



April 6, 2021

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California Public Utilities Commission, Wildfire Safety Division
505 Van Ness Avenue
San Francisco, CA 94102

Transmittal Via E-mail: wildfiresafetydivision@cpuc.ca.gov & Service List of R.18-10-007

RE: Reply Comments of the Rural County Representatives of California on the Large IOU 2021 Wildfire Mitigation Plan Updates

Dear Director Thomas Jacobs:

On behalf of the Rural County Representatives of California (RCRC), we are pleased to reply to public comments on the large investor-owned utility (IOU) 2021 updates of their respective Wildfire Mitigation Plans (WMPs or Plans). RCRC is an association of thirty-seven rural California counties, and our Board of Directors is comprised of elected supervisors from each member county. RCRC has been a party to the *Order Instituting Rulemaking to Implement Electricity Utility Wildfire Mitigation Plans Pursuant to Senate Bill 901 (2018)* since March 21, 2019.

As you may know, local governments and residents — both taxpayers and ratepayers — have experienced great financial hardships in attempting to recover from catastrophic wildfire events, implementing home hardening measures, maintaining defensible space, and suffering economic (as well as health-related) fallout from proactive de-energization events, also known as Public Safety Power Shutoffs (PSPS). While we appreciate the role that surgical, well-implemented PSPS events can play in reducing the risk of utility-caused wildfire, we believe that the need for conducting PSPS events should rapidly diminish over the next few years as utilities make significant improvements in the resiliency of their electrical systems. RCRC believes the fundamental public policy goal surrounding utilities and wildfire should be the ultimate safeguarding of California's residents from future harm resulting from a utility-caused wildfire event.

Given the recent results of the Wildfire Safety Division's (WSD's) Audit of PG&E's Implementation of their Enhanced Vegetation Management Program in 2020, dated February 8, 2021, much of the reported data of IOUs should be subject to intense scrutiny,

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especially from members of the public that do not, and cannot, necessarily verify aspects or outcomes of wildfire mitigation planning like the completion of various system hardening or vegetation management activities across a service territory. In reality, there is a perverse incentive for utilities to attain a seal of approval from the WSD on planning efforts and progress; however, ratepayers cannot afford, nor can communities continue to endure, WMP failures. We look forward to the continued work of the WSD, as well as its successor agency at the CPUC, to conduct physical inspections and reconcile utility-submitted data.

We would also urge the WSD to participate in future utility cost recovery efforts at the CPUC given the proclivity of PG&E to continue to install equipment known to pose a fire hazard in High Fire Threat Districts (HFTDs).¹ We further agree with the cost concerns raised by the Public Advocates Office (CalAdvocates) of the projected costs across utilities to install covered conductor, which vary widely.² Ratepayers should not be seen, nor be treated as, a blank check for these costly infrastructure upgrades when they are also on the hook for utility liabilities when their equipment causes harm. “The Commission and WSD must ensure that PG&E is maximizing its risk reduction for the money PG&E allocates.”³ Moreover, RCRC shares CalAdvocates’ concern “that SCE’s cost forecasts are significantly higher than the projections that SCE provided in its 2020 WMP.”⁴ “Currently, each utility determines the risk reductions and costs associated with mitigation programs. The result is that [Risk Spend Efficiencies or] RSEs are difficult to compare across utilities for similar programs.”⁵ A standard methodology should be developed by the CPUC and used more uniformly across all utilities.

RCRC agrees with Mussey Grade Road Alliance (MGRA) that “IOU estimation of risk remains opaque and difficult to compare between IOUs” despite all the large IOUs adopting the Technosylva fire spread model to calculate risk.⁶ Given how the risk calculations have oscillated, RCRC is concerned that all the large utilities are cherry-picking technology models that best suit them in a given timeframe. MGRA summarizes it best, saying, “Machine learning models, however, are not a panacea and exhibit the same limitations that all software models face: they need to be provided proper inputs to

¹ According to *Comments of the Public Advocates Office on the 2021 Wildfire Mitigation Plan Update of Pacific Gas and Electric Company*, “PG&E continues to install expulsion fuses, which are considered to be fire hazards, in HFTD areas.... Therefore, the WSD and the Commission should clarify that the costs of installing non-exempt fuses, or replacing recently installed non-exempt fuses, in HFTD areas are not recoverable from ratepayers” (page 35-36). Moreover, “PG&E is also spending over \$300 million per year replacing wood distribution poles with new wood poles. Wood distribution poles are a fire risk” (page 39).

² *Comments of the Public Advocates Office on the 2021 Wildfire Mitigation Plan Update of Pacific Gas and Electric Company*, page 42.

³ *Ibid*, page 50.

⁴ *Comments of the Public Advocates Office on the 2021 Wildfire Mitigation Plan Updates of the Large Investor-Owned Utilities*, page 13.

⁵ *Ibid*, page 38.

⁶ *Mussey Grade Road Alliance Comments on 2021 Wildfire Mitigation Plans of PG&E, SCE, and SDG&E*, page 12.

give correct outputs (“garbage in / garbage out” in the software engineering vernacular).⁷ The CPUC must comprehensively examine technology models and inputs being utilized to model risk, and should do so in consultation with competent, neutral third parties in the scientific community in an open public forum.

“In addition to concerns about PG&E's extremely conservative approach to system hardening, the Joint Local Governments note that, of the 342 miles of facilities PG&E hardened in 2020, 194 of those miles were hardened during wildfire rebuild efforts. Though it is certainly important to replace burned electrical infrastructure with state-of-the-art equipment, it is not clear that post-fire restoration work properly counts toward the incremental system hardening PG&E is supposed to be doing every year.”⁸ This inclusion is inappropriate to count toward proactive wildfire mitigation efforts and would be akin to counting Rule 20A program activities as a wildfire risk reduction effort—which the large IOUs (appropriately) do not do.

“In light of the potential risks posed by a single eroded C-hook, SCE should carry out inspections of its entire service territory to identify all C-hooks, starting with HFTD zones and proceeding to lower-risk areas. This inventory can be integrated into SCE's other transmission inspection programs. Performing an inventory alongside the replacement program will contribute to efficiency and ensure that no C-hooks are missed. The catastrophic risk posed by old C-hooks is best addressed now by ensuring every aged C-Hook is identified and replaced.”⁹ RCRC supports an efficient process to replace deteriorating C-hooks, beginning in High Fire Threat Districts.

Vegetation Management

One of the major tenets of Senate Bill 901 (2018) was broad-based forest health funding and enhanced requirements for IOU fire hardening protocols and wildfire risk assessment around utility lines. The intensity of catastrophic wildfires is driven by overly dense, unhealthy forests and fuel loads. No amount of system-hardening and infrastructure improvements will completely negate the need for on-going vegetation management. The success or failure of vegetation management efforts also heavily contributes to the conditions that necessitate a PSPS event.

RCRC is concerned by many of the vegetation management experiences described by the Joint Local Governments, as well as the California Farm Bureau Federation (Farm Bureau). “While PG&E's contractors will generally remove slash, including felled trees, at the property owner's request under the Enhanced Vegetation Management program, PG&E has multiple vegetation management programs and it is not clear that PG&E's removal policies are consistent across all of them.”¹⁰ “In Farm

⁷ Ibid, page 11.

⁸ *Comments of the Joint Local Governments on PG&E's 2021 Wildfire Mitigation Plan Update*, pages 3-4.

⁹ *Comments of the Public Advocates Office on the 2021 Wildfire Mitigation Plan Updates of the Large Investor-Owned Utilities*, page 12.

¹⁰ *Comments of the Joint Local Governments on PG&E's 2021 Wildfire Mitigation Plan Update*, page 7.

Bureau's view, PG&E could make changes in how it addresses clearance requirements in easements across orchards that would require less manpower and expenses that could be directed more beneficially toward fire-prone areas. We encourage the WSD to continue to scrutinize both how PG&E reports on their vegetation management activities throughout the service territory and how they apportion their resources between high fire threat areas and the remainder of the service territory."¹¹

RCRC is also concerned with PG&E's usage of fire retardants in its Rights of Way, "which could have devastating and long-lasting impacts on the environment and groundwater, instead of taking a more aggressive approach to ensuring its infrastructure is hardened."¹² The use of fire retardants will likely become a time-consuming distraction from more effective fuels management techniques and will have detrimental impacts on watersheds. It could be a lose-lose situation across the board. "Further, PG&E does not specify how and where it intends to use the fire retardants and which fire retardants may be employed or excluded because of toxicological and environmental concerns. As a result, the WMP leaves stakeholders in the dark regarding the true need, scope, and potential impacts of fire-retardant use as a prophylactic measure."¹³ As a result, RCRC agrees with the County of Santa Clara's recommendation that the CPUC "ensure that PG&E's proposed use of fire retardants, potentially across its entire service territory, is subject to detailed disclosures, environmental review, and public comment, both as necessary to inform specific discretionary approvals and on a programmatic basis to inform the entire affected public."¹⁴ "PG&E's service territory contains significant amounts of private agricultural property, private coastal property in high fire threat areas, and customers who depend on groundwater for drinking and household use. PG&E's obligation to understand the impacts of prophylactic fire-retardant use goes beyond a land rights assessment for private property."¹⁵

"The fact that PG&E's vegetation management, asset inspections, and risk modeling have until now failed to prioritize the High Fire Threat Districts in PG&E's service territory is deeply troubling;"¹⁶ RCRC is similarly disturbed. CalAdvocates also points out that, "under its current plan, PG&E will spend approximately 11 of the 14 years of the EVM cycle assessing relatively low-risk miles" and "PG&E fails to address why it is appropriate to assess only one 14th of its system each year for trees with a risk of striking the lines."¹⁷

¹¹ *Comments of the California Farm Bureau Federation on the Wildfire Mitigation Plan of Pacific Gas and Electric Company*, page 7.

¹² *Comments of the Joint Local Governments on PG&E's 2021 Wildfire Mitigation Plan Update*, page 2.

¹³ *Comments of the County of Santa Clara on Pacific Gas and Electric Company's 2021 Wildfire Mitigation Plan*, page 7.

¹⁴ *Ibid.*

¹⁵ *Comments of the Joint Local Governments on PG&E's 2021 Wildfire Mitigation Plan Update*, page 9.

¹⁶ *Ibid.*, page 1.

¹⁷ *Comments of the Public Advocates Office on the 2021 Wildfire Mitigation Plan Update of Pacific Gas and Electric Company*, page 13.

RCRC also supports CalAdvocates' call to convene a working group to "address best practices for asset and enhanced vegetation management inspections, and how the utilities assure the quality of asset inspections and enhanced vegetation management work that has been completed."¹⁸ Further, as noted by the Green Power Institute (GPI), "Vegetation Management (VM) and Enhanced Vegetation Management (EVM) activities are producing large amounts of biomass residues that, if left in place, increase the dead and dry fuel load along rights of way. It is important to note that utility generated fuel load could influence wildfire consequence regardless of whether the wildfire was ignited by utility assets or other ignition sources."¹⁹

On the subject of vegetation management alone, the WSD should withhold approval of PG&E's 2021 WMP until serious deficiencies are remedied *with* oversight and, therefore, a degree of confidence for accountability. PG&E's Enhanced Vegetation Management program is not currently designed to accomplish the goals or mission envisioned through its creation. Further, as CalAdvocates points out, "It is concerning that PG&E is using models to prioritize critical wildfire mitigation work that it does not discuss in its WMP. PG&E's failure to explain this model in its WMP obscures the processes PG&E uses to prioritize EVM; PG&E has not demonstrated that this [EVM tree-weighted prioritization list] is the best tool for planning EVM work."²⁰ Moreover, we concur with The Utility Reform Network that (as a matter of process) WMPs should be either approved or rejected; the "conditional approval" outcome is not contemplated in statute.²¹

PSPS

The end goal of the CPUC should be to create a system where PSPS events are simply not necessary. This will be made possible by long-term, effective wildfire mitigation planning and execution. We disagree with the snowballing premise that PSPS should become a permanent mitigation tool and we are disheartened that none of the large IOUs can envision its obsolescence. RCRC supports the Mussey Grade Road Alliance's recommendation that the directional vision of IOUs must contemplate eliminating public impacts from de-energization as a long-term goal.²² Moreover, the "WSD should investigate the use of de-energization for mitigation against catastrophic fire growth potential alone (without respect to ignition potential) and ensure that utilities are not simply deploying de-energization as a liability-reducing measure. WSD should obtain additional information from the IOUs regarding the degree to which wind-driven ignition potential is weighted in their shutoff criteria as opposed to fire spread potential, and ensure that any criteria based on fire spread potential alone represents a plausible risk."²³

¹⁸ Ibid, page 32.

¹⁹ *Comments of the Green Power Institute on the 2021 Wildfire Mitigation Plan Updates*, page 19-20.

²⁰ *Comments of the Public Advocates Office on the 2021 Wildfire Mitigation Plan Update of the Large Investor-Owned Utilities*, page 33.

²¹ *Comments of The Utility Reform Network on 2021 Wildfire Mitigation Plan Updates*, pages 4-7.

²² *Mussey Grade Road Alliance Comments on 2021 Wildfire Mitigation Plans of PG&E, SCE, and SDG&E*, page 71.

²³ Ibid, page 72-73.

GPI points out that PSPS mitigation efforts will plateau with IOUs focused on reactive efforts such as improving granular weather forecasting and monitoring because it “does not inherently bolster the grid to reduce wildfire risk by improving its ability to inherently reduce risk events or ignition probabilities during high winds, high FPI, or RFW events.”²⁴ Additionally, “higher granularity weather forecasting is only effective insofar as sectionalizing grid hardening is implemented in parallel and in optimal locations.”²⁵

While PG&E’s historical lookback is valuable to identify communities hardest hit by PSPS events, there are many aspects missing in the historical lookback that should be taken into consideration. Concentrations of medical baseline customers, and other vulnerable customers or populations, should be regularly analyzed in this lookback. Further, more information is needed on how far in advance customers were actually notified of a potential and/or actual PSPS event. Acton Town Council correctly notes that the WMPs do not embody or substantively address D.19-05-042 requirements and other mandates established through the separate De-Energization Proceeding.²⁶ Given how interrelated and impactful wildfire mitigation measures affect de-energization decision-making, it is imperative that the CPUC clarify WMP PSPS requirements must incorporate Commission Decisions and Resolutions pertaining to R.18-12-005.

RCRC is alarmed by the impacts PG&E’s federal probation could have on PSPS—specifically that the court could potentially order them to more than double—“but it is also deeply concerning that PG&E does not appear to have updated its 2021 WMP to reflect that information.”²⁷ PG&E has also downgraded their service restoration goal from within 12 daylight hours of a weather all clear to within 24 hours of the termination of the de-energization event. SCE has a service restoration goal of 24 hours, though in 2019 and 2020 the average restoration time was 6 hours. RCRC can conclude these large IOUs are primarily concerned with setting an achievable talking point, rather than aggressively pursuing the best interests of customers residing in the fifth largest economy in the world to have safe, continuous and reliable electricity through ambitious standards.

Lastly, RCRC supports GPI’s recommendation “that all IOUs explain if and how they are using post PSPS inspection data to inform risk incurred during PSPS events with the end goal of evaluating PSPS thresholds and/or exploring alternative solutions.”²⁸

²⁴ *Comments of the Green Power Institute on the 2021 Wildfire Mitigation Plan Updates*, page 28.

²⁵ *Ibid*, page 28.

²⁶ *Acton Town Council Comments on the 2021 Wildfire Mitigation Plan Updates Filed by The Large Investor Owned Utilities* (March 18, 2021), page 3.

²⁷ *Comments of the Joint Local Governments on PG&E’s 2021 Wildfire Mitigation Plan Update*, pages 11-12. Further, “PG&E has projected a “significant potential” expansion of PSPS events as a result of proposed Conditions of Probation in the proceeding *United State of America v. Pacific Gas and Electric Co.*, Case No. 14-cr-00175-WHA (N.D. Cal.), which would require PG&E to incorporate information regarding hazard trees into its de-energization models. The 2021 WMP does not appear to account for this potential significant modification in PG&E’s PSPS planning,” *Comments of the County of Santa Clara on Pacific Gas and Electric Company’s 2021 Wildfire Mitigation Plan*, page 6.

²⁸ *Comments of the Green Power Institute on the 2021 Wildfire Mitigation Plan Updates*, page 31.

PSPS events must be conducted reasonably as a last resort. The CPUC, unfortunately, continues to defer real accountability of IOUs by balking at post-season PSPS reasonableness reviews, or determining a set of “reasonable” criteria. Much of the collective experience of stakeholders can point to instances where utility actions and practice does not abide by what they put on paper.²⁹

Conclusion

Given the intense complexity of WMPs and their associated updates, especially the limited time periods for stakeholders to provide thoughtful review, the onus is on the WSD to hold utilities accountable for these public safety measures that, regardless of their effectiveness, have great implications for ratepayers. Communities rely on competent, strategically efficacious safety protocols to remain whole from the present dangers of electrical infrastructure and unreliable electricity. And, as mentioned by CalAdvocates, many of PG&E’s deficiencies have been brought to light by a Federal Monitor, which will no longer have oversight in 2022.³⁰

We concur with the sentiment expressed by MGRA that the WSD, and its successor agency at the CPUC, develop formal public participation mechanisms and provide stakeholders with the maximum allowable review period given both the volume and complexity of WMPs and their associated updates.³¹ RCRC has long-standing reservations about executing an effective transition plan per Assembly Bill 1054 (2019), specifically how the WSD will interact with the CPUC proceeding in the future, if at all. Stakeholders and the public at large need a straightforward, visible public process to successfully safeguard communities from utility-caused harm.

Further, RCRC agrees with many of CalAdvocates recommendations on the future schedule of this proceeding, such as staggering WMP submissions for more effective review.³² Future WMP guidelines should also have more specific, pertinent templates for updates versus comprehensive three-year plans; using the same template for comprehensive plans in an annual update makes it onerous for stakeholders and the public to identify and analyze annual progress.³³ Many commenters have pointed out how the sheer volume of information and its associated complexity has negatively

²⁹ For example, Acton Town Council states, “...SCE has stated in workshops and Commission meetings that it does not cut power based on forecast data and only cuts power based on actual windspeed data. This is reiterated in SCE’s 2021 WMP Update...,” “However, these statements are not true; in fact, SCE has informed the Acton Town Council that PSPS events in Acton occur “when winds are *forecast* to exceed these [PSPS] thresholds” (emphasis added) which is not consistent with ESRB-8.” *Acton Town Council Comments on the 2021 Wildfire Mitigation Plan Updates Filed by The Large Investor Owned Utilities* (March 18, 2021), page 7.

³⁰ *Comments of the Public Advocates Office on the 2021 Wildfire Mitigation Plan Update of Pacific Gas and Electric Company*, page 11.

³¹ MGRA, page 3 and 4.

³² *Comments of the Public Advocates Office on the 2021 Wildfire Mitigation Plan Update of the Large Investor-Owned Utilities*, page 45.

³³ *Ibid*, page 47.

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impacted thoughtful, thorough public review. The WSD should heed the collective pleas of the public and refine the WMP process in the future.

Lastly, we continue to notice the conspicuous absence of the California Department of Forestry and Fire Protection (CAL FIRE) during the public review process of WMPs. While we understand that, pursuant to Public Utilities Code 8386.3 (a), the WSD must *consult* with CAL FIRE on the review of each WMP and update, we encourage a more formalized, publicly available review published by CAL FIRE on their findings so stakeholders and the public can review or better understand the substance of their findings prior to the WSD's decision to approve (or reject) a WMP update.

Thank you for your consideration of our comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Staci Heaton", with a large, sweeping flourish at the end.

STACI HEATON
Acting Vice President of Governmental Affairs

cc: CALFIREUtilityFireMitigationUnit@fire.ca.gov