



MBL/nd3 1/30/2020

**FILED**  
01/30/20  
02:11 PM

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

Order Instituting Rulemaking to Examine  
Electric Utility De-Energization of Power  
Lines in Dangerous Conditions.

Rulemaking 18-12-005

**ASSIGNED COMMISSIONER'S RULING REGARDING  
PACIFIC GAS AND ELECTRIC COMPANY'S POST-PUBLIC SAFETY  
POWER SHUTOFF CORRECTIVE ACTION REPORTING**

This Ruling identifies serious deficiencies in Pacific Gas and Electric Company's (PG&E) weekly post-Public Safety Power Shutoff (PSPS) corrective action reporting; finds that it was inappropriate for PG&E to have unilaterally determined it could discontinue weekly corrective action reporting; directs PG&E to reinstate corrective action reporting on a biweekly basis; imposes additional reporting requirements; and directs PG&E to engage with California Public Utilities Commission (CPUC) staff and other state agencies to demonstrate progress towards the elements in its post-PSPS corrective action related to the October 2019 PSPS events and in its pre-2020 wildfire season preparation efforts as outlined herein.

**1. Background**

On October 14, 2019, I sent a letter to PG&E Corporation Chief Executive Officer William Johnson regarding PG&E's power shutoffs from October 9, 2019 to October 12, 2019 (October 14 Letter). In that letter, I directed PG&E to file weekly updates on its progress toward a series of corrective actions intended to improve PG&E's planning and execution of PSPS events. My guidance in that letter was for PG&E to continue submitting the corrective action reports until all

concerns described in the letter were addressed. PG&E chose to comply with this requirement by submitting weekly updates by letter to me beginning on October 17, 2019. These letters were then posted on the CPUC website.

On November 12, 2019, an assigned Commissioner and Administrative Law Judge (ALJ) ruling was issued directing PG&E to show cause why it should not be sanctioned by the CPUC for violation of Public Utilities Code Section 451, Decision 19-05-042, and Resolution ESRB-8 during the PSPS events from October 9, 2019 to October 12, 2019 and from October 23, 2019 to November 1, 2019 (Order to Show Cause).

On November 15, 2019, PG&E filed a Motion for Clarification of the October 14 Letter and November 12, 2019 Order to Show Cause, identifying a potential conflict with the way PG&E chose to meet the compliance requirement from the October 14 Letter and the Commission's *ex parte* rules, because the Order to Show Cause phase of the proceeding may be categorized as adjudicatory.

On November 26, 2019, an ALJ ruling determined that the Order to Show Cause phase of the proceeding is categorized as adjudicatory, and accordingly, *ex parte* communications on the issues within the Order to Show Cause are prohibited. Therefore, the ALJ ruling required that PG&E formally file and serve in the Rulemaking (R.) 18-12-005 its weekly report on post-PSPS corrective actions.

PG&E subsequently filed its weekly report in the R.18-12-005 proceeding. With its December 6, 2019 filing, referred to as a "final report," PG&E unilaterally determined that it had met the criteria in the October 14 Letter for demonstrating that all of the concerns in the letter had been addressed, and

PG&E absolved itself from continuing to file weekly updates on its progress on corrective actions in R.18-12-005.<sup>1</sup>

## **2. Reinitiating and Refining Reports**

I have reviewed PG&E's weekly reports in consultation with the Commission's Safety and Enforcement Division (SED) Staff, and find the reports to be fundamentally inadequate in the detail and substance necessary to allow us to make a determination of whether PG&E has fully complied with the corrective actions it claims to have completed, let alone to engender confidence that it will meet its proposed timelines and milestones for the remaining corrective actions, or be released from its obligation to continue to report on its progress.

PG&E's weekly reports failed to cover all aspects of the directed corrective actions and failed to provide sufficient detail that would lead SED to believe that PG&E has taken appropriate measures to prepare for the next wildfire season. On multiple occasions processes and actions are listed, but they lack specifics and definitive timelines or assigned ownership of who within PG&E is responsible for the action.

PG&E's performance during PSPS events in 2019 was unacceptable and cannot be repeated in 2020. It is the CPUC's expectation that PG&E will invest the necessary resources to mitigate the need for, and scope of, future PSPS events. Additionally, PG&E must demonstrate that both its internal and external communications regarding PSPS events have received the attention required. The mandate from my October 14 Letter for PG&E to implement and report on a

---

<sup>1</sup> See, "Final report of Pacific Gas and Electric Company Providing Weekly Update in Compliance with October 14, 2019 Letter of Commission President Batjer," <http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M323/K764/323764277.PDF>.

series of corrective actions was intended to be a concrete step toward improving public safety and helping PG&E improve its performance in 2020 and beyond.

With these outcomes in mind, I direct PG&E to reinitiate reporting its progress on post-PSPS corrective actions effective immediately, and require the following adjustments:

- PG&E shall file biweekly reports in both R.18-12-005 and Investigation 19-11-013. The next report shall be submitted no later than February 10, 2020;
- PG&E shall report in an electronic word processing format (*e.g.*, Word) in order to provide more comprehensive narrative details of the corrective actions;
- PG&E senior management shall meet with SED staff, and other CPUC staff as appropriate, to discuss the status and substance of the items in its biweekly reports on a recurring basis. The frequency of these meetings shall be determined by the Director of SED;
- PG&E shall expand the level of detail it provides on each of the corrective actions (at a minimum, listing all actions taken for each reporting requirement instead of just the most recent; providing detailed descriptions of processes and procedures; providing specific milestones for corrective actions and timelines for accomplishing the milestones; and reports on progress or lack of progress toward the corrective actions), and adjust the content and detail of its reporting on an ongoing basis to incorporate direction and feedback provided by SED staff, and other CPUC staff as appropriate, in the recurring status meetings identified above;
- PG&E shall itemize actions taken with regard to PSPS preparation, operations, and corrective actions by assigning a process owner at the director level; and
- PG&E shall continue biweekly reporting until it receives authorization in writing from the Director of SED to cease, or change frequency of, the biweekly reporting.

### **3. Additional Wildfire Season Preparation Requirements**

Based on the identified deficiencies in PG&E's reporting on its post-PSPS corrective actions to date, I am directing further action to ensure that PG&E is adequately operationalizing the clear guidance we have provided and implementing corrective actions that will meaningfully mitigate the impact of any future PSPS. To that end, PG&E is required to undertake the following:

- Within 15 days of the issuance of this ruling, PG&E Executive Leadership shall provide, and present in person to, the Director of SED with a detailed plan that:
  - a. Describes PG&E's (1) current capabilities, (2) planned improvements, and (3) anticipated challenges/concerns with regard to anticipated PSPS events in the following metrics and actions:
    - i. Predictive weather analysis (installation of weather stations, staffing, reaction criteria, training and improvements to the PG&E Operational Mesoscale Modeling System high-resolution weather forecasting model);
    - ii. Enhanced Public Outreach (notifying customers and the public at large of potential PSPS events including the methods used for each customer classification, such as, Medical Baseline, Vulnerable, Critical Facility Operators, *etc.*);
    - iii. Interagency Communication (processes on how PG&E will meet the requirements of the California Governor's Office of Emergency Services (Cal OES), the California Department of Forestry and Fire Protection (CAL FIRE), CPUC, local, state, and tribal government);
    - iv. Internal PG&E Emergency response procedures and capabilities (training to date, response needs/shortfalls, how PG&E plans to improve its ability to recover following a PSPS event that is both safe, and limits impact on customers);

- v. Mutual Assistance agreements/plans with peer utilities, agencies, contractors, *etc.*, who provide assistance, resources, training, or other operational needs at any phase of a PSPS event;
    - vi. Identification of critical infrastructure refinement, and what PG&E is doing to coordinate with these facilities (this includes not only medical and first responder facilities, but also vital transportation infrastructure locations that are critical to the economic health and safety of California); and
    - vii. System and grid improvements that will reduce the potential scope and scale of future PSPS events.
  - b. Details what PG&E resources are dedicated, or gaps, to PSPS mitigation, operations, and recovery, and identifies if they are PG&E owned resources, contracted, or obtained via mutual assistance agreements.
- Within 45 days of the issuance of this ruling PG&E shall have updated PSPS operating protocols established and, at the discretion of the CPUC, be prepared to exercise them in collaboration with Cal OES, CAL FIRE and CPUC Staff. PG&E shall be prepared to hold a no-notice exercise.
  - a. Within 14 days of completion of any such exercise, PG&E shall submit to the Director of SED an after-action report that details outcomes of the exercise and steps to address any elements of the execution of the exercise that were determined to need improvement.
- Within 30 days of the issuance of this ruling PG&E shall establish active working groups with tribal and local governments across PG&E's service territory, grouped by county or by other geographical boundary as appropriate, in which the needs of tribal and local governments during, before, and after a PSPS event are identified and addressed. PG&E shall also develop its 2020 de-energization protocols using feedback from the working groups. The protocols shall include, at a minimum, the provision of Community Resource Centers, communication strategies, information sharing,

