

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



January 29, 2021

SUBJECT: Wildfire Safety Division Guidance on Resolution WSD-001 and Data Request Best Practices

On January 16, 2020, the Commission approved Resolution WSD-001 establishing procedures for the Wildfire Safety Division's (WSD) review of 2020 Wildfire Mitigation Plans. In Resolution WSD-011, approved on November 19, 2020, the Commission extended the provisions of Resolution WSD-001 to the WSD's review of 2021 WMPs.

Resolution WSD-001, among other procedures, sets forth a process for submission and response to data requests.¹ This document provides guidance on the WSD-001 data request process, as well as data request best practices that should be followed.

WSD-001 Data Request Guidance:

Resolution WSD-001 Data Request Provision # 4 states:

Electrical corporations must respond to all data and discovery requests within 3 business days of the request. Both requests and responses shall be sent by e-mail. Exceptions to the 3-business-day requirement will require a letter to the Division Director and a strong showing of the specific reason for the delay.

The WSD provides the following additional guidance on Data Request Provision # 4:

1. The 3-business-day response requirement is only in effect during the WMP review period. The WMP review period begins on date of submission of an electrical corporation's WMP and runs throughout the entire WMP evaluation period until final disposition on an electrical corporation's WMP.
2. Data requests occurring outside of the WMP review period shall be subject to a 10-business day response period, unless a longer response period is mutually agreed upon by the entity making the data request and the electrical corporation. Absent an agreement between the requestor and the electrical corporation, exceptions to the 10-business day requirement will require a letter to the Division Director and a strong showing of the specific reason for the delay.

¹ Resolution WSD-001 at p4.

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WMP Data Request Best Practices :

The WSD provides the following additional guidance on data request best practices:

1. Stakeholders and electrical corporations shall endeavor to resolve all data request confidentiality disputes amongst themselves. Discovery disputes that cannot be resolved shall be remedied according to the confidentiality provisions in General Order 96-B or subsequent processes adopted by the WSD upon its transition to the Office of Energy Infrastructure Safety.
2. Stakeholders submitting data requests shall consider the volume and nature of the data being requested when negotiating response deadlines outside of those set forth above.
3. Stakeholders must endeavor to avoid extensive and comprehensive data requests in the 6 weeks before the electrical corporation must submit its WMP if the data could reasonably be requested outside of that timeframe. In addition, the WSD reiterates Resolution WSD-001 Data Request Provision # 5, which states that “parties conducting discovery must first analyze the significant data that will be submitted”² with the WMPs.

Sincerely,



Caroline Thomas Jacobs
Director, Wildfire Safety Division
California Public Utilities Commission

² *Ibid.* Because the WMP evaluation occurs outside of a formal Commission proceeding; in this case “parties” shall be construed to mean “stakeholders.”