



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

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

Rulemaking 15-05-006

**COMMENTS OF THE CALIFORNIA MUNICIPAL UTILITIES ASSOCIATION, THE
LOS ANGELES DEPARTMENT OF WATER AND POWER, AND THE
SACRAMENTO MUNICIPAL UTILITY DISTRICT REGARDING WHETHER
DECISION 17-01-009 SHOULD BE MODIFIED SO THAT THE DEVELOPMENT OF
FIRE MAP 2 IS COMPLETED UPON THE COMMISSION'S ADOPTION OF SHAPE B**

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In accordance with the California Public Utilities Commission (“Commission”) Rules of Practice and Procedure, and the *Administrative Law Judges’ Ruling Inviting Comments Regarding Whether Decision 17-01-009 Should Be Modified So That the Development of Fire Map 2 is Completed Upon the Commission’s Adoption of Shape B* (“ALJ Ruling”), filed on March 10, 2017, the California Municipal Utilities Association (“CMUA”), the Los Angeles Department of Water and Power (“LADWP”), and the Sacramento Municipal Utility District (“SMUD”) (collectively “Joint POU’s”) hereby jointly file these comments.

I. COMMENTS

A. The Joint POU’s Do Not Object to Eliminating Shape C, But Request that the Additional Time Be Allocated to the Shape B Development Process.

The ALJ Ruling invited comments regarding whether “(D.) 17-01-009 should be modified so that (1) the final map product is Shape B, and (2) the requirement to develop Shape C is deleted.”¹ The Joint POU’s do not object to elimination of Shape C, such that Shape B is the final map product. However, in order to ensure the robustness of the Shape B development process, the Joint POU’s request that the time that would have been allocated to developing Shape C be instead allocated to Shape B.

¹ ALJ Ruling at 1.

The Joint POUs previously highlighted the enormous amount of work that must be achieved in a short amount of time to develop Shape B.² Even though D.17-01-009 extended the Shape B schedule, it is still very aggressive. If Shape C is eliminated, then the Commission can allow for a more realistic schedule without extending the final adoption date.

Specifically, the Joint POUs recommend extending Step 2(c) of the Fire Map 2 creation process. Step 2(c) is vital to the overall effectiveness of the Fire Map because it is the primary opportunity for experts with actual knowledge of on-the-ground conditions to provide detailed input. This input will greatly improve the accuracy of the map, which will help to ensure that resources necessary to meet the increased safety regulations are being appropriately targeted. An overly broad map risks spreading resources too thin, resulting in unnecessary costs and less effective safety regulations. It is therefore essential that Step 2(c) be allotted requisite time to allow experts to meaningfully review and propose changes, as well as for the Peer Development Panel (“PDP”) and stakeholders to evaluate and comment on those proposals.

Under the current schedule, the over 50 Territory Leads (“TLs”) have from March 20, 2017 until July 17, 2017 (less than four months)³ to accomplish the following: (1) review the Initial Statewide Shape B Map as it applies to their service territory; (2) present the map to and gather information from relevant local experts, including fire officials and utility staff; (3) incorporate relevant information gathered from the public; (4) coordinate with all of the surrounding TLs; (4) properly input data into the integrated project management/version control (“IPM/VC”) software; (5) consider stakeholder input provided through the IPM/VC software; and (6) potentially revise proposals based on direction from the PDP. As governmental entities,

² Comments of the California Municipal Utilities Association, the Los Angeles Department of Water and Power, and The Sacramento Municipal Utility District on the Proposed Decision Adopting a Work Plan for the Development of Fire Map 2, Jan. 5, 2017, at 1-3.

³ D.17-01-009 at 44.

TLs that are publicly owned utilities (“POUs”) may also require sufficient time to communicate with and receive direction from their locally elected governing bodies. Furthermore, the local fire officials and utility staff have significant competing obligations for their time.

Additionally, many TLs may need to hire outside experts to assist with the map development process. As D.17-01-009 notes, there are a very small number of individuals with the necessary expertise in this area.⁴ Due to this limitation, these outside experts may have limited capacity to meet the needs of all 56 TLs in this compressed time frame.

D.17-01-009 also requires that the process for developing new Fire Safety Regulations occurs on an overlapping schedule with Step 2(c).⁵ The current schedule requires the Fire Safety Technical Panel (“FSTP”) to convene publically noticed workshops to “discuss, evaluate, and refine the proposed regulations” during a period starting on May 1, 2017 and ending with the filing of a workshop report on July 10, 2017.⁶ Currently, Step 2(c) of the Shape B process must be completed by July 17, 2017.⁷ For the POUs, the staff that will be essential for these workshops and the development of the workshop report are likely to be the same staff that will be leading the Step 2(c) process. Extending the schedule for Step 2(c) until August would largely resolve this problem.

The Joint POUs support the Commission’s goal of getting a map and regulations in place as soon as possible. However, the overall schedule should not be cut short if Shape C is eliminated. Below is the proposed revised schedule as recommended by the Joint POUs:

⁴ *Id.* at 20.

⁵ *Id.* at 44, 54.

⁶ *Id.* at 54.

⁷ *Id.* at 44.

EVENT / TASK	Old Timeframe	Proposed Timeframe
<p>Step 2(c) re: Shape B, Territory-Specific Development:</p> <ul style="list-style-type: none"> • Each Territory Lead develops a tiered Shape B for its assigned territory using as a starting point the IRT-approved Initial Statewide Shape B from Row 5 and the IRT-approved Tier definitions from Row 6. • Each Territory Lead solicits input from local, non-party Stakeholders with knowledge and expertise regarding local, utility-related wildfire hazards and risks. • Each Territory Lead submits to the PDP a proposed Shape B for the applicable territory. The Territory Lead may propose to include or exclude areas from its territory-specific Shape B and Tiers using the criteria in the Workshop Report, Attachment 2. • Proposed Shape B for each territory reviewed by PDP. • PDP compiles a draft statewide Shape B using the PDP-approved Shape Bs for each territory. • To accelerate the IRT’s review of the draft statewide Shape B in Row 8, below, the PDP provides the IRT with advance copies of the PDP-approved, territory-specific Shape Bs as these become available. 	<p>Completed by July 17, 2017</p>	<p>Completed by August 30, 2017</p>

<p>Step 2(d) re: Shape B, IRT Review</p> <ul style="list-style-type: none"> • PDP submits to the IRT, and serves on the service list, the PDP-approved draft statewide Shape B from Row 7. • IRT reviews the PDP’s draft statewide Shape B. • PDP prepares the statewide Final Draft Shape B in accordance with the IRT’s instructions. 	<p>Completed by Aug. 21, 2017</p>	<p>Completed by October 4, 2017</p>
<p>Step 2(e) re: Shape B, CPUC Review</p> <ul style="list-style-type: none"> • PDP files & serves the IRT-approved Shape B from Row 8. Completed by August 28 October 12, 2017. • Stakeholder Parties file & serve alternative Shape Bs. Completed by September 4 October 16, 2017. • Stakeholder Parties file & serve comments regarding the IRT-approved Shape B and alternative Shape Bs, if any. Completed by September 11, October 30, 2017. • Reply comments and motions for evidentiary hearings (EHs). Completed by September 21 November 9, 2017. • Responses to motions for EHs. Completed by September 29 by November 14, 2017. 	<p>Completed by Sept. 29, 2017</p>	<p>Completed by Nov. 13, 2017</p>

Step 2(e) re: Shape B, CPUC Review <ul style="list-style-type: none"> The Assigned Commissioner issues a ruling that directs the PDP to submit the IRT-approved Shape B Map to the Commission's Safety and Enforcement Division (SED) via a Tier 1 advice letter (A/L), and/or The Assigned Commissioner takes such other actions that the Commissioner deems appropriate. 	Completed by Oct. 16, 2017	Completed by Nov. 30, 2017
Step 3 re: Shape C Development	Completed by Nov. 10, 2017	N/A
Step 3 re: Shape C and Fire Map 2 Review, Approval, and Effective Date	Completed by Nov. 30, 2017	N/A

Under this new schedule, the map creation process would not itself be extended and would still be completed by November 30, 2017.

II. CONCLUSION

The Joint POU's appreciate the opportunity to submit these comments to the Commission.

Pursuant to agreement of the Joint POU's, CMUA is authorized to sign and file these Comments on behalf of the Joint POU's.

April 3, 2017

Respectfully submitted,

/s/Laura Taylor

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