

Association of Rural Town Councils
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13 April 2021

SENT VIA EMAIL

Caroline Thomas Jacobs, Director
Wildfire Safety Division
California Public Utilities Commission
San Francisco, CA 94102
Wildfiresafetydivision@cpuc.ca.gov

Dear Director Thomas Jacobs,

Subject: Reply Comments of the Association of Rural Town Councils on the Large
Investor-Owned Utility's 2021 Wildfire Mitigation Plan Update

The Association of Rural Town Councils (ARTC) is comprised of fourteen member councils in unincorporated Northern Los Angeles County, originally formed to serve as a forum for rural residents and their councils to participate in state, regional, county, and local issues, as well as an exchange for information regarding their governance. Each of our "unique" communities enjoys a rural lifestyle, and seeks to preserve the enjoyment of country living, open space, which includes owning livestock, animal and crop husbandry, wildlife, and essentially, small town living. The ARTC respectfully offers these reply comments to the California Public Utilities Commission (Commission) on the 2021 Wildfire Mitigation Plan Updates (WMP Updates) filed by the large Investor-Owned Utilities (IOUs); the comments presented herein focus primarily on initial comments submitted by the Acton Town Council (ATC).

Several of our member communities have been particularly hard-hit by "Public Safety Power Shutoff" (PSPS) events initiated by Southern California Edison (SCE), thus the ARTC is keenly interested in the development and implementation of the PSPS protocols that have been proposed by the IOUs in general, and SCE in particular; we are also alarmed by the PSPS protocol deficiencies that were identified in the ATC's comments filed March 19, 2021. It appears that these deficiencies are in part due to the disconnect that seems to have developed between the PSPS requirements and restrictions established by the Commission's Safety and Enforcement Division (SED) in proceeding R.18-12-005 and the WMP requirements established by the Commission's Wildfire Safety Division ("WSD") in proceeding R.18-10-007. In any event, and based on the evidence and information provided in the ATC's Opening Comments, it seems that the large IOU's PSPS protocols submitted to the WSD do not comport with the PSPS guidelines that were adopted by the SED. Accordingly, the ARTC concurs with the ATC's recommendation that the Commission refrain from approving any of the large IOUs' 2021 WMP Updates until the PSPS protocols set forth in these documents are brought into compliance with the Commission's adopted PSPS Guidelines, including Resolution ESRB-8 and Decision D.19-05-042.

The ARTC has also recently learned that the Commission has not conducted any "Reasonableness Reviews" of any of PSPS events initiated by any IOU since September, 2019¹. This news is devastating;

the "Reasonableness Reviews" mandated by D.19-05-042 provide the sole means by which the Commission enforces the PSPS restrictions and conditions adopted by ESRB-8 and D.19-05-042. This information, combined with the evidence provided in the ATC's opening comments, leads the ARTC to the following conclusions:

- The Commission has separated the WMP approval process (conducted by the WSD) from the PSPS Guidelines approval process (conducted by the SED) and as a result, the IOUs' WMPs have never been evaluated for consistency with adopted PSPS guidelines or ESRB-8 or D.19-18-005. Correspondingly, the WSD has approved WMPs that violate PSPS Guidelines and which have nonetheless been implemented by IOUs with impunity and to devastating effect on the rural communities of North Los Angeles County.
- The Commission has never conducted any "Reasonableness Reviews" of any PSPS events since at least September 2019, therefore, the IOUs have never been held accountable for any violations of ESRB-8 and D.19-05-042. In fact, it appears that all the extensive public comments which have been submitted by the ATC over the last six months in response to SCE's Post Event Reports have not been considered or factored into any formal Commission review process because they are not referred to or even mentioned in any report issued by the Commission. Meanwhile, the public remains largely in the dark about the extent to which IOU PSPS events violate adopted PSPS Guidelines, ESRB-8 and D.19-05-042.
- The Commission again stands on the brink of approving the IOU's WMPs and PSPS Protocols for the 2021 wildfire season. This time however, the WSD is now fully aware of the extent to which the IOU's PSPS Protocols do not comport with the SED's PSPS Guidelines or the restrictions imposed by ESRB-8 or D.19-05-042.

It is based on these conclusions that the ARTC urges the Commission to not approve the large IOUs' 2021 WMP Updates as written and instead direct the IOUs to amend the PSPS Protocols contained in the 2021 WMP Updates to ensure compliance with adopted SED Guidelines, ESRB-8, and D.19-05-042. We also respectfully request that: 1) the Commission's SED immediately initiate "Reasonableness Reviews" of all of the large IOU's PSPS events conducted since September 1, 2019; and 2) the Commission's WSD factor the SED's "Reasonableness Review" results into the 2021 WMP Update review and approval process.

Sincerely,



Director

¹ According to Public Record Act responses received by the ATC from the Commission on March 22 and April 2, 2021, the Commission has no record of any "Reasonableness Review" reports or documents regarding any PSPS events conducted between September 1, 2021 and February 4, 2021. See PRA #21-133 and PRA #21-176.