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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

**ADMINISTRATIVE LAW JUDGE'S RULING REQUESTING COMMENTS ON
PROPOSED ADDITIONAL AND MODIFIED DE-ENERGIZATION GUIDELINES**

The Commission currently has multiple open formal proceedings that are considering various elements of policy related to catastrophic wildfires and electric sector de-energization events that are initiated in the investor-owned utilities (IOUs) service territories. The quasi-legislative (QL) track of this proceeding is one focused component of this suite of initiatives the Commission is undertaking in this regard.

The QL track of this proceeding is considering the development of potential new and modified guidelines for de-energization events. Currently, the authorities for major sources of the guidelines the Commission has established regarding de-energization events include Decision (D.) 19-05-042, specifically Appendix A which was established in Phase 1 of the QL track of this proceeding, Resolution ESRB-8, and General Order 166. Phase 2 of the QL track of this proceeding is developing a record to potentially augment these authorities with additional guidelines and modify the existing guidelines that the Commission has established in D.19-05-042 and Resolution ESRB-8.

In addition to the QL track, this proceeding has an active adjudicatory track that is considering an order to show cause against Pacific Gas and Electric

Company for violations related to the implementation of the public safety power shutoffs in October 2019.

The Commission also has an active docket with Investigation 19-11-013 to determine whether California's IOUs prioritized safety and complied with the Commission's regulations and requirements with respect to their Public Safety Power Shutoff events in late 2019. Furthermore, the Commission is evaluating the proposals for mitigating wildfire risk and the scope of de-energization events in the Rulemaking 18-10-007. As a part of the wildfire mitigation plan process, the electric IOUs are required to report on proposed investments in system hardening and deployment of grid technologies that can minimize the risk of wildfires and the need for widespread de-energization events.

On December 19, 2019, President Marybel Batjer published an amended Phase 2 Scoping Memo and Ruling (Phase 2 Scoping Ruling) in this proceeding. The Phase 2 Scoping Ruling provides for a schedule, as further modified by an Administrative Law Judge ruling on January 15, 2020, that includes the release of proposed additional and potential modifications to the Phase 1 guidelines for de-energization events and Resolution ESRB-8.

Attachment 1 to this ruling proposes potential new guidelines, many of which attempt to enhance and further refine the existing guidelines developed in Phase 1 of this proceeding and Resolution ESRB-8. Issues of consistency with and necessary modifications to the Phase 1 guidelines and Resolution ESRB-8 will be resolved in a Commission decision that adopts new and modified guidelines. Parties are invited to comment on these proposed new guidelines, and parties are encouraged to address consistency with the existing guidelines as they see fit.

Parties to this proceeding may file and serve opening comments on issues covered in the Attachment 1 to this ruling no later than February 19, 2020.

Parties to this proceeding may file and serve reply comments on issues addressed in the opening comments no later than February 26, 2020. Comments and reply comments shall be no longer than 30 pages.

IT IS RULED.

Dated January 30, 2020, at San Francisco, California.

/s/ BRIAN R. STEVENS

Brian R. Stevens
Administrative Law Judge

ATTACHMENT 1

ATTACHMENT 1

PROPOSED ADDITIONAL AND MODIFIED DE-ENERGIZATION GUIDELINES IN ADDITION TO APPENDIX A OF THE DE-ENERGIZATION PHASE 1 DECISION (D. 19-05-042) AND RESOLUTION ESRB-8

Working Groups and Advisory Boards

The large electric investor-owned utilities, with the participation of small multi-jurisdictional electric utilities, community choice aggregators, and communications providers, shall convene, at least monthly, regionalized working groups with tribal and local government entities, public safety partners, and representatives of access and functional needs and vulnerable communities. The electric investor-owned utilities shall conduct outreach to impacted communities to increase their level of participation and to plan the coordination for future de-energization events. The purpose of these working groups is to ensure there is a formal environment to share lessons learned between the impacted communities and the electric investor-owned utilities. Additionally, convening these working groups serves as a mechanism for the CPUC and the local communities to validate whether the electric investor-owned utilities have successfully implemented lessons learned from prior de-energization events and alleviate barriers to solutions for future de-energization events. The electric investor owned utilities must report back to the CPUC on progress on a monthly basis. The electric investor-owned utilities shall develop their de-energization protocols with feedback from the working group. The protocols should include the provision of Community Resources Centers, communication strategies, information sharing, identification of critical facilities and access and functional needs customers, and contingency plans.

All electric investor-owned utilities must coordinate advisory boards which consist of public safety partners, local and tribal government officials, business groups, non-profits, representatives of access and functional needs and vulnerable communities, and academic

organizations to advise on best practices for wildfire issues and safety, community preparedness, regional coordination and the use of emerging technologies. All electric investor-owned utilities shall emulate the approach SDG&E has implemented with its wildfire advisory board.

De-energization Exercises

The electric investor-owned utilities shall collaborate with the CPUC, CalFire, CalOES and local emergency response officials to plan annual de-energization exercises throughout the utility service territories in the areas with the highest historical and forecasted risk for de-energization in advance of fire season. The exercises should consider worst case scenarios of de-energization. The exercises shall measure de-energization program performance during a mock event and would include items, not limited to, tests of customer and critical facilities notification and communication systems, tests of backup power resources, switching and sectionalizing devices, remote disabling of reclosers and other smart grid technologies, aerial and ground inspections of lines, functioning of emergency operations centers, and community resource centers. Lessons learned from these exercises should be utilized to modify the design and implementation of de-energization program elements.

Who Should Receive Notice, When Should Notice Occur, and How Should Notice Occur?

The electric investor-owned utilities shall utilize all reasonable channels of communication to all populations potentially affected by a de-energization event.

The electric investor-owned utilities shall develop communication and notification plans with local authorities that anticipates the disruption of traditional communication channels.

In situations where internet, cellular, or landline-based communication services are limited, the electric investor-owned

utilities should leverage, in coordination with the public safety partners, public alert systems, public radio broadcasts, and neighborhood patrols in de-energization event areas.

The electric investor-owned utilities shall ensure there is available bandwidth capacity, either via a cloud service or on-premise, to manage a website that provides the public with access to information about the geographic areas impacted by potential de-energization events and all other critical information to maintain public safety prior to, during, and after a de-energization event. Given the state-wide, national, and international interest in de-energization events in California, the electric investor owned utilities shall create and maintain an actionable plan that ensures necessary bandwidth is immediately available and consistent up to and through a de-energization event. The electric investor-owned utilities shall have bandwidth and technological resources available to serve traffic to all peak demand that will occur as a result of a de-energization event.

The electric investor-owned utilities shall consult with the California Department of Technology (CDT) to develop plans with reports to the CPUC that outline steps for meeting future website and server performance requirements necessary for effective and uninterrupted communication to the general public about de-energization events.

The electric investor-owned utilities shall ensure that the public is able to access precise locality information of potential and active de-energization event impacted service points. The electric investor-owned utilities shall make every reasonable attempt available to ensure all false-negative and false-positive communications are eliminated and the public is able to access precise and accurate information regarding the location and duration of potential and active de-energization events and restoration efforts. In the event a false-negative or false-positive communication is made, the electric investor-owned utilities shall promptly and clearly explain why they were incorrect through a communication to the public and on a posting on their public website and de-energization webpage.

Furthermore, the electric investor-owned utilities shall explain any false communications in the post event reports by citing the sources of changing data. Lessons learned should be incorporated in ongoing de-energization communications and notifications to increase their accuracy and effectiveness.

All notifications to customers about potential or active de-energization events shall be communicated with ease of readability and comprehension as a priority. The electric investor-owned utilities shall proactively reach out to the media and community-based organizations to ensure third party use of all messaging and map data including application programming interfaces for the de-energization event is consistent. The electric investor-owned utilities shall retain and utilize the expertise of emergency situation user interface and user experience professionals to ensure planned and executed communication prior to, during, and following a de-energization event minimizes public confusion.

The electric investor-owned utilities must provide communications carriers with the meter and circuit IDs to be de-energized and re-energized to ensure communication carriers receive actionable notification information that can inform proactive deployment of resources to minimize the impact of the de-energization events on communications infrastructure.

Community Resource Centers

The electric investor-owned utilities, through collaboration with relevant stakeholders, shall design, test and execute on a plan 60 days after issuance of the Phase 2 final decision based on local demographic and survey data for meeting a variety of safety needs for vulnerable populations through the provision of community resource centers (CRCs). The plan should include a protocol for siting and accessibility of CRC locations, operations and a determination of the resource needs to best serve the community members who visit. This plan shall be created with consultation from the regional local government working groups and the wildfire

advisory boards. When feasible, CRCs should be set up in areas known to the public, such as recreational centers and public office. Impacted customers should not be required to drive more than 30 minutes to a CRC and CRCs shall be operable 24 hours a day during an active de-energization event (provided there is no curfew in effect). Electric investor-owned utilities may staff the CRCs with on-site security during 24-hour operation.

Restoration of power service upon conclusion of public safety need for de-energization

The electric investor-owned utilities shall ensure that power service to impacted service points is restored as soon as possible and no longer than 24 hours following the conclusion of conditions that necessitate a de-energization event.

Within one hour of an electric investor-owned utility knowing it will re-energize a line, it shall inform the public safety partners first and immediately thereafter the general public. If unintended circumstances are encountered within this timeframe that prevent a safe re-energization, then the electric investor-owned utility shall promptly notify the relevant stakeholders and affected population and provided an updated re-energization timeframe.

Transportation Resilience

The electric investor-owned utilities shall implement a transportation resiliency taskforce with local, tribal, Federal and State government agencies, and other private and public sector parties to develop a needs assessment and resilience plan in advance of fire season that would identify and describe transportation infrastructure and corridors throughout California in need of back up generation. The electric investor-owned utilities shall prioritize providing necessary resources to transportation infrastructure that is geographically located in areas most likely to experience de-energization events.

At a minimum, the transportation resiliency needs assessment (TRNA) should consider, but not be limited to the following transportation modes and the corridors and facilities within them:

- Ground – tunnels, bridges, highways, traffic lights and streetlights (in heavy vehicular corridors, i.e. arterials and higher capacity roadways), publicly accessible fueling and charging stations;
- Rail – freight and passenger rail (both heavy and light) facilities;
- Aviation – airports, air traffic control systems, helicopter ports, air force facilities;
- Maritime – ports, terminals, ferries, freighters, and naval and coastguard facilities.

California is committed to the deployment of electric vehicles. By the 2021 wildfire season, each electric investor-owned utility shall develop and execute a plan to ensure that mobile and deployable electric vehicle fast charging is available and priority access is granted to customers, including those serving AFN populations, potentially impacted by de-energization events, especially along major transportation corridors. The electric investor-owned utilities shall design a plan to assess where additional Level 3 charging stations are needed (e.g. near major transportation corridors), and where portable battery energy storage and/or fossil generation can be sited to power them. The electric investor-owned utilities' public websites and mobile apps shall communicate the location, number, and accessibility of all level 3 charging stations and publicly available Level 2 charging stations in proximity to areas potentially impacted by de-energization events prior to and during potential or active de-energization events.

Medical Baseline and Access and Functional Needs Populations

The electric investor-owned utilities shall work in collaboration with public safety partners, local governments, and access and functional needs customer advocates to conduct a needs assessment (in

conjunction with the working groups and advisor boards). The needs assessment shall identify current and unsubscribed medical baseline customers, what if any assistance is needed for these people during de-energization events, and an evacuation plan for these populations that specifies transportation and health care resources that can be provided to them. The electric investor-owned utilities shall provide a plan to the Commission by May 1, 2020 and thereafter by January 31 of each following year regarding its planned efforts to address access and functional needs customers during de-energization events. The electric investor-owned utilities shall provide the Commission with monthly updates regarding the progress towards meeting the established plans and impact of the efforts to address this population during de-energization events.

The electric investor-owned utilities shall work in collaboration with local government partners, access and functional needs advocates and service providers to obtain data needed to identify access and functional needs populations and utilize various remote and in-person channels of communication. The utilities and partner organizations should prioritize their efforts for identification, contact and communication with the disabled, elderly, pregnant women, children, and those with severe injuries or chronic conditions.

Transparency

During any potential or active de-energization event the electric investor-owned utilities must provide on its website a thorough and detailed indication of the quantitative and qualitative factors it considered in calling, sustaining, or curtailing each de-energization event (including information regarding why the de-energization event was a last resort option) and a specification of what factors must be present for the de-energization event to be concluded.

Year-round, and including during any potential or active de-energization event, the electric investor-owned utilities must include comprehensive information that is available on their websites regarding de-energization mitigation efforts including asset and

vegetation management, sectionalizing, switching, system hardening, and backup power projects they are undertaking to reduce the need for or scope of de-energization events, progress on implementing de-energization mitigation efforts to date, and planned dates of completion. The utilities shall provide information that is in alignment with publicly available information issued in the de-energization related proceedings (i.e. de-energization order instituting an investigation, Wildfire Mitigation Plan and Microgrid proceedings).

The electric investor-owned utilities shall file and serve de-energization roadmaps with the Commission on an annual basis, beginning April 15, 2020, that explain and provide specification regarding their short, medium, and long term plans for reducing the impact and need of de-energization events to mitigate wildfire risk. The electric investor-owned utilities shall make the de-energization roadmaps available on their public websites. The utilities shall provide roadmap information that is in alignment with publicly available information issued in the de-energization related proceedings (i.e. de-energization order instituting an investigation, Wildfire Mitigation Plan and Microgrid proceedings).

Definitions

9-1-1 emergency services must be included in the definition of critical facilities to ensure 9-1-1 emergency services receive priority notification and any additional assistance necessary to ensure resiliency during de-energization events.

The transportation sector should be included in the list of critical facilities and infrastructure to ensure transportation resilience is a priority during de-energization events. This definition includes facilities associated with automobile, rail, aviation and maritime transportation for civilian and military purposes.

(End of Attachment 1)