

PUBLIC UTILITIES COMMISSION

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December 2, 2021

Via Electronic Filing

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Subject: Comments of the Public Advocates Office, Mussey Grade Road Alliance, and The Utility Reform Network on the Draft 2022 Wildfire Mitigation Plan Update Guidelines, Docket #: 2022-WMPs

Dear Director Thomas Jacobs,

The Public Advocate's Office at the California Public Utilities Commission ("Cal Advocates"), Mussey Grade Road Alliance ("MGRA"), and The Utility Reform Network ("TURN") respectfully submit the following joint comments on the *Draft 2022 Wildfire Mitigation Plan (WMP) Update Guidelines* ("Draft Guidelines").

Cal Advocates, MGRA, and TURN – henceforth, the Joint Stakeholders – submit these comments in accordance with the guidance in the Office of Energy Infrastructure Safety's ("Energy Safety")¹ November 9, 2021 letter.² We respectfully urge Energy Safety to adopt the recommendations discussed herein.

I. INTRODUCTION

On November 9, 2021, Energy Safety issued its Draft Guidelines. The Draft Guidelines include multiple revisions and additions to the existing WMP guidelines, as well as a draft schedule for submission and review of the 2022 WMPs.

¹ On July 1, 2021, the Wildfire Safety Division of the California Public Utilities Commission moved to the California Natural Resources Agency and became the Office of Energy Infrastructure Safety pursuant to Assembly Bill 111, which was signed by the Governor on July 12, 2019 (Chapter 81, Statutes of 2019).

² 2022 *Guidelines Cover Letter*, Office of Energy Infrastructure Safety, November 9, 2021.

The Joint Stakeholders generally support the Draft Guidelines. However, we have significant concerns regarding the schedules (“draft schedule”) proposed in the *Guidelines for Submission and Review of 2022 Wildfire Mitigation Plan Updates* (Attachment 5). The draft schedule would reduce the period for stakeholder and public review from 52 days to 27 days. As will be explained below, Energy Safety’s draft schedule fails to provide adequate time for meaningful public and stakeholder input, which would undermine the quality of analysis and scrutiny applied to utilities’ WMP submissions.

Energy Safety should adopt a schedule that provides reasonable opportunities for public input, not only to comply with statutory requirements³ but also to support members of the public who wish to provide meaningful input on utility wildfire safety.

The Joint Stakeholders make the following comments regarding Energy Safety’s proposed requirements and processes for the 2022 WMPs:

- A. Energy Safety should provide a schedule that supports meaningful stakeholder input.
- B. Energy Safety has recognized that stakeholder comments and public input are a valuable part of the WMP review process, and should make accommodations in its scheduling if it is to benefit from this input going forward.
- C. Energy Safety’s draft schedule impedes discovery efforts.
- D. Energy Safety should adopt a schedule that enables stakeholders to file comments on cross-cutting issues.
- E. The Joint Stakeholders propose alternative schedules to allow for meaningful public input.
- F. Energy Safety should provide a contingent schedule that covers revision notices and comments related to revision notices.
- G. Energy Safety should delineate the differences between a comprehensive filing and an update filing.
- H. Energy Safety should avoid establishing requirements that are duplicative with the existing requirements for Quarterly Data Reports (QDR) or are better served by revising the Quarterly Data Reports’ GIS Data Reporting Standard.

³ See Public Utilities Code Section 8386(d) and the California Administrative Procedure Act, Gov. Code sections 11340-11361.

II. RECOMMENDATIONS

A. Energy Safety should provide a schedule that supports stakeholder input.

Energy Safety has proposed that stakeholder and public comments be due 27 days after the submission of the 2022 WMPs, which is nearly a 50 percent reduction in the time afforded for stakeholder comments compared to last year.⁴ Such a short review period seriously curtails input from the public and stakeholders. Given this time constraint, it is not possible for stakeholders to provide a reasonable level of review or analysis.

Energy Safety is required by statute to solicit and consider input from the public and stakeholders in the process of reviewing utility WMPs. Public Utilities Code Section 8386(d) states that “the division or office shall accept comments on each plan from the public, other local and state agencies, and interested parties.”⁵ For those comments to be meaningful, stakeholders must have adequate time to review the utility’s WMP.

For the 2020 WMPs, stakeholders were allowed 60 days to review and provide comments on utilities’ WMPs. In 2021, this period was reduced to 52 days.⁶ Energy Safety’s draft schedule for the 2022 WMPs provides only 27 days for public comments.⁷

The Joint Stakeholders appreciate the statutory time restrictions that Energy Safety works under and the challenges of reviewing voluminous WMP submissions in a short period.⁸ We understand Energy Safety’s desire to receive stakeholder input early, so that it has time to review and analyze public comments. However, this need should be balanced with allowing adequate time for stakeholders and the public to provide useful, well-founded input. If the schedule provides time for stakeholders to properly review, analyze and comment on the WMPs, it will benefit Energy Safety’s ability to reach strong, evidence-based conclusions bolstered by the public process required according to Public Utilities Code Section 8386(d).

⁴ Guidelines for Submission and Review of 2022 Wildfire Mitigation Plan Updates, Attachment 5 (“Draft Guidelines”), pp. 6-8.

⁵ Public Utilities Code Section 8386(d).

⁶ See WSD-001: Procedures for WSD Review of WMPs, January 24, 2020 (providing 60 days for opening comments on WMPs); Lucy Morgans Letter Extending Opening Comment Deadline, March 1, 2021 (with extension, providing 52 days for opening comments on WMPs).

⁷ Guidelines for Submission and Review of 2022 Wildfire Mitigation Plan Updates, Attachment 5 (“Draft Guidelines”), pp. 6-8.

⁸ The 90-day deadline for Energy Safety to approve or reject WMPs may be extended if necessary. See Public Utilities Code 8386.3(a): “The Wildfire Safety Division shall approve or deny each wildfire mitigation plan and update submitted by an electrical corporation within three months of its submission, unless the division makes a written determination, which shall include reasons supporting the determination, that the three-month deadline cannot be met.”

Currently, the draft schedule allows nine weeks for Energy Safety staff to analyze public comments before it publishes its draft action statement for each utility, compared to five and a half weeks in 2020. We believe that Energy Safety would benefit from moving the stakeholder comment deadline later in the process, because the benefits of significantly more informed stakeholder input would assist and facilitate Energy Safety staff's evaluation of the WMPs.

B. Energy Safety has recognized that stakeholder comments and public input are a valuable part of the WMP review process.

In previous years, stakeholders have provided valuable analysis of WMPs and ideas on how the WMPs can be improved. Energy Safety should continue to recognize that stakeholder participation is valuable to the WMP review process, providing Energy Safety's full support to a robust stakeholder process. Previous stakeholder comments have influenced Energy Safety's decision-making. This is evident from Energy Safety's action statements on past WMPs, which cite analysis and comments by multiple stakeholders.

The following are some examples of where Energy Safety concurred with stakeholders' analysis and recommendations. It is unlikely that Energy Safety would have identified all of these issues absent input from stakeholders. For example, Energy Safety has found that:

- “There should be a coordinated approach to the calculation of risk-spend efficiency values across the utilities (MGRA, TURN, Cal Advocates).”²
- “In particular, there should be a coordinated approach to looking at the costs and risk-spend efficiency of covered conductor installation across the utilities (MGRA, TURN, Cal Advocates).”¹⁰
- “There should also be a coordinated approach to the utilities' risk modeling efforts, supported by an Energy Safety-led technical working group (Cal Advocates). The risk models should be subject to verification (MGRA).”¹¹
- “Use of fire retardant on vegetation as a pre-emptive measure for wildfire prevention could have long-lasting environmental impacts

² Energy Safety Final Action Statement on PG&E 2021 WMP Update, p. 24.

¹⁰ Energy Safety Final Action Statement on PG&E 2021 WMP Update, p. 24.

¹¹ Energy Safety Final Action Statement on PG&E 2021 WMP Update, p. 24.

and needs to be studied with rigorous peer and public review before expanding the pilot (RCRC,¹² CFBF,¹³ JLG,¹⁴ Cal Advocates).”¹⁵

- “Despite costly mitigations, PG&E forecasts equal or more frequent use of PSPS in the coming decade. Sectionalization and other grid hardening efforts appear to have had little effect on [public safety power shutoff] risk (MGRA, Valley Women's Club for the San Lorenzo Valley, TURN, Cal Advocates, GPI,¹⁶ SCC,¹⁷ Prof. Sandoval [SCU¹⁸ Law], Kevin Collins, ATC,¹⁹ RCRC).”²⁰
- Across utilities there is a wide variance in covered conductor scope, [risk-spend efficiency] and cost (MGRA, Cal Advocates, TURN, RCRC).”²¹
- “SCE needs to justify its aggressive allocation to covered conductor installation and should prioritize high-risk circuits. A high percent (90%) of grid hardening expenditures in the [high fire threat district] is on covered conductor with limited justification or prioritization (Cal Advocates, TURN, MGRA, ATC).”²²
- “SCE should inventory all C-hooks in [high fire threat district] areas to ensure aged C-hooks are replaced (Cal Advocates).”²³
- “SCE should demonstrate that programs account for foreseeable obstacles. For instance, SCE fell short of pole loading assessments target due to foreseeable obstacles such as 1) customer denying access to property or unavailable to give access, 2) access issues due to COVID-19 and 3) weather risk issues. SCE should report targets

¹² Rural County Representatives of California.

¹³ California Farm Bureau Federation.

¹⁴ Joint Local Governments.

¹⁵ Energy Safety Final Action Statement on PG&E 2021 WMP Update, p. 24.

¹⁶ Green Power Institute.

¹⁷ Santa Clara County.

¹⁸ Santa Clara University School of Law.

¹⁹ Acton Town Council.

²⁰ Energy Safety Final Action Statement on PG&E 2021 WMP Update, p. 24.

²¹ Energy Safety Final Action Statement on SCE 2021 WMP Update, p. 23.

²² Energy Safety Final Action Statement on SCE 2021 WMP Update, p. 23.

²³ Energy Safety Final Action Statement on SCE 2021 WMP Update, p. 23.

with an expectation of predictable obstacles and plans to mitigate them (Cal Advocates).”²⁴

- “The Small and Multi-Jurisdictional Utilities²⁵ have substantial differences in PSPS thresholds, costs of covered conductors, and inspection practices (Cal Advocates, GPI, and RCRC).”²⁶
- “Liberty [Utilities] has overall limited oversight of programs and contractors (Cal Advocates, GPI, and RCRC).”²⁷

The above examples demonstrate that stakeholders provide valuable input that should be incorporated into Energy Safety’s review, when stakeholders are provided adequate time for review, discovery, and analysis. Even so, with the massive increase in the volume of utility plans that occurred from 2020 to 2021, the Joint Stakeholders had to request additional time to prepare comments,²⁸ a request that was partially granted by the Wildfire Safety Division.²⁹

Stakeholder input is a crucial and important part of the WMP review process and contributes to Energy Safety’s mission “[t]o advance long-term utility wildfire safety.”³⁰ For example, stakeholders can and have identified facts or concerns that Energy Safety might otherwise overlook. However, stakeholders cannot analyze voluminous WMP submissions in significantly less time than previously provided. Thus, Joint Stakeholders request that Energy Safety modify the schedule so that stakeholders have adequate time to perform substantive analysis of each WMP. Failure to do so will materially harm public safety as Energy Safety will not have a robust record developed through an adequate public process.

C. Energy Safety’s draft schedule impedes discovery efforts.

In theory, the Draft Guidelines support a stakeholder discovery process. From a practical standpoint, however, discovery is an iterative process requiring successive requests to refine questions and obtain additional relevant detail. While the Joint Stakeholders appreciate that the response period for data requests has been shortened to three days, in cases where significant volumes of data need to be assembled, utilities often request extensions. The discovery process in these cases can and does often extend over several weeks, as several

²⁴ Energy Safety Final Action Statement on SCE 2021 WMP Update, p. 22.

²⁵ This refers to Bear Valley Electric Service, PacifiCorp, and Liberty Utilities.

²⁶ Energy Safety Final Action Statement on Liberty 2021 WMP Update, p. 11.

²⁷ Energy Safety Final Action Statement on Liberty 2021 WMP Update, p. 11.

²⁸ Joint Stakeholder Request for Extension of Time to Provide 2021 Wildfire Mitigation Plan Comments, February 23, 2021.

²⁹ Response to Joint Stakeholder Request for Extension of Time to Provide 2021 Wildfire Mitigation Plan Comments, March 1, 2021, Lucy Morgans, Acting Program Manager, Wildfire Safety Division.

³⁰ Office of Energy Infrastructure Safety website, “Vision and Mission,” available at <https://energysafety.ca.gov/who-we-are/vision-and-mission/>

stakeholders experienced during the 2021 review period. A multi-week discovery cycle is not compatible with a 27-day comment period, particularly since data received from utilities often prompts additional questions and requires further analysis by stakeholders.

In 2021, even though Energy Safety set a deadline of three business days for WMP-related discovery responses, many responses took longer. On average:³¹

- Pacific Gas and Electric Company (“PG&E”) responded to Cal Advocates’ WMP data requests in 4.8 business days.
- San Diego Gas & Electric Company (“SDG&E”) responded to Cal Advocates’ WMP data requests in 4.3 business days.
- SCE responded to Cal Advocates’ WMP data requests in 4.0 business days.

In 2021, Cal Advocates was able to work with the utilities and Energy Safety to grant extensions, given the 52-day review period. Under Energy Safety’s current proposal, Cal Advocates would have to oppose all extension requests by the utilities in order to meet Energy Safety’s currently proposed deadline. The opposition of extension requests and failure of the utilities to abide by the discovery deadlines would both limit stakeholders’ ability to fully analyze the submissions and negatively impact the quality and usefulness of stakeholders’ recommendations. The time for stakeholders to analyze the information in the WMPs, should not be given short shrift, especially given the significant impact of the WMPs on ratepayer safety and rates.

D. Energy Safety should adopt a schedule that permits stakeholders to file comments on cross-cutting issues.

During the 2021 WMP Update cycle, Cal Advocates provided general recommendations on technical issues that affected all the large utility WMP Updates.³² Similarly, MGRA and TURN each filed comments that pertained to all the large utility WMP Updates.^{33, 34} Comparing priorities, methods, and performance across utilities allows stakeholders to identify common issues that span utilities and to identify utilities that have specific problems or strengths. For example, in 2021, stakeholders and Energy Safety discovered a

³¹ These figures are the average response times on a question by question basis, for data requests issued during the WMP review period. It excludes the data requests that Cal Advocates issued in advance of the utility WMP submissions, for which response times ranged from 12 to 21 *business* days.

³² Comments of the Public Advocates Office on the 2021 Wildfire Mitigation Plan Updates of the Large Investor-Owned Utilities, pp 27-42.

³³ Mussey Grade Road Alliance Comments on 2021 Wildfire Mitigation Plans of PG&E, SCE, and SDG&E.

³⁴ Comments of the Utility Reform Network on 2021 Wildfire Mitigation Plan Updates.

number of issues applying to all utilities, such as wildfire risk modeling, covered conductor assumptions, vegetation management and power shutoff practices.³⁵ This thematic approach to WMP analysis has led to the formation of several joint working groups to identify issues and best practices.

Energy Safety's draft schedule would hinder stakeholders' ability to file general comments on cross-cutting issues found in the large utility WMPs. Energy Safety's Draft Guidelines stagger the schedules of the large utility WMP reviews by two-week intervals.³⁶ Accordingly, the public comment deadlines for the large utility WMPs are consecutively spaced two weeks after one another.³⁷

Under the proposed short and staggered schedule, it would be difficult for stakeholders to analyze and comment on cross-cutting issues. For example, it would be infeasible for stakeholders to evaluate and comment on cross-cutting issues as part of their comments on PG&E's WMP Update, because SDG&E would not yet have filed its WMP Update.³⁸ For these reasons, the Joint Stakeholders recommend that the large investor-owned utilities PG&E, SCE, and SDG&E file concurrently on the same date, followed by concurrent filings from the small and multi-jurisdictional utilities ("SMJUs") at a later date. The large utilities face similar challenges and structural issues, which should be addressed in a holistic fashion during WMP review. Similarly, the SMJUs face many of the same challenges as each other in their WMP implementation. In both cases, each utility benefits from the ability to consider best practices at peer utilities.

Holding each WMP review sequentially as proposed by Energy Safety would preclude this type of analysis and weaken the effectiveness of WMP implementation. Concurrent filing by each group of peer utilities will enable stakeholders and Energy Safety itself to perform comparative analysis and achieve the best results in wildfire risk reduction. It is important that stakeholders have an opportunity and reasonable time to provide comments that apply to all the large utility WMPs.

E. The Joint Stakeholders propose alternative schedules to allow for meaningful public input.

The Joint Stakeholders ask Energy Safety to consider alternative schedules that would provide more time for constructive stakeholder and public comments on WMPs, while still

³⁵ See Section B above, of examples.

³⁶ "Large utilities" in this case mean PG&E, SCE, and SDG&E.

³⁷ 2022 WMP Guidelines_Attachment 5_DRAFT, pp 6-7.

³⁸ The proposed filing date for SDG&E's WMP Update is March 4, 2022. The deadline for public comments on PG&E's WMP Update is March 3, 2022. 2022 WMP Guidelines_Attachment 5_DRAFT, pp 6-7.

meeting Energy Safety's statutory deadline of 90 days.³⁹ The abbreviated 27-day public comment period proposed does not provide adequate time for parties to review WMP and provide meaningful comments. However, we believe that several alternatives could meet the needs of all participants in the WMP review process and lead to better substantive outcomes for wildfire safety.

Our primary concerns are:

- This schedule should promote robust scrutiny of utility WMPs and the efficient, prompt reduction of wildfire risk.
- The stakeholder comment period should provide adequate time for discovery, so that stakeholders can provide informed and factual comments.
- The comment deadlines should allow for comparative analysis across utilities.
- The schedule should allow time for Energy Safety to review stakeholder input and follow up with its own discovery if necessary.

Below, we provide alternatives that would balance these goals to varying degrees.

1. Energy Safety leads the WMP process by moving earlier its initial review that identifies key issues in the WMPs.

We encourage Energy Safety to consider a shift in approach so that Energy Safety leads the WMP process by identifying key issues earlier.

With this new approach, Energy Safety would present an initial review around the mid-point of the 90-day review period, either by shifting forward its issuance of a Draft Action Statement or conducting a workshop to present its initial review.⁴⁰ Energy Safety would present key concerns (as well as strengths) raised by the WMPs, based on its initial review up to that point.⁴¹ Previously, Energy Safety has issued its Draft Action Statements for public comment at or after the 90-day mark. Issuing such a document earlier would make it

³⁹ See Public Utilities Code Section 8386.3.

⁴⁰ The 90-day deadline may be extended if necessary. See Public Utilities Code 8386.3(a): "The Wildfire Safety Division shall approve or deny each wildfire mitigation plan and update submitted by an electrical corporation within three months of its submission, unless the division makes a written determination, which shall include reasons supporting the determination, that the three-month deadline cannot be met."

⁴¹ Energy Safety could present its initial review in the form of a Draft Action Statement, a slideshow in a workshop, a memo to stakeholders, or some other format of its choosing.

more useful, by promoting an exchange of ideas between Energy Safety and other stakeholders.

Subsequently (14 to 20 days later), stakeholders would comment on both the WMP and Energy Safety's initial written review. This would provide adequate time for stakeholders to review and provide meaningful comments on the WMPs and on Energy Safety's initial review.⁴²

Notably, this approach would render the WMP review process more timely. It would enable Energy Safety to issue a Final Action Statement (rather than a Draft Action Statement) at or near the 90-day mark. This would be beneficial to all participants in the WMP review process, because it would create greater clarity and certainty about whether and when WMPs can be considered "approved."

A second potential benefit of this change in approach is to promote a more focused and effective review process. By issuing a Draft Action Statement (or initial findings in another form) earlier in the WMP process, Energy Safety would call attention to crucial issues. Intervenors could then focus additional attention on those issues through discovery and comments. Intervenor comments can also strengthen Energy Safety's analysis and identify issues that Energy Safety may not have included in its initial review.

Moreover, after Energy Safety issues its initial review report, its staff could continue to analyze the WMPs, conduct discovery, and make improvements to the final action statement.

This approach is also broadly consistent with the California Administrative Procedure Act and public input processes for most state agencies.⁴³ Under the Administrative Procedure Act, state agencies are required to accept public comments for 30 to 45 days on a draft regulation.⁴⁴ Typically, the agency issues a draft regulation, accepts public comments, makes revisions, and then issues a final regulation.⁴⁵

The Joint Stakeholders believe that this new approach will produce the best achievable results. It balances adequate time for public and stakeholder input with the constraints imposed by statute. However, if Energy Safety declines to adopt the Joint Stakeholders' approach, it should consider the alternatives below that would partially address the concerns we have raised regarding the draft schedule.

⁴² This schedule also allows for at least as much time as the stakeholders were previously permitted for WMP reviews in 2020 (60 days) and 2021 (52 days).

⁴³ See generally Gov. Code sections 11340-11361.

⁴⁴ See, e.g., Gov. Code sections 11346.4, 11346.6

⁴⁵ See generally Gov. Code sections 11340-11361.

2. Revert to the 2021 schedule.

As hectic as it was, from the standpoint of the Joint Stakeholders the 2021 Wildfire Mitigation Plan 52-day review cycle was a success, allowing the Energy Safety review to incorporate numerous stakeholder contributions. The Joint Stakeholders would have no objection to the use of the 2021 review schedule as a template for future years if the Joint Stakeholders' approach in the preceding section is not adopted. This would entail simultaneous issuance of the Wildfire Mitigation Plans for the large utilities and would allow adequate time for stakeholder discovery and analysis.

3. Permit a supplemental filing with comparative comments.

The Joint Stakeholders recognize that the staggered schedule proposed by Energy Safety allows more dedicated time for Energy Safety staff to review utility filings. However, a staggered schedule leads to stakeholder problems with discovery, general issues, and utility comparison.

One solution that would allow stakeholder issues to be addressed would be to permit a supplemental stakeholder filing one week after the comments are due on the last major utility (SDG&E), on April 7, 2022, with replies on April 14, 2022. This schedule would allow Energy Safety staff three weeks to incorporate any new findings into its draft action statement for PG&E, due on May 6th, as well as those for other utilities due on later dates. The supplemental filing would be limited to 15 pages, and would incorporate:

- Results from late-received data requests
- General issues applying to all utilities
- Comparisons between utilities regarding specific topics.

Replies would be limited to 5 pages.

This supplemental filing would partially compensate for the difficulties introduced by staggered reviews but would still put limitations on stakeholders that emphasize utility comparison and stakeholders relying on numerous or extended data requests.

4. Extend the comment period for stakeholders.

The draft schedule allots nine weeks for Energy Safety staff to review stakeholder comments, but only four weeks for stakeholders to provide input. A modest shift in the schedule would allow stakeholders time to provide valuable analysis and recommendations. Ideally, the extension should allow sufficient overlap between reviews for stakeholders to conduct comparisons between utilities.

A three-week extension of all stakeholder comment deadlines would allow for three weeks of overlap between the first utility and the third utility, which may be sufficient for comparisons that do not require extensive discovery. A three-week extension would still give Energy Safety staff six weeks to review stakeholder comments and five weeks to review replies before a draft action statement is due for each utility.

If Energy Safety adopts this approach, it should also schedule the large utilities in alphabetical order.⁴⁶ Therefore, the schedule would be:

Alternative Schedule with Extended Stakeholder Comment Periods			
Utility	WMP filing date	Public comment deadline	Energy Safety Action Statement
PG&E	Friday, February 4	Thursday, March 24	Friday, May 6
SDG&E	Friday, February 18	Thursday, April 7	Friday, May 20
SCE	Friday, March 4	Thursday, April 28	Friday, June 3

With this schedule, the limited overlap periods between utilities would still not be as conducive to cross-utility comparisons as simultaneous issuance of WMPs, but this alternative would address discovery issues.

5. Order of preference

The Joint Stakeholders stress that Energy Safety's draft schedule will not allow them to provide adequate review of the 2022 wildfire mitigation plans. The Joint Stakeholders have provided several alternative schedules. Below, we rank these alternatives.

The Joint Stakeholders believe that the new approach we have proposed in Section E.1 – in which Energy Safety would provide an initial review in the middle of the 90-day review period and stakeholders subsequently comment – bears serious consideration. However, because this is a significant change from past practice, there are important details to be ironed out (notably the exact deadlines and the form of Energy Safety's initial review). Therefore, we are not placing this option in a ranked order of preferences.

Aside from the Energy Safety-led approach, the Joint Stakeholders' order of preference for the alternative schedules is:

⁴⁶ San Diego Gas & Electric should come before Southern California Edison.

1. Revert to the model used in 2021 with simultaneous issuance and review of WMPs
2. Permit a 15-page supplemental filing after the comments on the third utility are due, covering general issues, utility comparisons, and late-received data responses.
3. Extend all comment deadlines by three weeks.

F. Energy Safety should provide a contingent schedule that covers revision notices and comments related to revision notices.

Energy Safety should clarify the Draft Guidelines to indicate whether it may issue Revision Notices to address major deficiencies in the 2022 WMP Updates, as it did last year. During its review of the 2021 WMP Updates, Energy Safety issued Revision Notices for PG&E, SCE and BVES.⁴⁷ ⁴⁸ ⁴⁹ In those Revision Notices, Energy Safety gave the utilities one month to file a response. Parties were then given seven days to file opening comments and six days to file reply comments.

Revision Notices added a considerable amount of involvement to the WMP review process. Notably, stakeholders had limited time to review and file comments on the utilities' responses to Revision Notices. Each of these steps requires the dedication of significant resources and it would benefit stakeholders to know if the 2022 review process could have similar steps. If Energy Safety anticipates the possibility of issuing Revision Notices in 2022, it should provide a contingent schedule that anticipates that possibility so that stakeholders can plan and allocate staff time accordingly.

Additionally, if Energy Safety determines that Revision Notices are needed, Energy Safety should provide stakeholders with adequate time to review and analyze the utility responses to the Revision Notices. The aforementioned seven and six days for stakeholder comment on the 2021 Revision Notice responses were *calendar days*, which means parties only had four to five business days to review and write comments on the Revision Notices and responses. This review period was insufficient for stakeholders to perform a meaningful and useful analysis of the utility submissions. Cal Advocates has previously discussed the

⁴⁷ The Wildfire Safety Division Issuance of Revision Notice for Pacific Gas and Electric Company's 2021 Wildfire Mitigation Plan Update and Notice of Extension of WSD Determination Per Public Utilities Code 8389.3(a).

⁴⁸ The Wildfire Safety Division Issuance of Revision Notice for Southern California Edison Company's 2021 Wildfire Mitigation Plan Update and Notice of Extension of WSD Determination Per Public Utilities Code 8389.3(a).

⁴⁹ The Wildfire Safety Division Issuance of Revision Notice for Bear Valley Electric Service's 2021 Wildfire Mitigation Plan Update and Notice of Extension of WSD Determination Per Public Utilities Code 8389.3(a).

difficulties of an insufficient review period in its previous comments on the Revision Notices for the 2021 WMPs.⁵⁰

Limiting the period for parties to file comments to such an extent is burdensome for stakeholders and limits the quality of stakeholder analysis. The Joint Stakeholders recommend that Energy Safety allow a *minimum* of 14 days for stakeholder review of any future utility responses to Revision Notices.

G. Energy Safety should delineate the differences between comprehensive filings and update filings.

In prior comments to Energy Safety, Cal Advocates has recommended that Energy Safety “differentiate the content of comprehensive three-year WMP submissions from the annual update submissions” and codify a process for determining whether a utility is required to file a comprehensive WMP or an update filing.⁵¹ Energy Safety is afforded broad statutory discretion in Public Utilities Code Section 8386(b) to make this determination.⁵²

In 2021, Energy Safety instructed utilities to provide update filings that were functionally equivalent to the comprehensive filings in 2020. In fact, guideline changes between the 2020 and 2021 WMP filings resulted in update filings which were substantially longer than the prior comprehensive filings. To date, Energy Safety has provided no guidance for how an update filing should differ from a comprehensive filing, and has required each utility to file the equivalent of a comprehensive plan every year.

Energy Safety should issue guidance on when a utility is allowed to file a WMP update and develop guidelines for a streamlined update filing. This would allow both Energy Safety and stakeholders to concentrate more resources on utilities which require more scrutiny through comprehensive filings, while ensuring that important changes made by the other utilities are properly reported and analyzed in update filings.

⁵⁰ Comments of the Public Advocates Office on Pacific Gas and Electric’s (PG&E) June 3, 2021 Revision of its 2021 Wildfire Mitigation Plan Update, p. 23.

⁵¹ Comments of the Public Advocates Office on the 2021 Wildfire Mitigation Plan Updates of the Large Investor-Owned Utilities, pp. 44-49 and Appendix D.

⁵² Public Utilities Code Section 8386(b) states that “in its discretion, the division may allow the annual submissions to be updates to the last approved comprehensive wildfire mitigation plan; provided, that each electrical corporation shall submit a comprehensive wildfire mitigation plan at least once every three years.”

H. Energy Safety should avoid establishing requirements that are duplicative with the existing requirements for Quarterly Data Reports (QDRs) or are better served by revising the GIS Reporting Standards.

Energy Safety's Draft Guidelines request the inclusion of maps or geospatial information that is already in the geospatial requirements for Quarterly Data Reports ("QDRs").⁵³ ⁵⁴ ⁵⁵ ⁵⁶ For example, per the Draft Guidelines, Energy Safety would require utilities to provide maps on Grid Design and System Hardening, as well as Asset Management and Inspections,⁵⁷ much of which is already provided by the electric utilities in their QDRs.⁵⁸ For example, the QDRs include the following geospatial data that can be viewed as maps:

- Administrative Area (which functions as an overview map of utility service territory),
- Transmission Lines,
- Primary Distribution Lines,
- Secondary Distribution Lines,
- Grid Hardening Lines,
- Asset Inspection Points, and
- Vegetation Management Inspection Points.⁵⁹

Because the QDRs already include a large portion of the geospatial information that Energy Safety has added to the Draft Guidelines, adding those maps to the WMP would only serve to increase the length of the WMPs without providing commensurate analytical benefit. In other cases, Energy Safety's Draft Guidelines ask for information that is not currently reported in the QDRs.⁶⁰ In these cases, Energy Safety should require that data as part of its GIS Data Reporting Standard rather than adding it the WMP. For example, detailed information about the generalized wildfire risk on transmission and distribution lines should be included as additional fields in the transmission and distribution line data in the QDRs.⁶¹

⁵³ 2022 WMP Guidelines_Attachment 2_DRAFT_REDLINE , p. 45.

⁵⁴ 2022 WMP Guidelines_Attachment 2_DRAFT_REDLINE , p. 50.

⁵⁵ 2022 WMP Guidelines_Attachment 2_DRAFT_REDLINE , p. 78.

⁵⁶ 2022 WMP Guidelines_Attachment 2_DRAFT_REDLINE , p. 87.

⁵⁷ 2022 WMP Guidelines_Attachment 2_DRAFT_REDLINE , p. 76.

⁵⁸ WSD GIS Data Reporting Standard – V2, pp. 78-87.

⁵⁹ WSD GIS Data Reporting Standard -V2, pp iii-v.

⁶⁰ 2022 WMP Guidelines_Attachment 2_DRAFT_REDLINE , p. 76.

⁶¹ 2022 WMP Guidelines_Attachment 2_DRAFT_REDLINE , p. 76.

Additionally, the Draft Guidelines are unclear on how the additional maps must be submitted as part of the WMPs. Energy Safety states that the maps could be submitted as confidential attachments, but does not state if those attachments should be PDFs or files that can be analyzed by GIS software, such as geodatabase (.gdb) folders.⁶² A PDF map would retain relatively little information compared to a geodatabase, which is how geospatial data is already provided to Energy Safety every quarter.⁶³ Therefore, if Energy Safety chooses to require new maps in the WMPs, Energy Safety should clarify that those additional maps must be submitted in geodatabase format or some other format that is easily accessible with GIS software.

PDF maps can be useful for members of the public who lack access to or familiarity with GIS software. If Energy Safety's goal is to make maps more accessible to the public, it should also specifically identify maps that utilities need to provide in a publicly accessible PDF download. The PDF maps should be provided *in addition* to geodatabases. The Joint Stakeholders recommend that Energy Safety reconsider its revisions that are related to geospatial information and consider whether that information is included already in the QDR GIS Reporting Standard. If the data is not currently included, Energy Safety should add that data to the QDR GIS Reporting Standard.

III. CONCLUSION

The Joint Stakeholders respectfully request that Energy Safety adopt the recommendations discussed herein. For any questions relating to these comments, please contact Henry Burton (Henry.Burton@cpuc.ca.gov) for Cal Advocates, Joseph Mitchell (jwmitchell@mbartek.com) for MGRA, and Katy Morsony (kmorsony@turn.org) for TURN.

Sincerely,

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⁶² 2022 WMP Guidelines_Attachment 2_DRAFT_REDLINE , p. 76.

⁶³ WSD GIS Data Reporting Standard -V2, p. 4.

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