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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 (Filed December 13, 2018)

MOTION OF PIONEER COMMUNITY ENERGY, SONOMA CLEAN POWER AUTHORITY, EAST BAY COMMUNITY ENERGY, MARIN CLEAN ENERGY, AND RURAL COUNTY REPRESENTATIVES OF CALIFORNIA FOR CONSIDERATION OF FAST TRIP PROGRAM RULES IN THE DE-ENERGIZATION RULEMAKING

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On Behalf Of:
Pioneer Community Energy
Sonoma Clean Power Authority
East Bay Community Energy
Marin Clean Energy
Rural County Representatives of California

July 12, 2022

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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In accordance with Rule 11.1 of the Rules of Practice and Procedure of the California Public Utilities Commission ("Commission") Pioneer Community Energy ("Pioneer"), Sonoma Clean Power Authority ("SCP"), East Bay Community Energy ("EBCE"), Marin Clean Energy ("MCE"), and Rural County Representatives of California ("RCRC") (collectively, the "Joint Parties"), hereby move for the Commission open an expedited phase or track of the instant De-Energization Rulemaking to consider time-sensitive rules to ensure that the large investor-owned utilities' ("IOUs") Fast Trip Programs are designed and implemented in a manner that protects public health, safety, and welfare.

As utilities use fewer and fewer pre-planned Public Safety Power Shutoff ("PSPS") events to reduce wildfire risk, there has been a tremendous increase in unplanned Fast Trip-related outages. While these outages generally impact fewer customers than individual PSPS events and may not last as long, their frequency and unplanned nature have had a debilitating impact on thousands of customers at a time. While the Commission has developed extensive rules governing the conduct,

mitigation, restoration, and reporting associated with PSPS events, Fast Trip events create the same types of potentially disastrous impacts on those residents affected.

The IOUs' Fast Trip Programs thus impose significant potential risks to public health, safety, and welfare. Despite these risks, the Fast Trip Programs are not currently overseen or regulated by the Commission. These circumstances are more than enough to trigger the Commission's statutory obligation to protect public safety by overseeing and regulating the Fast Trip Programs. Given the close functional similarities and identical purposes shared by PSPS programs and Fast Trip programs, this Rulemaking is the appropriate venue to consider Fast Trip regulations.

For these reasons, as discussed in detail below, the Joint Parties respectfully move that the Commission expeditiously open a new Phase or Track of this rulemaking proceeding to consider and address relevant issues associated with the IOUs' Fast Trip Programs, including the adoption of rules to govern these programs. The Fast Trip rules should cover, at a minimum, the same general topics as the PSPS rules, and the Commission should leverage its significant investment in developing the PSPS rules and use them as the basis for developing Fast Trip program rules.[1] This Phase or Track should be expedited to allow the rules to be in place before peak fire season.

In submitting this Motion, the Joint Parties are not opposing, in principle, the use of Fast Trip programs to reduce wildfire risk. To the contrary – we represent some of the communities hardest hit by recent utility-caused wildfires. We fully recognize the danger posed by utility-caused wildfires and appreciate the role that reasonable, well-regulated PSPS and Fast Trip Programs can play in preventing catastrophic wildfires. Our purpose in submitting this motion is not to block EPSS programs, it is to ensure that EPSS programs are reasonable, adequately regulated, and implemented in a manner that protects and maximizes public health, safety, and welfare.

[1] The full set of currently applicable PSPS requirements has been compiled in D.21-06-034.

I. BACKGROUND

Fast Trip Programs are IOU programs intended to reduce wildfire risk by significantly increasing the sensitivity of protective devices and equipment that trigger automatic outages when a fault is detected.[2] Each of the State's three large IOUs has implemented a Fast Trip program: Pacific Gas and Electric Company's ("PG&E") *Enhanced Powerline Safety Settings* ("EPSS") program; Southern California Edison Company's ("SCE") *Fast Curve Settings* ("FCS") program, and San Diego Gas & Electric Company's ("SDG&E") fast protection settings program. In each of these programs the IOU has identified certain high-risk circuits. For these circuits, the IOU has significantly increased the sensitivity of safety devices that provide a rapid shutoff of power in response to faults detected on those circuits. This significantly lowers the threshold needed for the device to automatically trigger an outage.

While the Commission has developed robust procedures and rules governing PSPS outages, the IOUs have not treated these rules as applicable to EPSS. This means that the principles integral to the PSPS program - advance notice to customers, support of critical facilities, deployment of community resource centers and support for vulnerable populations, and timely post-event re-energization – have not been formally implemented for EPSS.

PG&E first implemented a *pilot version* of its EPSS program in 2021. Despite being designated a pilot, the 2021 program was deployed widely and had significant customer impacts. The 2021 pilot covered a total of 11,500 miles of distribution circuits, approximately 45% of PG&E's circuits in High Fire Threat Districts ("HFTD"). In 2021, PG&E reported nearly 600 EPSS

[2] Because the IOUs do not have a common term for these programs, the Moving Parties are referring to such programs collectively as *Fast Trip Programs,* and the outages caused by these programs as *Fast Trip Outages*.

outages, affecting more than 650,000 customers. The impacts of these outages were so significant that on October 25, 2021, then Commission President Marybel Batjer sent PG&E a letter stating:

> …These Fast Trip-caused outages occur with no notice and can last hours or days. Though PG&E reports that implementation of Fast Trip settings has significantly reduced reportable wildfire ignitions from contact with its power lines, this approach has also significantly increased the frequency and duration of unplanned power outages for its customers, causing confusion and frustration in communities constantly vigilant of wildfire threats.
>
> While I acknowledge how critical it is to public safety to reduce the risk of utility-ignited wildfires, it appears that PG&E decided to implement Fast Trip settings this summer with little forethought as to whether the settings were appropriately calibrated, what outreach to public safety partners and customers was necessary in advance, and how customer impacts would be mitigated and vulnerable customers' medical needs addressed. Fast Trip Outages are more than a matter of inconvenience – they are disruptive, and for customers who rely on electricity to maintain necessary life functions, they can be life-threatening.[3]

A copy of President Batjer's letter to PG&E is included as Attachment A to this motion.

For 2022, PG&E is transitioning from its EPSS pilot program to a full-scale EPSS program. This will more than double the number of line-miles subject to EPSS settings/outages, increasing from 11,500 miles in 2021 to 25,500 miles in 2022.[4] The number of circuits subject to EPSS is increasing to 988. PG&E's full-scale EPSS program will cover all PG&E distribution circuits in CPUC-designated High Fire Threat Districts ("HFTD"), PG&E-designated High Fire Risk Areas, and "select non-HFTD areas."[5] PG&E has identified 44 counties within its service area as being powered by EPSS-capable circuits.[6]

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[3] Attachment A, Batjer Letter to PG&E (October 25, 2021) at 1-2.

[4] PG&E 2022 Wildfire Mitigation Plan at 734. Available at: https://www.pge.com/pge_global/common/pdfs/safety/emergency-preparedness/natural-disaster/wildfires/wildfire-mitigation-plan/2022-Wildfire-Safety-Plan-Update.pdf

[5] Id. at 733.

[6] PG&E EPSS Website. *Available at*: Pge.com/epss

Since 2018, SCE has, on a more limited basis, utilized a Fast Trip Program called Fast Curve Settings ("FCS") during Red Flag Warnings, Fire Weather Threat, Fire Climate Zone or during Thunderstorm Threat declarations.[7] More recently, SCE senior management approved changing its FCS to increase its sensitivity and, by 2024, aims to have 78 percent of its HFTD distribution lines enabled with FCS (compared to 14 percent of its current distribution circuits).

II. DISCUSSION

A. The Commission Must Develop An Oversight Process And Rules For Fast Trip Programs

The IOUs have a fundamental obligation to provide reliable and uninterrupted electric service needed for the health, safety, and convenience of the public,[8] and the Commission has a statutory duty to oversee and regulate the IOUs to ensure that they meet this obligation.[9] The only exception to this core obligation arises in the rare instances where shutting off the power is necessary to protect public health and safety.[10] However, the Commission has long recognized that power shutoffs themselves impose significant health and safety impacts.[11] As such, the Commission has specified that power shutoffs are only reasonable when: 1) the health and safety risk avoided through

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7 *See* Office of Energy Infrastructure Safety, *Draft Decision on Southern California Edison Company's WMP 2022 Update* (published on June 2, 2022) ("SCE WMP Draft Decision") at 78. The SCE WMP Draft Decision is publicly available at: https://efiling.energysafety.ca.gov/eFiling/Getfile.aspx?fileid=52490&shareable=true

8 California Public Utilities Code Sections 451, 399.2(a)

9 California Public Utilities Code Sections Section 2101.

10 D.09-09-030 at 69 (Conclusion of Law 3).

11 See D.12-04-024 at 29 ("Without power, numerous unsafe conditions can occur. Traffic signals do not work, medical life support equipment does not work, water pumps do not work, and communication systems do not work. As the California Legislature recognized in § 330(g), "[r]eliable electric service is of utmost importance to the safety, health, and welfare of the state's citizenry and economy.")

the power shutoff outweighs the health and safety impacts caused by the shutoff;[12] and 2) the IOU takes "all reasonable steps to lessen the impact of shutting off the electricity on the public" and otherwise fully follows the Commission's PSPS rules and guidelines.[13]

For the regulation and enforcement of the IOU's fundamental statutory obligation to provide reliable electric service needed for the health, safety, and convenience of the public, it is irrelevant whether an IOU power shutoff is planned and triggered manually or occurs due to the operation of Fast Trip devices. To qualify for the public safety exemption to Sections 451 and 399.2(a), the outage must meet the two criteria listed above. Under Section 2101, the Commission has an equal obligation to ensure that these criteria are fully satisfied by any outage being justified through the "public safety" exemption, whether the outage is manually initiated or triggered by Fast Trip settings.

Thus, the Commission's Section 2101 obligation requires that it oversee regulate the IOUs' Fast Trip programs and practices as necessary to protect public safety. As set forth below, this obligation has been fully triggered in relation to the IOU's Fast Trip programs, as these programs: 1) present clear risks to public health, safety, and welfare; and 2) are not currently subject to adequate oversight and regulation to protect the public interest and minimize these risks.

i. *Fast Trip Outages Pose Significant Threats To Public Health, Safety, And Welfare*

The broad, unregulated use of Fast Trip outages creates numerous significant risks to public health, safety, and welfare. These dangers are broadly recognized. As then-Commission President Batjer noted in her October 25, 2021 letter to PG&E, Fast Trip outages "are more than a matter of

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[12] D.21-06-014 at 55 (Regarding the Commission's rules to protect public safety during PSPS outages, "A key component of this framework required utilities to identify, evaluate, weigh, and report the potential safety risks resulting from a PSPS event.")

[13] D.21-06-014 at 6.

inconvenience – and for customers who rely on electricity to maintain necessary life functions, they can be life-threatening."[14] U.S. Congresswoman Anna Eshoo has similarly observed that, "Unexpected and days-long outages… pose their own health and safety risks, particularly for the elderly and those living in more isolated areas, and the current situation cannot become the new normal."[15] Fast Trip outages are forecasted to be more broadly utilized by IOUs in 2022, likely resulting in large-scale customer impacts than occurred in 2021.

From July 2021 to the end of December 2021, PG&E's EPSS pilot caused nearly 600 outages, affecting more than 650,000 customers. The average EPSS outage in 2021 lasted 17.5 hours in duration.[16] With an average of over 800 customers impacted per outage (1600-2400 residents), these outages significantly disrupted life for many Californians. PG&E's reports identify 46 circuits that experienced five our more outages, with 14 circuits experiencing nine or more outages, and three circuits having 14 or more outages. Over four months, customers on the Camp Evers 2105 circuit lost power 19 times.[17] As President Batjer noted in her October 2021 letter, "these Fast Trip-caused outages occur with no notice and can last hours or days."[18] Looking forward, it is reasonable to project significantly larger outage figures in 2022 as PG&E more than doubles the size of its EPSS program, even if PG&E has, as it has claimed, it is working to reduced

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14 Attachment A (Batjer Letter) at 1.

15 Statement available at: https://eshoo.house.gov/sites/eshoo.house.gov/files/9.20.21EshooPG%26E.pdf

16 California State Auditor Report 2021-117 (March 24, 2022) at 32. Report available at: https://www.auditor.ca.gov/pdfs/reports/2021-117.pdf

17 PG&E December Monthly Report – EPSS, December 8, 2021, Attachment, https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/safety-and-enforcement-division/documents/epss-reports/epss-outages-monthly-report_20211208.xlsx.

18 Attachment A (Batjer Letter) at 1.

the sensitivity of some EPSS devices. As PG&E itself has admitted, "[w]e recognize that EPSS may result in increased outages in 2022."[19]

The overall impacts of PG&E's 2021 EPSS outages are difficult to determine exactly, due in significant part to the lack of any formalized accountability and tracking mechanism or impact reporting requirement. However, anecdotal examples of negative EPSS impacts are plentiful – examples that we should expect to see significantly more of in 2022 as PG&E more than doubles the size of its EPSS program. For instance:

- Between July and October 2021, El Dorado County experienced 37 EPSS outages, with durations ranging from hours to days. One circuit in particular – Placerville 2016 circuit – experienced more than 4 million minutes of customer outage the week of September 6 to 12, 2021. The Apple Hill 2102 circuit experienced an outage that started August 17 and lasted until August 29 with 856 customers experiencing a sustained outage. The outages on the various circuits in El Dorado County affected an elementary school, which lost eight days of instruction, and a local hospital.

- Butte County also experienced outages. In one event from October 2021, 1,000 customers experienced back-to-back outages. A local news station reported that these outages created health and safety hazards for customers on electric medical devices, cut off the water supplies of customers who rely on electric well pumps, caused customers to lose refrigerated and frozen foods, and led to one fire ignited by a customer attempting to use a generator for replacement power.[20]

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19 Attachment B (PG&E 2022 Wildfire Mitigation Plan) at 7.

20 *See article at*: https://krcrtv.com/news/local/generator-fire-lack-of-water-hit-parts-of-butte-county-during-back-to-back-power-shutoffs

- In Monterey County, two elementary schools experienced six EPSS outages in less than two months. These outages interrupted lessons and shut off the ventilation systems installed at the schools to keep students safe from COVID.[21]

- In the Santa Cruz Mountains, a 71 year-old widow's well was disabled by an EPSS outage, forcing her to haul buckets of water to her home.[22] In another incident, a squirrel chewing on a PG&E line caused a day-long outage for over 5,300 customers, shutting down three schools.[23]

- Some parts of San Luis Obispo County experienced a wave of outages, some lasting as long as 20 hours. PG&E admitted that these outages were due to its EPSS settings "overreacting."[24]

Beyond these documented impacts, it is reasonably foreseeable that Fast Trip Outages create the same safety and welfare impacts as PSPS outages, and that in the case of Fast Trip Outages these impacts will be amplified because of their lack of prior notice. These impacts include, but are not limited to:

- Danger to customers who rely on electrically powered medical equipment. For EPSS, this danger is significantly greater, as customers do not have prior warning that would allow them to evacuate, charge battery-powered medical equipment,

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[21] *See article at*: https://www.goodtimes.sc/pvusd-elementary-schools-plagued-by-multiple-power-outages/

[22] *See article at*: https://www.mercurynews.com/2021/10/13/why-pges-wildfire-safety-triggers-are-sparking-controversy-instead-of-deadly-blazes/

[23] *See article at*: https://www.santacruzsentinel.com/2021/09/20/pge-outage-impacts-5340-customers-including-schools-in-santa-cruz-mountains/

[24] *See article at*: https://www.kcbx.org/news/2021-09-20/unplanned-power-outages-affecting-northern-slo-county-pg-e-says-safety-feature-overreacting

charge phones to ensure their ability to contact emergency services or make alternative power arrangements.[25]

- Impacts created by disrupted power to critical facilities and infrastructure. Such impacts range from school closures to traffic signal disruptions to increased risk of industrial accidents.
    - These risks are significantly increased without prior notice of an impending outage, as without notice Critical Facility and Infrastructure operators are unable to backup power or take steps necessary to ensure safe operation without electricity prior to the outage.
    - Microgrids to protect critical facilities and provide local resiliency during outages are not utilized for Fast Trip Outages despite the tremendous community benefits that could result and interest from local governments and regulators.[26]
- Increased risk of wildfire ignition, local air pollution, carbon emissions, and carbon monoxide poisoning from customers being forced to turn to backup generators to provide electricity.

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[25] Unlike PSPS events, which include IOU-provided Community Outreach Centers and portal battery availability, EPSS events have not been put into place for communities experiencing these events likely in times of excessive heat and wind events.

[26] *See* "A Cautionary Tale on Single-Purpose Microgrids – Utility Filter that the Microgrid Must Not Overlap with Existing or Proposed PSPS Mitigation Strategies Adversely Impacts the State's Most At-Risk Communities," *Rural County Representatives of California Opening Comments on Proposed Microgrid Incentive Program Implementation Plan Pursuant to Decision 21-01-018, Modified by D. 21-02-002*, January 14, 2022, pages 5-7. *Available at*: https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M442/K773/442773720.PDF

- Risk of vulnerable customers (including Life Support and Access and Functional Needs customers) being exposed to potentially fatal temperature extremes without electrically powered heating/cooling, fans, or refrigeration.
- Risk to customers who rely on electrically pumped wells for their water supply.
- Risk of additional disruption and confusion due to lack of prior notice and lack of community resource centers.
- Risk of additional harm due to lack of prior notice, coordination, and information sharing with Public Safety Partners.

The impacts of EPSS outages (both documented and foreseeable) are likely to increase significantly in 2022, as PG&E transitions from its EPSS pilot to its full EPSS program, more than doubling the circuit-miles subject to EPSS settings.

The disruptive effects of Fast Trip programs extend beyond the Fast Trip Outages themselves. Due to the potential frequency of outages under Fast Trip programs – particularly PG&E's EPSS program – customers and communities have been advised to be prepared for outages at unknown times and of unknown duration. Communities and ratepayers in the affected areas are being asked to not only be prepared for wildfires, but to also be prepared to be prepared for frequent and sudden power outages of unknown (but potentially extended) duration. This operational dictate places these communities and tens of thousands of people under prolonged stress and duress as they must remain prepared for outages at any moment. Not even storm events create this level of sustained acute stress and resource readiness. For these communities, consistent and reliable electricity is no longer a reliable certainty. This has a chilling effect on a wide range of social and economic activities and places these communities under prolonged stress as they must remain prepared for outages at any moment. Any electric utility program with such a significant potential

impact should be examined and considered by the Commission and reported back out to the community.

The overall economic impacts of Fast Trip Outages can be roughly estimated. According to the State Auditor, the average outage causes economic damage equal to a rate of $0.07 per minute for each residential customer and $21 per minute for each small or medium commercial customer.[27] This results in a ten-hour shutoff costing residential customers roughly $42 and small or medium businesses about $12,600. The Interruption Cost Estimate ("ICE") calculator developed by Lawrence Berkeley National Laboratory and Nexant, Inc. is an industry tool made available to electric reliability planners and others interested in assessing the cost of interruptions.[28] Based on this tool, the total economic impact of PG&E's 2021 EPSS outages can be roughly estimated at over $170 million.[29]

For example, the El Dorado County outage on the Placerville 2106 circuit that lasted from September 9 to 10, 2021 impacted 3,005 customers (service points). PG&E reported that of those customers 231 were on medical baseline, 171 were on life support, 67 were critical customers (assuming non-residential), and 16 were school service points. PG&E reported that these customers were out for 1,447 minutes (4,003,465 customer minutes).[30] According to the ICE model, the outage cost the community more than $2 million.[31] It is further worth noting that the ICE tool and State Auditor's figures measure only the economic impact of the outages themselves, not the economic

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27 California State Auditor Report 2021-117 (March 24, 2022) at 15 (citing 2019 Southern California Edison study).

28 ICE Calculator. Available at: https://icecalculator.com/home

29 This value was calculated using the ICE calculator with the following inputs: 650,000 total customers; 10% of affected customers are non-residential; outage duration of 17.5 hours; distribution system SAIDI of 111.2; distribution system SAIFI of 0.933.

30 PG&E Outages Monthly Report_20211208.

31 ICE Calculator.

impact of the uncertainty caused by the potential for frequent outages without prior notice. This uncertainty is likely to reduce investment in affected communities, suppress real-estate values, and reduce the attractiveness of these communities to businesses.

ii. *Fast Trip Programs Are Not Currently Subject To Adequate Commission Regulation And Oversight*

To date, the IOUs' Fast Trip programs have not been adequately regulated and overseen by the Commission. The IOUs have not filed applications or advice letters seeking approval of their programs. The Commission has not reviewed the reasonableness and safety impacts of the programs. The Commission has not formally adopted any rules governing Fast Trip programs and outages. And to date the IOUs have not treated their Fast Trip programs as subject to the Commission's existing PSPS rules.

PG&E's EPSS program provides an illustrative example of the current lack of regulation. PG&E has not filed an application, advice letter, or any other formal request seeking Commission approval for EPSS. Instead, it appears that PG&E has brought EPSS before the Commission in a single context – PG&E discussed EPSS its 2021 Wildfire Mitigation Plan ("WMP"), filed before the Commission, and its 2022 WMP, submitted to the Office of Energy Infrastructure Safety ("OEIS"). However, in both cases the review of the WMP and EPSS program in this context was limited to the EPSS program's effectiveness as a wildfire risk reduction measure. The WMP review process did not extend to the overall reasonableness of EPSS. It did not review whether the program and its resulting outrages are necessary for public safety and thus qualify for the safety exemption to PG&E's obligation to provide safe and reliable power. It did not review the adequacy of PG&E's EPSS processes (including customer notice), nor did it review the adequacy of any mitigation measures adopted by PG&E. To date, these fundamental safety and reasonableness issues have not been reviewed by the Commission in any context. Nor have these critical issues been addressed by

OEIS. OEIS lacks jurisdiction over Sections 451 and 399.2(a), and, according to the State Auditor, has OEIS has explicitly declined to review EPSS programs.[32]

Currently, the only Commission-imposed regulation of Fast Trip Programs is the reporting requirement informally established in former Commission President Batjer's Letter. This requirement is only applicable to PG&E, and only requires that PG&E provide monthly reports with basic outage information and cost-tracking for its EPSS outages. This falls far short of the Commission's robust regulatory oversight and rules governing PSPS outages.

B. Fast Trip Outages Properly Fall Within The Scope Of This Rulemaking

While the De-Energization Rulemaking, to date, has focused on PSPS outages rather than Fast Trip programs (Fast Trip programs did not exist when the OIR was issued), out of all open Commission proceedings this Rulemaking provides the most reasonable, expedient, and appropriate "home" for the consideration of these critical issues.

The broad purpose of this rulemaking proceeding is to review and adopt rules governing the IOUs' exercise of their authority under Sections 451 and 399.2(a) to proactively cause power outages to protect public safety.[33] This issue is equally applicable to both the IOUs' PSPS programs, which have been the focus of this proceeding to date, and the IOUs' Fast Trip programs.

PSPS and Fast Trip are structurally similar, and both are intended to serve the same purpose. Both PSPS and Fast Trip involve the utility taking proactive steps to cause an outage or outages to protect public safety under certain conditions. For PSPS outages the proactive step is cutting the power when certain weather conditions occur, while for Fast Trip the proactive step is the alteration

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32 Sections 451 and 399.2(a).

33 R.18-12-005, *Order Instituting Rulemaking* (December 19, 2018) at 4.

of safety device settings to trigger an outage when certain line conditions occur. In both cases the outages are intentional and intended to serve the same purpose.

Both PSPS and Fast Trip share the same legal justification. As discussed above, the IOUs have a statutory obligation to provide the reliable and uninterrupted electric service needed for the health, safety, and convenience of the public. Both PSPS and Fast Trip are justified under the public safety exemption to the general duty to provide reliable electric service, which allows IOUs to interrupt power when doing so is necessary to protect the public safety.

As discussed above, PSPS and Fast Trip have very similar customer impacts. The Commission's successful regulation of PSPS provides a robust model for the level and types of oversight needed for Fast Trip, and the Commission can leverage the tremendous amount of work it has invested in PSPS to gain a significant head-start in regulating Fast Trip. While there are meaningful differences between Fast Trip and PSPS, many of the principles and rules that the Commission has adopted for PSPS can – and should – be adapted to the Fast Trip context. Because these rules and processes were developed in this Rulemaking, it is appropriate that work on adapting them to Fast Trip also occur in this Rulemaking.

In light of the shared purpose, legal justification, and customer impacts and the similar structures of both Fast Trip and PSPS, it would seem prudent that the Commission open a track to review, evaluate and regulate Fast Trip programs across the IOU territories to ensure consistency among the programs in reporting, cost tracking, operational guidelines for customer notifications, mitigation efforts, resiliency improvements, resource deployments, and communication with public safety partners. The Commission has created an extensive set of guidelines for PSPS through years of work with interested and affected parties. The Fast Trip programs present so strikingly a similar impact to customers and communities that it merits the same consideration as PSPS under De-Energization R.18-12-005.

C. The Commission Should Adopt Standard Fast Trip Rules That Apply To All IOUs

While the Joint Parties primary concern for 2022 is PG&E's EPSS program, it is critical that the Commission adopt a standard set of Fast Trip rules that applies equally to all IOUs. As noted above, both SCE and SDG&E have their own Fast Trip programs. While these programs appear to be smaller in extent than PG&E's EPSS, it is difficult to locate precise data on the extent and impact of these programs because, unlike PG&E, SCE and SDG&E are not subject to the reporting requirements established in President Batjer's October 25, 2021 letter. Thus, the impact of these programs may be greater than we realize.

Even if the scopes of SCE and SDG&E's programs are comparatively small today, there are several good reasons for treating them with the same level of priority as PG&E's EPSS programs and adopting a single, standard set of rules for all programs. First, there is nothing stopping SCE and SDG&E from significantly increasing the size and scope of their EPSS programs in future fire seasons. Second, adopting a single standard set of rules for all IOUs is consistent with the Commission's strong policy in favor of regulatory efficiency, while maintaining separate regulatory regimes for the different IOUs would be inefficient and create significant confusion. Third, adopting a single set of Fast Trip rules for all IOUs is consistent with the Commission's decision to adopt standard rules for the IOU's other fire-safety de-energization programs, their PSPS programs.

Fourth, even if the scope of SCE or SDG&E's Fast Trip program is smaller than PG&E's EPSS program, as long as the IOU program has meaningful impacts on the health, safety, or welfare of the public, it is incumbent upon the Commission to oversee and regulate that program. It should not matter to the Commission whether a Fast Trip program causes sudden outages to 6,500 customers or 650,000 customers, the Commission should be equally concerned with ensuring that the outages and their impacts are reasonable, and that the outages, for instance, don't leave life-support customers without power for life-sustaining medical equipment.

III. CONCLUSION

The Joint Parties thank the Commission for its consideration of this Motion. For the reasons set forth above, we respectfully request that the Commission:

1. Open a track or phase of the instant Rulemaking to develop a standard set of rules governing all IOU Fast Trip programs.
2. Fast track this phase or track to ensure that rules are in place as quickly as possible to minimize ensure Fast Trip programs are reasonably regulated during the 2022 fire season.
3. Ensure that the rules adopted by the Commission address the same issue areas as the PSPS rules.
4. Use the existing PSPS rules as a starting point for developing the Fast Trip rules.

Respectfully Submitted,

Dated: July 12, 2022

/s/ David Peffer

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On behalf of the Joint Parties

Attachment A

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October 25, 2021

Patricia K. Poppe
Chief Executive Officer
Pacific Gas and Electric Corporation
77 Beale Street,
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BY ELECTRONIC TRANSMISSION

Ms. Poppe,

Pacific Gas and Electric Company's (PG&E) execution and communication of its wildfire mitigation device setting known as Fast Trip[1] has been extremely concerning and requires immediate action to better support customers in the event of an outage. This letter details my concerns and provides direction to PG&E regarding my expectations going forward.

Since PG&E initiated the Fast Trip setting practice on 11,500 miles of lines in High Fire Threat Districts in late July, it has caused over 500 unplanned power outages impacting over 560,000 customers. These Fast Trip-caused outages occur with no notice and can last hours or days. Though PG&E reports that implementation of Fast Trip settings has significantly reduced reportable wildfire ignitions from contact with its power lines, this approach has also significantly increased the frequency and duration of unplanned power outages for its customers, causing confusion and frustration in communities constantly vigilant of wildfire threats.

While I acknowledge how critical it is to public safety to reduce the risk of utility-ignited wildfires, it appears that PG&E decided to implement Fast Trip settings this summer with little forethought as to whether the settings were appropriately calibrated, what outreach to public safety partners and customers was necessary in advance, and how customer impacts would be mitigated and vulnerable customers' medical needs addressed. Fast Trip outages are more than a matter of inconvenience – they are disruptive, and for customers who rely on electricity to maintain necessary life functions, they can be life-threatening.

I am aware that PG&E has begun recalibrating its original Fast Trip settings to be less sensitive and has begun better communicating with impacted communities, however, from my current perspective, it is clear that PG&E is still in planning mode. PG&E must immediately work to address customer impacts for communities affected by these outages.

[1] Also referred to as Enhanced Powerline Safety Settings.

Unlike a Public Safety Power Shutoff event, by definition, Fast Trip settings do not allow for advance notice to customers of an outage. This means that customers, public safety partners, and critical infrastructure providers have no ability to plan and prepare for one of these outages.

While there are important dissimilarities between Public Safety Power Shutoffs and Fast Trip, I am worried that there are striking similarities in the obvious flaws in PG&E's approach to its initial execution and customer communication on both programs. An approach that can only charitably be characterized as shortsighted. In both instances, care and understanding for how the loss of power may affect customers has been overwhelmingly absent. These apparent similarities are not just disappointing, they are deeply and sincerely concerning, and continue to raise questions about PG&E's ability to evolve as a company and to internalize and prioritize customer well-being.

To the extent PG&E plans to continue use of Fast Trip settings, we understand PG&E will introduce and report on this approach in its 2022 Wildfire Mitigation Plan submission to the Office of Energy Infrastructure Safety. While we expect that PG&E will continue to work with the Office of Energy Infrastructure Safety and Commission staff to communicate and demonstrate where this approach falls in PG&E's overall wildfire mitigation strategy, in the very near-term, having this program active has real consequences for the health, comfort and safety of PG&E's customers. I expect PG&E to take immediate action to reduce and mitigate customer impacts and ensure that all communities who may be impacted by Fast Trip are better informed and supported.

While this is my clear top-level expectation, I also expect PG&E to comply with the following directives.

Near-Term Transparency and Action
By November 8, 2021, provide a written response to the questions below to the Director of the Commission's Safety Enforcement Division and serve it on the service lists for the Wildfire Mitigation Plan (R.18-10-007) and PG&E Safety Culture (I.15-08-019) proceedings.

1. What level of analysis did PG&E conduct in advance of deploying Fast Trip settings regarding the potential impacts of Fast Trip on outage frequency and duration? How do the scope and duration of outages that have occurred align with estimates from any analysis conducted pre-deployment?

2. Describe PG&E's understanding of how its Fast Trip settings and the specific parameters used to configure devices differ from similar settings Southern California Edison Company and San Diego Gas & Electric Company are using or have used on their systems to prevent ignitions.

3. Describe the operational details, with timelines, for how PG&E will manage its Fast Trip settings approach and how objectives such as reduced scope, duration and frequency of outages are prioritized.

4. What conditions or criteria will PG&E use to determine when to suspend use of Fast Trip in a particular location?

5. What conditions or criteria will PG&E use to determine when to deploy Fast Trip in a particular location in the future?

6. How is PG&E identifying medical baseline customers, critical infrastructure providers, and public safety partners who may be impacted on the circuits where Fast Trip settings have been implemented?
    a. What specifically tailored outreach has occurred to each of these groups?
    b. If none has occurred, what are PG&E's plans for specifically tailored outreach to each of these groups?
    c. What actions is PG&E taking to support these customers and minimize the impacts of outages? For example, is PG&E working with its Disability Disaster Access and Resources (DDAR) program and appropriately providing funding, and are local Independent Living Centers notified as soon as a Fast Trip outage occurs?

7. How is PG&E ensuring that customers who rely on electricity to maintain necessary life functions will be able to weather the full duration of a Fast Trip outage?
    a. How many customers who rely on electricity to maintain necessary life functions, including for durable medical equipment and assistive technology, does PG&E estimate have been impacted by Fast Trip outages to date?
    b. Does PG&E have a well-defined list of customers who rely on electricity to maintain necessary life function who are on circuits subject to Fast Trip settings?
    c. If it does not have a list, what actions is PG&E taking to have a clear understanding of where these customers are located?

8. What post-Fast Trip outage outreach is PG&E conducting to customers on circuits that have been highly impacted by Fast Trip?
    a. Does PG&E provide information on how to enroll in its medical baseline program and make customers aware of resiliency programs like DDAR and the portable back up battery program?

9. How has PG&E increased its staffing and contracting resources to ensure that outage inspections are occurring in a manner that allows for re-energizing lines quickly and safely?

10. How is PG&E calculating and tracking costs associated with implementation of its Fast Trip settings?

11. Is PG&E including unplanned outages caused by Fast Trip in the annual reliability reporting requirements for System Average Interruption Duration Index (SAIDI) and System Average Interruption Frequency Index (SAIFI) as laid out in Decision 16-01-008? If not, please explain why.

Ongoing Transparency and Accountability Reporting
Beginning November 8, 2021, PG&E must provide monthly reports to the Director of the Commission's Safety Enforcement Division and serve them on the service lists for the Wildfire Mitigation Plan (R.18-10-007) and PG&E Safety Culture (I.15-08-019) proceedings. The reports shall include at a minimum the information listed below and the cadence and content of the reports may be augmented at any time at the discretion of the Safety Enforcement Division.

- For every Fast Trip outage on a circuit:
    - Total scope of customers impacted, include specifics for:
        - Number of medical baseline customers impacted
        - Number of customers who rely on electricity to maintain necessary life functions impacted
        - Number of well water customers impacted
        - Number of schools impacted
        - Number of hospitals impacted
    - Duration
    - Cause of outage, if known
    - Efforts undertaken to clear lines and restore power within 60 minutes
- The total number of times that a circuit has experienced a Fast Trip event
- Trends of scope and duration of outages on repeatedly impacted circuits

Cost Tracking
To the extent it is not already doing so, PG&E is directed to track all of the costs associated with Fast Trip separately from other wildfire mitigation activity costs, including costs associated with customer communication, outage response, and inspection.

While the reporting requirements and related directives included in this letter are intended to drive action by PG&E in the very near-term, the CPUC will continue to gather information regarding PG&E's implementation and communication of Fast Trip and will take any enforcement actions as appropriate.

Customer care and safety, which consists of more than just the absence of utility-ignited wildfires, is a top priority for the CPUC. We expect PG&E to not only share this priority, but to execute its activities in a way that reflects this priority.

Sincerely,

Marybel Batjer, President
California Public Utilities Commission

cc:
CPUC Commissioner Martha Guzman Aceves
CPUC Commissioner Darcie L. Houck

CPUC Commissioner Clifford Rechtschaffen
CPUC Commissioner Genevieve Shiroma
CPUC Executive Director, Rachel Peterson
Sumeet Singh, Senior Vice President and Chief Risk Officer, PG&E
Adam Wright, Executive Vice President, Operations and Chief Operating Officer, PG&E
Laurie Giammona, Senior Vice President, Customer Care, PG&E