



FILED
10-14-16
04:59 PM

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

Order Instituting Rulemaking to Develop and
Adopt Fire-Threat Maps and Fire-Safety
Regulations

R.15-05-006
(Filed May 7, 2015)

**OPENING COMMENTS OF PACIFIC GAS AND ELECTRIC COMPANY
ON THE JOINT PARTIES' WORKSHOP REPORT FOR WORKSHOPS
HELD AUGUST – SEPTEMBER 2016**

CHARLES R. LEWIS, IV

Pacific Gas and Electric Company
77 Beale Street, B30A
San Francisco, CA 94105
Telephone: (415) 973-6610
Facsimile: (415) 973-0516
E-mail: CRL2@pge.com

Attorneys for
PACIFIC GAS AND ELECTRIC COMPANY

Dated: October 14, 2016

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

Order Instituting Rulemaking to Develop and
Adopt Fire-Threat Maps and Fire-Safety
Regulations

R.15-05-006
(Filed May 7, 2015)

**OPENING COMMENTS OF PACIFIC GAS AND ELECTRIC COMPANY
(U 39-E) REGARDING THE JOINT PARTIES' WORKSHOP REPORT
FOR WORKSHOPS HELD AUGUST – SEPTEMBER 2016**

I. INTRODUCTION

Pursuant to the Rules of Practice and Procedure of the California Public Utilities Commission ("Commission") and the *Administrative Law Judge Ruling Extending The Schedule For The Workshop Report And Associated Filings*, filed on September 23, 2016, Pacific Gas and Electric Company (PG&E) files these opening comments on the Fire Map 2 Workshop Report. PG&E fully participated in the workshops and, in the spirited collaboration among all participants and in order to reach a consensus on the structure of the Fire Map 2 Workshop Report. Nevertheless, PG&E believes the Commission should consider modifying certain elements of the Fire Map 2 Work Plan ("Work Plan") to create a more streamlined and inclusive process which will expedite the development and adoption of Fire Map 2.

PG&E would like to acknowledge the valuable help and leadership provided by the facilitators in the Fire Map 2 workshops, Southern California Edison Company (SCE) and the Safety and Enforcement Division (SED). They provided a deliberative approach to the workshops that required not only respect and order among the parties but objective and substantive justifications for the positions taken. PG&E would also like to thank Sam Stonerock of SCE and the workshop report team for their outstanding effort in the production of the Workshop Report.

II. THE PROPOSED PROCESS FOR PUBLIC REVIEW AND COMMENT WILL LEAD TO CONFUSION AND DELAY

PG&E recommends modification to the public input process so that the public (local communities, land managers, fire safe councils, community groups and others) have a fair opportunity for a meaningful role in development of the final Fire Map 2.

As currently proposed in the Work Plan, once Shape A is approved, the peer development panel ("PDP") has responsibility (working with Territory Leads) for developing a statewide Shape B Map.^{1/} The PDP will consist of a small number of experts in the fields of fire weather, fire behavior, fire protection engineering, vegetation management forestry, structural engineering and computer mapping while the Territory Leads will be representations of participating investor owned utilities ("IOUs"), publicly owned utilities ("POUs") and communication infrastructure providers ("CIPs") with facilities in or adjacent to fire threat areas.^{2/}

However, the Work Plan proposed two mechanisms for public input at two points in the Shape B development. First, Attachment 2 proposes that the PDP create a web-based process to receive proposals to modify Shape B to promote transparency and version control of both documentation and feedback, stating that this "provides a mechanism for stakeholders, municipalities, etc. to provide input or comment on the Shape B creation process."^{3/} The Territory Leads must then document all comments, responses, and resulting changes.

Second, the Work Plan proposes that once the PDP, in consultation with Technical Review Team ("TRT"), has approved all of the proposals submitted by the Territory Leads, "the PDP, will compile a statewide map for comment by Stakeholders and solicit Stakeholder comment."^{4/}

^{1/} Workshop Report: Fire Map 2 Work Plan Summary, Page 6.

^{2/} *Ibid.*

^{3/} Workshop Report, Attachment 2, Page 2-2.

^{4/} Workshop Report, Attachment 2, Page 2-7.

This proposed public input process calls for notice to all parties in R.15-05-006, all 1329 Communities at Risk ("CARs") and all city and county "points of contact" designated pursuant to Assembly Bill ("AB") 1650 (Public Utility Code §768.6).^{5/} The PDP will also hold workshops, and track comments and responses thereto. Only then, will the PDP make adjustments to the statewide Shape B Map and submit this revised map to the TRT for review and approval.

To ensure consistency, transparency and technical rigor, the PDP will assign primary responsibility to develop and refine Shape B maps to Territory Leads. The area covered by Shape B may be based on knowledge of local conditions and informed by consideration of additional data like fire rotation or consequence.^{6/} The Territory Leads will refine Shape B by including or excluding polygons supported by documentation based on demonstrable logic, special knowledge of a particular area or elimination of spatially isolated areas.^{7/}

PG&E suggests that, as currently proposed, this process, with two points for accepting and tracking public comments and responses, is unnecessarily complicated and does not provide clear lines of responsibility for the various steps. Not only may this lead to confusion but delays in an already tight schedule.

To establish clear lines of responsibility for each step in the process, a transparent process for review and approval of a draft Shape B by the TRT, and a fair and inclusive process for public input, including fair opportunity for all 482 cities and 2407 unincorporated communities,^{8/} not just the 1329 CARs, PG&E proposes the following:

- The PDP will designate Territory Leads responsible for proposing Shape B modifications or refinements for certain geographic areas.
- In proposing modifications or refinements to Shape B, the Territory Leads must

^{5/} Workshop Report incorrectly cites AB1650 as Public Utility Code §768.1.

^{6/} Workshop Report: Fire Map2 Work Plan Summary, Page 11.

^{7/} Workshop Report, Attachment 2, Page 2-4.

^{8/} Secretary of State, California Roster 2016.

offer documentation in support of each polygon adjustment. In identifying polygons for potential inclusion or exclusion and in developing supporting documentation, the Territory Leads may invite participation from stakeholders (local fire marshals, fire safe councils, CARs, CIPs, etc.) with particular local knowledge or expertise. The Territory Leads will use a transparent process that will facilitate PDP review and provide a documentary record of each proposed modification or refinement change.

- The PDP will review each proposed modification or refinement of Shape B proposed by the Territory Leads and may seek clarification or additional supporting information. Throughout the PDP review process, the PDP may seek input and expert feedback from the TRT. The PDP shall maintain a database of all inputs and decisions to provide transparency for all interested parties. When the PDP is satisfied that the statewide map review is complete, the PDP is responsible to formally propose a Shape B map to the TRT.
- The TRT is then responsible for independent review of PDP's proposed Shape B map. Drawing on available resources, (Territory Leads, academics, outside experts) the TRT will work with the PDP in a continuous exchange to resolve disputes and reach agreement on a final Shape B. However, the TRT should have authority to refer unresolved matters to the Commission for final resolution. When the TRT is satisfied with the results, it will return the final Shape B map to the PDP.
- The PDP will file a Notice of Availability of the Shape B map with all parties in R.15-05-006. The Notice of Availability will also be provided to all city and county designated points of contact pursuant to AB 1650 and all currently identified CARs. The PDP will work with the Territory Leads to immediately schedule a series of regional workshops to solicit public input. Once the regional workshop schedule is set, the PDP will again notify all city and county designated

points of contact pursuant to AB 1650 (California Public Utility Code §768.6), all CARs, and all parties to this proceeding. The PDP will provide a copy of the Shape B map and links to the document files and facilitate review and meaningful participation in the regional workshops.

- The PDP will document all comments received during the regional workshops and responses thereto, along with any protests from public proponents, and propose any resulting Shape B refinements to the TRT for independent review and approval, approval with modification or rejection and referral to the Commission for resolution.

PG&E believes that this streamlined process provides a distinct set of steps with clear designation of responsibilities at each step and a definite process for transfer of responsibility and control to the next step. This clear process will maintain a transparent chain of documents supporting each decision and a fair process for public review, administered by the PDP with support of the IOUs and POUs, that will give all cities, counties and unincorporated communities, CARs and other interested parties full opportunity to review and comment on the proposed Shape B map.

This clear process will allow the TRT to initially make fire risk decisions based on their independent evaluation of the scientific justifications provided by the PDP and Territory Leads in support of each modified polygon.

The proposal will provide a clear process for public review, based on an independently reviewed Shape B map, where public suggestions for map inclusions or exclusions can be received and must be evaluated and documented with a process for Commission resolution if appropriate.

Finally, by clearly defining steps, responsibilities for each step and definite responsibility transfers, the proposal is more likely to maintain the aggressive schedule laid out in the Work Plan.

