear language of the provision calls for Advice Letters on *existing* mitigation, not new programs. The provision states: "It is essential that there be a process for modifying, reducing, increasing, or ending *mitigation measures that are not working, or otherwise require modification*. Therefore, all electrical corporations named as respondents shall file via a Tier 3

Advice Letter "Reports on Possible Off Ramps" describing any concerns about the effectiveness of *any program in the WMP*." (D.19-05-036, at 29; emphasis added.) SCE's Advice Letter is denied as to the "Battery Backup Incentive Program" without prejudice to SCE's right to apply for the same program in an appropriate proceeding.

#### **4.3. SDG&E 3472-E**

SDG&E's AL states it does not have any specific concerns about the effectiveness of any programs in its WMP and therefore does not have any modifications to report.

The Protect Our Communities Foundation (POC) protested SDG&E's AL, arguing it contains material omissions. POC contends SDG&E's failure to identify or analyze issues with the implementation of its WMPs does not constitute a good faith attempt to comply with the Commission's directive and fails to bring SDG&E into compliance with Public Utilities Code Section 8386. In its reply to POC's protest, SDG&E asserts it has met all the 2019 WMP planned activities and has not identified any of the activities needing to be reduced, modified, or increased prior to filing of the 2020 WMP Plan.

For the same reason as we grant PG&E's Off-Ramp Advice Letter, we grant SDG&E's Advice Letter. Such grant means simply that SDG&E has complied with the requirement that it identify mitigation measures about which SDG&E has concerns. This decision has no bearing on whether the Commission or parties may have concerns about the effectiveness of SDG&E's wildfire mitigation efforts.

#### **4.4. Bear Valley 374-E**

Bear Valley's WMP included a system-hardening proposal to replace bare electric conductors with high performance covered conductors on its "Radford

Line.” Bear Valley has modified the timeline for implementation of the project due to higher than expected costs. Bear Valley's WMP stated the project may be deferred until the spring of 2020. Bear Valley now expects the project to commence in May 2020. Bear Valley also proposes measures to mitigate wildfire risks associated with the line until the project is complete, including de-energizing the line from April to October 31, vegetation clearance on the line, and implementing a policy to place the recloser in “manual” when weather conditions increase the risk of wildfires.

Bear Valley's Advice Letter is approved with conditions, as it concerns an existing Bear Valley mitigation measure and proposes a substitute approach to ensure adequate wildfire mitigation until Bear Valley's proposed system hardening is complete. However, Bear Valley may only de-energize the line if such de-energization complies with the Commission's existing de-energization rules, as set forth in Resolution ESRB-8 and R.18-12-005.

#### **4.5. Liberty 133-E**

Liberty will increase investment in its GIS, in addition to upgrades described in the WMP, to enable the system to track a more complete inventory of assets. When upgrading the GIS, Liberty will focus on adding/updating relevant fields so they can be used to track and evaluate WMP programs. Liberty's AL is approved as a change to an existing mitigation measure.

#### **4.6. PacifiCorp 596-E**

PacifiCorp states it has yet to identify any programs in its plan that would specifically qualify as “Off-Ramp” candidates. However, the company does identify one area of possible modification and calls attention to an area of the plan that is not on pace in its execution. As a part of the company’s structural resilience pole replacement program, PacifiCorp proposed replacement of its



existing wood poles with steel. Since filing the WMP, alternative technologies continue to be identified, including considering the use of composite materials (e.g. fiber reinforced polymer) as another means of strengthening poles in place of steel. PacifiCorp states it raised the possible substitution at the September 2019 workshop, but a review of its presentation<sup>13</sup> reveals only 2 stray references to "polymer" and "composite" without detail.

PacifiCorp also raises delays in its reconductoring work but states it will still be able to complete the work during the three-year WMP period. Therefore, PacifiCorp does not see an "Off-Ramp" issue with regard to its reconductoring activity.

PacifiCorp's Advice Letter does not provide enough detail for the Commission to determine the extent to which it will use composite poles, why it believes they are appropriate, the results of its analysis of composite poles, so we deny the Advice Letter without prejudice. PacifiCorp may resubmit the Advice Letter or include the issues raised in its 2020 WMP.

## **5. 2020 WMP Templates**

The ALJ's December 16, 2019 Ruling in this proceeding included as attachments the 2020 WMP Templates, consisting of a set of new templates, models, data requests, metrics and other materials WSD plans to use for the 2020 WMPs and beyond. Parties commented on the materials on January 7, 2020. Further, parties proposed their own metrics during the Phase 2 comments on November 6 and November 18, 2019, and on November 18, 2019 at the ALJ's request, Public Advocates Office filed a table that combined all parties' proposed

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<sup>13</sup> The power point presentation of PacifiCorp was attached to the ALJ's October 10, 2019 ruling requesting comments on the Phase 2 workshops.

metrics. Finally, Public Utilities Code Section 326.2 provides for metrics from the Wildfire Safety Advisory Board.

These materials will require consideration of party comments, changes the Wildfire Safety Division makes, and metrics proposed by the Wildfire Safety Advisory Board. Thus, both this proceeding and the Wildfire Safety Division acting pursuant to delegated authority from AB 1054 and Resolution WSD-001 will be the forum for further action on the 2020 WMP Templates. We anticipate at least one decision on the 2020 WMP Templates in this proceeding.

## **6. Comments on Proposed Decision**

The proposed decision in this matter was mailed to the parties in accordance with Section 311 of the Public Utilities Code and comments were allowed under Rule 14.3 of the CPUC's Rules of Practice and Procedure.

Comments were filed on February 25, 2020 by CEJA, PG&E, SCE, SDG&E, PacifiCorp and reply comments were filed on March 2, 2020 by CEJA, PG&E, SCE, SDG&E, Bear Valley, TURN, Public Advocates Office, POC and SBUA. We address the comments as noted below and reject other suggested changes.

*Definition of prevalent languages:* the large IOUs ask us to limit languages significantly by increasing the definition to a minimum of 10,000 (PG&E) or 5,000 (SDG&E) speakers. SCE asks that we not add any additional languages. PacifiCorp and Bear Valley support the 1,000-person definition. CEJA supports the decision as is, and cites sources supporting the definition.<sup>14</sup> We decline to

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<sup>14</sup> CEJA states that the Public Utilities Code requires that notice of the right of mobile homeowners to file a complaint be provided in the "languages of primary communication with the residents receiving the notice," citing Cal. Public Utilities Code § 2705.6. CEJA states that this provision requires translation into *every* individual language, which is far more than the requirement here for prevalent languages. CEJA notes that other parts of the California Code require that interpretation be available in "any language," again showing that the Commission is justified in the 1,000 value for prevalence, especially considering that wildfires and power-

increase the threshold but add additional clarifying and supporting text to the decision.<sup>15</sup> We clarify that if a notification occurs in an area smaller than service territory, outreach shall occur in languages spoken by the number of speakers in proportionate size to the "1,000 speakers by service territory" threshold.

*Public Safety Power Shut Off/De-Energization (PSPS).* Several parties ask us to extend the in-language requirements adopted here to PSPS. While we anticipate, if appropriate, extending the requirements adopted here both to PSPS and to the Commission's other emergency preparedness proceedings,<sup>16</sup> the question posed in Phase 2 of this proceeding related to outreach "before, during and after a wildfire." Pub. Util. Code § 8386(c)(18)(B) (emphasis added).

*Off-Ramp Advice Letters.* Public Advocates Office repeats its argument that off-ramps must cover all programs that third parties believe have problems. We decline to make its suggested changes.

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shutoffs represent a life-or-death situation. CEJA cites Cal. Government Code § 100503 (requiring that the Health Insurance Exchange "provides oral interpretation services in any language for individuals seeking coverage through the Exchange"). Finally, CEJA notes that the Government Code requires emergency operators who speak languages spoken by 5% or more of the population within a "public safety answering point," citing Cal. Government Code § 53112. According to CEJA, this translates into some 911 offices requiring translation services always be available for languages spoken by fewer than 1,000 people because public safety answering points in California are largely defined by counties, and some counties have populations fewer than 20,000 people. CEJA Reply Comments at 4.

<sup>15</sup> See also

[https://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/CCR.html](https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/CCR.html), Appendix H - Translations of "Note of Importance" (noting that translations of certain water quality reports are provided in Spanish, Mandarin, Tagalog, Vietnamese, and Hmong for use by water systems, but that regulations require the reports to specify where residents may obtain other languages where non-English speaking groups exceed 1,000 residents or 10 percent of the residents in a community).

<sup>16</sup> These proceedings are listed in the "Summary" section of this decision.

## **7. Assignment of Proceeding**

Marybel Batjer is the assigned Commissioner and Sarah R. Thomas and Peter V. Allen are the assigned ALJs for this proceeding.

### **Findings of Fact**

1. Circumstances have changed since the Commission issued the Phase 1 decisions.
2. Communication before, during and after a wildfire may be a life-or-death matter.
3. The diversity of California's population and the vast number of languages spoken is part of what makes the state strong, vibrant, tolerant, and forward-looking.
4. People cannot act on outreach they do not understand and outreach that is not in-language will not be effective in protecting all California residents.
5. PG&E's Advice Letter does not list any programs requiring "Off-Ramp" treatment.
6. SCE's Advice Letter proposes a new "Battery Backup Incentive Program" for medical baseline CARE customers.
7. SDG&E's Advice Letter neither states any specific concern nor proposes any modification to any WMP programs.
8. Liberty's Advice Letter proposes increasing GIS investment with a focus on adding/updating relevant fields so that they can be used to track and evaluate WMP programs.
9. PacifiCorp's Advice Letter seeks to substitute composite poles for wood, instead of steel poles, without detail on quantities, reasoning or other information.

### Conclusions of Law

1. AB 1054 added Public Utilities Code Section 8386.3 which establishes the Wildfire Safety Division within the Commission to process, review, and independently evaluate WMPs.

2. Under AB 1054 and Commission Resolution WSD-001, the Commission's Wildfire Safety Division will review 2020 Wildfire Mitigation Plans, present resolutions for Commission consideration on the 2020 Plans, and oversee independent evaluation and other compliance activity with regard to both 2019 and 2020 Plans.

3. AB 1054 added Public Utilities Code Section 326.2, providing that the Wildfire Safety Advisory Board established in Section 326.1 shall "develop and make recommendations to the Wildfire Safety Division related to wildfire safety and mitigation performance metrics."

4. D.19-05-036, the Phase 1 Guidance Decision, included an Off-Ramp provision to allow the IOUs and SMJUs to decrease wildfire mitigation measures that were not effective and increase the scope of effective work. The Off-Ramp provision calls for Advice Letters to address existing mitigation, not to propose new programs.

5. Some of the Off-Ramp Advice Letters filed seek relief that goes beyond the language of D.19-05-036.

6. The Off-Ramp Advice Letters should be granted or denied as follows:

Utility	AL	Grant or Deny
PG&E	5703-E	Grant with limitations
SCE	4120-E	Deny "Battery Backup Incentive Program" portion without prejudice
SDG&E	3472-E	Grant
Bear Valley	374-E	Grant with conditions

Liberty	133-E	Grant
PacifiCorp	596-E	Deny without prejudice

7. Bear Valley may only de-energize the line it identifies as the “Radford Line” if such de-energization complies with the Commission’s existing de-energization rules, as set forth in Resolution ESRB-8 and R.18-12-005.

8. The Commission’s process for determining effectiveness of a wildfire mitigation measure is separate from the Off-Ramp Advice Letter process.

9. Public safety requires that outreach reaches the intended audience.

10. Public safety requires that the IOUs and SMJUs survey the communities where they conduct outreach and use other metrics to determine that they are using effective methods.

11. The Commission issues expanded outreach requirements pursuant to its obligation to assure Californians’ access to safe and reliable utility infrastructure and services.

## **O R D E R**

**IT IS ORDERED** that:

1. No later than May 15, 2020, each Investor Owned Utility (IOU) and Small and Multi-Jurisdictional Utility (SMJU) shall demonstrate to the Commission’s satisfaction that it conducts community awareness and public outreach before, during, and after a wildfire in any language that is “prevalent” in its service territory or portions thereof. A language is “prevalent” if it is spoken by 1,000 or more people in the affected IOU’s or SMJU’s service territory. Such languages shall include languages spoken by indigenous communities, such as Mixteco and Zapoteco, spoken by indigenous people that occupy significant roles in California’s agricultural economy regardless of prevalence. An IOU or SMJU

may conduct outreach in languages that are less prevalent at its option, but prevalent languages are a minimum requirement for all IOUs and SMJUs.

2. Because English, Spanish, and the top three primary languages are required by statute regardless of the 1,000 person “prevalence” threshold adopted here, Investor Owned Utility and Small and Multi-Jurisdictional Utility shall conduct outreach in those languages regardless of prevalence.

3. All Investor Owned Utilities and Small and Multi-Jurisdictional Utilities shall, at a minimum, consider using radio, broadcast, cable and print earned and unearned media, shareable video or audio content, door-to-door contact, social media and websites, texting and other communications-based methods such as live phone calls, emergency alerts, e-mails, or prerecorded messages to communicate with their customers in-language.

4. To identify prevalent languages, the Investor Owned Utilities and Small and Multi-Jurisdictional Utilities shall use American Community Survey and their own data in accordance with the process in Appendix A.

5. For communications to an area smaller than the entire territory, Investor Owned Utilities (IOUs) and Small and Multi-Jurisdictional Utilities (SMJUs) shall conduct in-language outreach in the dominant languages in the targeted area. Dominant languages are defined by languages spoken by a number of people in proportionate size to the 1,000 speakers by service territory threshold. For example, if a target area is 1/10<sup>th</sup> the size of the service territory, in-language outreach should be conducted in languages spoken by 100 people or more.

6. The Investor Owned Utilities and Small and Multi-Jurisdictional Utilities may also use United States Census data as well as the data sources suggested by California Environmental Justice Alliance (“California Complete Count,” and

“Hard to Count” data) if American Community Survey data is not sufficient in determining languages spoken in the target area.

7. California Environmental Justice Alliance shall forward relevant information from the San Joaquin Valley proceeding, Rulemaking 15-03-010 to the Investor Owned Utility (IOU) and Small and Multi-Jurisdictional Utility (SMJU) no later than 30 days after issuance of this decision. The IOUs and SMJUs shall use lessons from that proceeding to inform their appropriate language outreach.

8. In addition to the approach required in Appendix A, the Investor Owned Utilities and Small and Multi-Jurisdictional Utilities shall include data based on prior experience and information from Community Based Organizations, community representatives, and leaders to identify prevalent languages.

9. To the extent that the Investor Owned Utilities’ and Small and Multi-Jurisdictional Utilities’ own customer data reveals language usage or preference, they shall also utilize customer information data to determine language prevalence.

10. Investor Owned Utilities and Small and Multi-Jurisdictional Utilities shall, to the maximum extent, use their existing Community Based Organization (CBO) networks, and partner with new CBOs where they do not have existing relationships with a specific language minority community.

11. Some principles that shall guide Community Based Organization relationships are as follows:

- Ensure partnerships, particularly with community partners, are resourced and include a clear Memorandum of Understanding to articulate roles, responsibilities, and activities. This should include outreach and translation needs.



- Consider strategies such as phone trees to help quickly disseminate information across trusted sources.
- Create a team of cross-sector partners, with a designated coordinator, to be able to work across purposes, share feedback, and steer the effort.
- Include methods and strategies for information sharing and dealing with confidentiality between partner organizations (both CBO and government).

12. The Investor Owned Utilities and Small and Multi-Jurisdictional Utilities shall take input from parties in this proceeding in a meet and confer format to ensure they are reaching the appropriate Community Based Organizations. They do not need to communicate their meet and confer process to the Commission unless there are problems or concerns. In the event of problems or concerns, the parties shall first contact and work with [Monica.Palmeira@cpuc.ca.gov](mailto:Monica.Palmeira@cpuc.ca.gov) or such other contact person the Commission shall later designate, and s/he will determine whether to involve the Administrative Law Judge and other parties to the proceeding.

13. The Investor Owned Utilities and Small and Multi-Jurisdictional Utilities shall reach out to the telecommunications, water, and transport utilities in their territory in order to partner with language access services and Community Based Organization relationships those utilities may have. With the assistance of the parties to this proceeding, they shall gather information on available governmental and non-governmental communications before, during, and after a wildfire and coordinate their efforts with those communications to the maximum extent possible.

14. Investor Owned Utilities and Small and Multi-Jurisdictional Utilities shall demonstrate that their communications and outreach are effective through surveys and metrics.

15. No later than May 30, 2020, the Investor Owned Utilities and Small and Multi-Jurisdictional Utilities shall prepare, file, and serve independent survey results that assesses the effectiveness of their community outreach in 2019 pursuant to Public Utilities Code Section 8386(c)(16)(B).

16. For the 2020 wildfire season, the Investor Owned Utilities and Small and Multi-Jurisdictional Utilities shall prepare, file, and serve independent survey results that assesses the effectiveness of their community outreach in 2020. The survey results must be filed no later than December 31, 2020.

17. The Investor Owned Utilities and Small and Multi-Jurisdictional Utilities may use existing surveys to comply with this decision only if the surveys meet all requirements of this decision.

18. At a minimum, the Investor Owned Utilities and Small and Multi-Jurisdictional Utilities shall do the following regarding community outreach for 2019 and 2020 wildfires:

- Ask communities and individuals to which the Investor Owned Utilities or Small and Multi-Jurisdictional Utilities has conducted outreach if the outreach was effective in helping them before, during, and after wildfire.
- Provide survey responses categorized by type of outreach so that there is data in the proceeding showing what outreach is most effective that the Commission and stakeholders may use to direct future outreach.
- File and serve any existing survey results that assess the effectiveness of outreach before, during, and after wildfire conducted since the passage of Senate Bill 901.

19. Prior to conducting the surveys required regarding community outreach for 2019 and 2020 wildfires, the Investor Owned Utilities and Small and Multi-Jurisdictional Utilities, alone or in combination, shall gather input from the parties to this proceeding on appropriate survey questions and methodology

through a meet and confer process to that is open to all parties. This meet and confer process shall conclude no later than 30 days before the surveys are conducted.

20. The Investor Owned Utilities and Small and Multi-Jurisdictional Utilities shall use metrics to determine the reach of their community outreach efforts. One set of metrics should be quantitative in nature and include data related to web site visits, click rates, conversions, in-person meetings, radio spots, number of partners, number of customers reached, customer acknowledging information, read receipts, video shares, and other quantitative measurement. Another set of metrics should document comprehension. Such metrics can be more qualitative in nature and include metrics collected from surveys and post-event interviews/sessions with stakeholders and partners. Metrics should capture satisfaction with outreach and engagement from the utility, understanding of information and whether communities or individuals feel equipped to act, and whether communities or individuals feel connected to resources they may call upon before, during, and after wildfire.

21. To the extent that the Investor Owned Utilities and Small and Multi-Jurisdictional Utilities require additional budgets for the activity this decision requires, they may track costs in their existing Wildfire Mitigation Plan memorandum accounts, which will be subject to Commission review applicable to such memorandum accounts in accordance with Senate Bill 901 and Assembly Bill 1054.

22. No later than 60 days following issuance of this decision, the Investor Owned Utilities and Small Multi-Jurisdictional Utilities shall file and serve in this proceeding a budget and workplan for the community outreach required by this decision.

23. The Tier 3 Off-Ramp Advice Letters filed by Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE), San Diego Gas & Electric Company (SDG&E), Bear Valley Electric Service (Bear Valley), Liberty Utilities (Liberty), and PacifiCorp,) in accordance with Decision 19-05-036 are granted or denied as set forth in the following table.

<b>Utility</b>	<b>AL</b>	<b>Grant or Deny?</b>
PG&E	5703-E	Grant with limitations. This decision takes no action on PG&E's timelines.
SCE	4120-E	Deny "Battery Backup Incentive Program" portion without prejudice
SDG&E	3472-E	Grant
Bear Valley	374-E	Grant with conditions. Bear Valley must comply with the Commission's existing de-energization rules as set forth in Resolution ESRB-8 and Rulemaking 18-12-005.
Liberty	133-E	Grant
PacifiCorp	596-E	Deny without prejudice

The foregoing Advice Letters and protests to them are incorporated into the record of this decision and the ex parte rules related to ratesetting proceedings apply to them.

24. This decision makes no determination on the effectiveness of wildfire mitigation measures addressed or proposed in the Advice Letters filed by Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company, Bear Valley Electric Service, Liberty Utilities, and PacifiCorp.

25. Nothing in this decision is intended to change any state or local emergency requirements, rules, protocols or agreements on the content of utility communications during a wildfire.

26. This proceeding remains open.

This order is effective today.

Dated March 12, 2020, at Sacramento, California.

MARYBEL BATJER

President

LIANE M. RANDOLPH

MARTHA GUZMAN ACEVES

CLIFFORD RECHTSCHAFFEN

GENEVIEVE SHIROMA

Commissioners

## Appendix A

The following mechanism will give IOUs and SMJUs appropriate language information for service-territory-wide communication. English, Spanish, and the top three primary languages as determined in Phase 1 are required regardless of prevalence.

### **Step 1: Download American Community Survey (ACS) data**

- Use ACS data table<sup>1</sup> titled "Language spoken at home for the population 5 years and over."
  - In the "Advanced Search" function of the U.S. Census Bureau data portal, search for the table, and select the following qualifiers:
    - For "Geography," select "Tract"
    - Within "State," select "California"
    - For "California," select "All Census Tracts within California"
    - Select "Search"
  - On the results page, under "Product," select the most recent ACS 5-year Detailed Tables
  - Download table

### **Step 2: Determine prevalent languages**

- Use IOU's or SMJU's own service territory layer,
- Identify the census tracts in the service territory,
- Sum the "[non-English language], speaks English less than very well" columns in the annotated ACS<sup>2</sup> data for census tracts within the service territory, and

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<sup>1</sup> Use ACS data from U.S. Census Bureau data portal at data.census.gov. As of the date of this decision, the "Language spoken at home for the population 5 years and over" is table c16001.

<sup>2</sup> The "Language spoken at home for the population 5 years and over" ACS data is broken down into data on people who speak a non-English language and speak English very well; and speak a non-English language and speak English less than very well.

- Identify the languages in the IOU's or SMJU's service territory with 1,000 people or more that speak English less than very well.

**Step 3: Conduct in-language outreach as follows:**

- Use languages spoken by 1,000 or more people within the IOU's or SMJU's service territory as identified above, and
- Also include languages based on prior experience and information from CBOs.

For targeted communications, IOUs and SMJUs shall conduct in-language outreach in the dominant languages in the targeted area. Dominant languages are defined by languages spoken by a number of people in proportionate size to the 1,000 speakers by service territory threshold. For example, if a target area is 1/10th the size of the service territory, in-language outreach should be conducted in languages spoken by 100 people or more.

Parties shall direct any questions regarding this mechanism to [Monica.Palmeira@cpuc.ca.gov](mailto:Monica.Palmeira@cpuc.ca.gov) or such other person as the Commission or its staff may designate.