

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



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Approaches to Disconnections and
Reconnections to Improve Energy Access and
Contain Costs

Rulemaking 18-07-005
(Filed July 12, 2018)

**EMERGENCY MOTION OF THE JOINT CONSUMER ADVOCATES TO MODIFY
WEATHER-RELATED DISCONNECTION PROTECTIONS TO BETTER ADDRESS
“EXTREME HEAT” HEALTH AND SAFETY RISKS**

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**EMERGENCY MOTION OF THE JOINT CONSUMER ADVOCATES TO MODIFY
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I. INTRODUCTION

Summer is fast approaching, and with it, the threat of extreme high temperatures. When heat becomes dangerous, electricity service is essential to keep fans and air conditioners running. The Commission has acknowledged this fact and currently prohibits the investor-owned utilities (IOUs) from disconnecting residential customers when temperatures are projected to exceed 100°F in a 72-hour lookahead period.¹ Last summer, in Decision 25-06-012 (the Extreme Heat Decision), the Commission recognized the need to expand these disconnections protections, with a specific focus on addressing heat risks and accompanying risks to health and safety, which vary by location throughout the state.² That decision required the IOUs to coordinate with interested stakeholders to develop expanded protections and to implement the expanded protections by May 1, 2026³ – a deadline which has come and gone without action.

Pursuant to Rule 11.1 of the Commission’s Rules of Practice and Procedure, The Utility Reform Network (TURN), the Center for Accessible Technology (CforAT), the National Consumer Law Center (NCLC), and the Utility Consumers’ Action Network (UCAN), together the “Joint Consumer Advocates,” respectfully submit this motion urging the Commission to implement interim extreme heat protections on an emergency basis so that Californians do not face another summer at heightened risk of service disconnection during periods of extreme heat. Specifically, this motion requests that the Commission direct the IOUs to lower the statewide

¹ D.18-12-013, Ordering Paragraph (OP) 1(c) (adopting interim rules for PG&E, SCE, SDG&E, and SoCalGas); D.20-06-003, OP 1(f) (making this rule permanent for PG&E, SCE, SDG&E, and SoCalGas); D.22-08-037, OP 3(e) (applying this rule to the small and multi-jurisdictional energy utilities).

² D.25-06-012, OP 4.

³ D.25-06-012, p. 35.

temperature threshold for suspending disconnections from 100°F to 90°F immediately upon the issuance of a Commission ruling.⁴ A reduced temperature threshold will provide meaningful relief while the Commission considers, and the IOUs implement, a more complex system for providing customer protections that vary in different parts of the state based on relative heat risk.

II. BASIS FOR REQUESTED RELIEF

A. The Commission Ordered Improved Extreme Heat Protections by May 1, 2026.

On August 14, 2024, TURN filed an emergency motion asking the Commission to revise the extreme heat threshold which triggers disconnections suspensions.⁵ As noted above, that threshold of 100°F over a 72-hour lookahead period has not changed since 2018, even as heat risks have increased. The TURN Motion highlighted the increasingly frequent, severe, and long-lasting occurrence of extreme heat in California, as well as the relative health and safety risks which can arise at temperatures below the current 100°F threshold for disconnection protections, particularly in areas of the state where standard temperatures are moderate and residents are not acclimated to heat.⁶ The motion also noted the increased risk of health conditions when nights remain warm, which means that residents do not have the ability to recover after a hot day.⁷ CforAT and NCLC jointly filed a response in support of the TURN Motion, as did the Public Advocates Office (Cal Advocates).⁸ The large IOUs jointly filed a response that opposed the

⁴ The Commission's Rules of Practice and Procedure regularly allow 15 days for parties to respond to a written motion and then authorize the administrative law judge to provide 10 days to the moving party for a reply if requested (Rule 11.1). Joint Consumer Advocates are filing a Motion to Shorten Time concurrently with this motion, asking for the reply period to be reduced to 5 days. Joint Consumer Advocates are also prepared to waive any opportunity for submitting a reply in order to facilitate prompt action on this motion.

⁵ "Emergency Motion of The Utility Reform Network to Modify Weather-Related Disconnection Protections to Better Address 'Extreme Heat' Health and Safety Risks" (August 14, 2024), filed in R.18-07-005 (the TURN Motion).

⁶ TURN Motion, pp. 1-2.

⁷ TURN Motion, pp. 2-3.

⁸ "Response of Center for Accessible Technology and National Consumer Law Center in Support of TURN Emergency Motion," filed on August 28, 2024, pp. 1-2; "Response of the Public Advocates Office

TURN Motion but expressed willingness to modify existing extreme weather protections following further record development.⁹

The Commission subsequently denied the TURN Motion, while noting that it would consider whether the issues raised in the motion should be added to the scope of the proceeding “in time to consider prior to next summer.”¹⁰ Just over two weeks later, the Commission issued an Amended Scoping Memo adding the issue of increased disconnection protections during extreme weather conditions to the scope of the proceeding.¹¹ The Phase 2 Scoping Memo set out questions for parties to address to develop a record on options for increased protections.¹² Parties submitted responses to the questions on November 22, 2024, with comments filed by all of the Joint Consumer Advocate organizations as well as the IOUs, Cal Advocates, and the California Community Choice Association.¹³

After considering the information in the expanded record, the Commission issued the Extreme Heat Decision, which ordered the IOUs to consult with stakeholders and then develop a proposal (to be submitted via Tier 3 Advice Letter) to adjust the temperature thresholds throughout the state.¹⁴ The Extreme Heat Decision further specified that “this proposal shall identify regions in each Large IOU’s territory that should have a lower temperature threshold to

to Emergency Motion of the Utility Reform Network to Modify Weather-Related Disconnection Protections to Better Address ‘Extreme Heat’ Health and Safety Risks,” filed on August 29, 2024, p. 1.

⁹ Joint Response of SCE, SoCalGas, SDG&E and PG&E to Emergency Motion of The Utility Reform Network, filed on August 29, 2024, at pp. 2-3.

¹⁰ Assigned Commissioner’s Ruling Denying Motion to Modify Disconnection Protections, issued on October 14, 2024, at p. 3.

¹¹ Assigned Commissioner’s Amended Phase 2 Scoping Memo and Ruling, issued on October 30, 2024 (Phase 2 Scoping Memo). The Phase 2 Scoping Memo also added the issue of implementation of Senate Bill 1142 to the proceeding.

¹² Phase 2 Scoping Memo at pp. 8-9.

¹³ See Docket for R.18-07-005 for all party comments, available at: <https://apps.cpuc.ca.gov/apex/f?p=401:57>

¹⁴ D.25-06-012, OP 4.

suspend disconnections then propose region-specific thresholds.”¹⁵ The Extreme Heat Decision was explicit that increased protections must be in place for summer 2026, stating that “the approved proposal must then be implemented before May 1, 2026.”¹⁶ This requirement for timely action is not ambiguous. In fact, the Commission expressly denied a request from SCE to delay the timeline for implementation of new protections depending on the Tier 3 advice letter approval process, recognizing that “there is growing need for these protections.”¹⁷

In compliance with the provisions of the Extreme Heat Decision requiring a consultative process between the IOUs and consumer advocates,¹⁸ the IOUs convened a series of three working group meetings. Subsequently, in December 2025, the IOUs filed the required Joint Advice Letter proposing a new approach for suspending disconnections based on heat risk identified by the CalHeatScore tool.¹⁹ The Joint Advice Letter did not include any proposal for interim relief before implementation of the new approach. In January 2026, TURN, CforAT/NCLC, UCAN, and Cal Advocates submitted protests to the Joint Advice Letter proposing modifications to the IOUs’ proposal, each of which included a proposal for interim relief.

As of this writing, the Commission has not issued a disposition or enacted a Resolution in response to the Joint Advice Letter. The IOUs did not implement enhanced protections by the Extreme Heat Decision’s deadline of May 1, 2026, and there is no apparent pathway for the IOUs to establish improved protections before the hottest months of the year. As summer 2026 approaches, the urgent health and safety risks that prompted TURN's motion in summer 2024

¹⁵ D.25-06-012, p. 35.

¹⁶ D.25-06-012, p. 35 (emphasis added).

¹⁷ D.25-06-012, p. 46.

¹⁸ D.25-06-012, pp. 35-36.

¹⁹ Southern California Edison Advice Letter No. 5707-E et al., (“Advice Letter to Propose Region-Specific Heat Risk Protections Pursuant to D.25-06-012”), December 17, 2025.

and the Extreme Heat Decision in summer 2025 have not abated. Just last week, Governor Gavin Newsom issued a press release highlighting the record-setting March 2026 heat wave and announced that “California is taking action” to combat extreme heat – “the leading cause of weather-related deaths in the nation.”²⁰ The Commission must take immediate action to advance the goals of the Extreme Heat Decision and improve protections for vulnerable customers in periods of extreme heat.

B. A Lower Temperature Threshold Can Be Implemented Immediately.

While work continues to develop and implement more complex and location-specific protections, the most readily available step the Commission can take to protect Californians from extreme heat risks is to reduce the 100°F statewide threshold for suspending disconnections.

During the extreme heat working group process, parties recognized that implementing a new approach for suspending disconnections based on relative regional heat risks, incorporating factors such as humidity, night-time cooling, and historic temperatures, may take time. As a result, the participants in the working group, including the IOUs, identified a lower overall temperature threshold as a potential interim solution for “immediate implementation” with near-zero implementation costs.²¹ A simple adjustment of the existing temperature cut-off would not require any new data architecture, as the IOUs can utilize the same weather forecasting data and 72-hour lookahead period informing their current disconnections suspension process.

²⁰ “Governor Newsom expands access to life-saving CalHeatScore, a cutting-edge tool to keep Californians safe during extreme heat,” Office of Governor Gavin Newsom, May 21, 2026. <https://www.gov.ca.gov/2026/05/21/governor-newsom-expands-access-to-life-saving-calheatscore-a-cutting-edge-tool-to-keep-californians-safe-during-extreme-heat/>

²¹ Southern California Edison Advice Letter No. 5707-E et al., Attachment D, p. 24 (Slide “Desired Outcomes”: “*Option 1 is an interim solution proposed for immediate implementation until CalHeatScore is available.”)

While the IOUs' Joint Advice Letter ultimately declined to propose an interim solution, all other parties in the working group supported an interim reduction to the current statewide temperature threshold.²² In protests to the advice letter, which are attached to this motion, all of the Joint Consumer Advocates as well as Cal Advocates urged the Commission to adopt a reduced temperature threshold as an interim measure to meet the May 1, 2026 deadline mandated by D.25-06-012.²³ Particularly given the low cost and minimal lead time required to implement a lower temperature, and given the well-developed record now including party comments and the submissions in the Advice Letter process, the Commission can take this step at any time to expand protections without supplanting its consideration of the IOUs' long-term proposal.

C. A 90°F Threshold is Well-Supported and Meaningfully Expands Protections.

The Commission should immediately direct the IOUs to reduce the temperature threshold for suspending disconnections from 100°F to 90°F (retaining the 72-hour lookahead period). This reduction is broadly supported by the record of the extreme heat working group. In their respective protests to the IOUs' advice letter, the Joint Consumer Advocates each proposed 90°F as the appropriate interim cut-off based on established safety standards and accepted extreme

²² Southern California Edison Advice Letter No. 5707-E et al., Attachment A, p. 5. In feedback provided on 10/20/25, CforAT, NCLC, UCAN, TURN, and Cal Advocates all supported a "ceiling" of 90 or 95 degrees for the temperature threshold to trigger disconnections suspension.

²³ TURN Protest ("Protest of The Utility Reform Network of The Joint IOUs' Advice Letter to Propose Region-Specific Heat Risk Protections Pursuant to D.25-06-012", January 6, 2026), p. 3; CforAT/NCLC Protest ("CforAT and NCLC Protest of SCE Advice Letter No. 5707-E et al.," January 6, 2026), p. 1; UCAN Protest ("Utility Consumers' Action Network's Protest of Joint Investor-Owned Utilities (IOUs) Advice Letter to Propose Region-Specific Heat Risk Protections Pursuant to D.25-06-012," January 6, 2026), p. 4; Cal Advocates Protest ("Protest to Joint Investor-Owned Utilities (IOUs) Advice Letter to Propose Region-Specific Heat Risk Protections," January 6, 2026), p. 5.

heat thresholds across the state.²⁴ The IOUs, in contrast, have not provided any justifications for maintaining the existing 100°F threshold.²⁵

First, a threshold of 90°F is aligned with other extreme heat standards adopted in California and elsewhere. Illinois has a statewide moratorium on electric disconnections when temperatures exceed 90°F, or the National Weather Service issues a heat alert for a given area, which can occur at temperatures below 90°F.²⁶ As identified by UCAN, California daycare regulations define safe indoor temperatures as up to 85°F.²⁷ Similarly, the California Division of Occupational Safety and Health (CalOSHA) heat illness prevention guidelines require safety measures for indoor workplaces when indoor temperatures exceed 82°F and for outdoor workplaces when temperatures exceed 80°F.²⁸ In the context of these existing guidelines, lowering the threshold to 90°F is reasonable and well-supported.

Second, given that a statewide temperature threshold fails to account for either regional temperature differences or the non-temperature factors which exacerbate health risks, a statewide threshold must be low enough to protect households in mountainous and coastal areas where residents are not acclimated to heat. According to the state's Cal-Adapt tool, which defines extreme heat at the 98th percentile of historic baseline temperatures, the extreme heat threshold is below 100°F in 41 of 58 counties (71%), and at or below 90°F in 14 counties (24%).²⁹ San

²⁴ TURN Protest (p. 3), CforAT/NCLC Protest (p. 1), and UCAN Protest (p. 4). Cal Advocates proposed “an interim threshold of 95 degrees or less” (Cal Advocates Protest, p. 5).

²⁵ Joint Advice Letter, p. 9 provides the IOUs’ proposal without explanation (“the IOUs propose to keep the current maximum temperature threshold of 100° F in place as a fallback.” Moreover, during the working group process itself, the IOUs expressed willingness to reduce the threshold, albeit by a modest amount.)

²⁶ 220 ILCS 5/8-205. <https://www.ilga.gov/Documents/legislation/ilcs/documents/022000050K8-205.htm>

²⁷ Joint Advice Letter, Attachment B-5 (UCAN), p. 1.

²⁸ “Cal/OSHA Heat Illness Prevention Guidance and Resources,” CalOSHA, accessed May 21, 2026. <https://www.dir.ca.gov/dosh/heatillnessinfo.html>

²⁹ “Emergency Motion of The Utility Reform Network to Modify Weather-Related Disconnection Protections to Better Address ‘Extreme Heat’ Health and Safety Risks” (August 14, 2024), R.18-07-005, p. 9.

Francisco County defines an extreme heat event as any day when temperatures exceed 85°F.³⁰ Further north, Del Norte County faces extreme heat conditions when temperatures exceed 76.8°F.³¹ Within counties, local cut-offs also vary and can be significantly lower than the county-level threshold.³² While still too high to protect customers in all climate conditions, a 90°F threshold would represent a meaningful improvement from 100°F to account for this regional variation.

III. CONCLUSION

Extreme heat events pose a serious health risk to California residents without power. The Commission has already recognized the insufficiency of current rules protecting customers from disconnections in these conditions and demanded action before the hottest months of 2026. Consistent with these determinations and the requirements of the Extreme Heat Decision, the Commission must act now on an interim basis to reduce the temperature at which the IOUs are not allowed to disconnect customers from 100°F to 90°F forecast within a 72-hour lookahead period. While a simple reduction of the statewide temperature threshold for disconnections suspension is not a replacement for protections based on relative heat risk, a revised 90°F threshold represents a critical interim measure to protect customers over the coming summer.

³⁰ City and County of San Francisco, “Extreme Heat and Health” (May 17, 2023), <https://www.sf.gov/reports--may-2023--extreme-heat-and-health>

³¹ See Cal-Adapt, Extreme Heat Days & Warm Nights tool, providing extreme heat thresholds for cities and counties throughout California, accessed May 21, 2026, available at: <https://cmip5.cal-adapt.org/tools/extreme-heat/>

³² For example, in San Luis Obispo County, the extreme heat threshold is 85 degrees in Morro Bay and 103.3 degrees in Paso Robles. Likewise, in Humboldt County, the extreme heat threshold is 76.9 degrees in Eureka and 97.8 degrees in Garberville. See Cal-Adapt: <https://cmip5.cal-adapt.org/tools/extreme-heat/>

Respectfully submitted on behalf of
TURN, CforAT, NCLC, and UCAN,

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Date: May 28, 2026

ATTACHMENTS

INTERVENOR PROTESTS TO THE JOINT IOU ADVICE LETTER

AL 5707-E/4770-E/7783-E/6570-G



Center for Accessible Technology

January 6, 2026

VIA ELECTRONIC MAIL (EDTariffUnit@cpuc.ca.gov)

California Public Utilities Commission
Energy Division
Attention: Tariff Unit
505 Van Ness Avenue, 4th Floor
San Francisco, CA 94102

Re: CforAT and NCLC Protest of SCE Advice Letter No. 5707-E; SDG&E Advice Letter No. 4770-E; Pacific Gas & Electric Company Advice Letter No. 7783-E and SoCalGas Advice Letter No. 6570-G

To the Energy Division Tariff Unit:

Center for Accessible Technology (CforAT) and the National Consumer Law Center (NCLC) jointly submit this timely protest of the Joint Investor-Owned Utilities (IOUs) Advice Letter to Propose Region-Specific Heat Risk Protections, submitted on December 17, 2025. The Joint Advice Letter proposes to move forward with adoption of the CalHeatScore tool authorized under AB 2238 when an API for use of this tool becomes available. It further recommends setting the threshold for customer protection from disconnection at Level 3 of the CalHeatScore, based on a 72-hour look ahead. The IOUs note that the development of the API is still in process, and that they will need additional time to implement this proposal after the Commission issues a resolution directing them to act *and* the API is complete. The IOUs note that none of them are likely to be able to meet the previously-adopted deadline of May 1, 2026 for use of their CalHeatScore proposal,¹ but they propose making no changes whatsoever to the existing single statewide cutoff temperature of 100°F for consumer protections from extreme heat while waiting for the new tool to become available.²

CforAT/NCLC's protest focuses on the lack of any proposal for an interim or fallback measure that provides greater protection from extreme heat risk than currently established. With the addition of an interim/fallback measure of 90°F on a 72-hour look ahead basis, CforAT and NCLC support the IOUs' structural proposal to move toward adoption of the CalHeatScore forecast for ongoing use on a zip-code basis. CforAT/NCLC request additional analysis of the impact of setting the CalHeatScore threshold at Level 3 versus Level 2.

The IOUs Joint Advice Letter (Joint AL) correctly notes that they were directed to work with other interested parties in developing their proposal, but that they were not obligated to find a

¹ Joint AL at p. 9 (table showing "best case scenario" for implementation).

² Joint AL at p. 8, noting an intent to request an extension of the deadline set in D.25-06-012.

consensus among all stakeholders.³ Nevertheless, the fact that their proposal fails to adopt any form of interim protection for Californians while awaiting the ability to implement the preferred option is not acceptable. The contents of the Advice Letter show that all parties, including the IOUs themselves, supported a lowered threshold, though with different recommendations for the reduced threshold level.⁴

An Interim Measure Is Necessary

As recounted in the Joint AL, concerns about the existing threshold for extreme heat protection were first raised to the Commission during the summer of 2024. While the Commission agreed that the concerns were warranted and initiated the current process for addressing them, no additional protections were provided to Californians during the remaining heat-prone months of 2024 or during 2025. Now the IOUs are asking to be relieved of obligations for essentially the entire hot season of 2026, notwithstanding the Commission's adoption of a deadline of May 1, 2026 for new protections to be in place. While the IOUs characterize their anticipated delays as being "short" and only "a matter of months," those months make up the highest period of risk in the current year. Given the IOUs' acknowledgement that the simple action of lowering the heat threshold to less than 100 °F is simple and inexpensive to implement,⁵ there is no basis for failing to take this step until such time as the CalHeatScore system is in place. Additionally, on an ongoing basis, should the CalHeatScore system become inoperable for any reason, the reduced temperature threshold should remain in place as a fallback protective measure

The Interim Threshold Should be Set at 90°F

During the discussions among the parties, the IOUs collected data showing average heat levels on a county basis, and the parties considered setting varying extreme heat thresholds in different areas of the state. In that context, CforAT/NCLC argued that the highest allowable threshold should be set at 95°F, for use in geographic areas where the 98th percentile threshold (the analysis provided by the IOUs) temperature was higher. CforAT/NCLC accepted the IOUs' proposed minimum threshold of 85°F as a cutoff for extreme heat protection in those areas of the state where the 98th percentile was lower. CforAT/NCLC's previously-expressed support for the 95° F level looked to the standard in place in Arizona, and was based on its applicability in areas of the state where residents are accustomed to hot weather.⁶

In contrast, as an interim measure, CforAT/NCLC agree with the IOUs to avoid the costs and complexities of setting different thresholds in different areas of the state, and instead keeping a

³ See D.25-06-12 at p. 35.

⁴ The IOUs expressed willingness to lower the existing threshold from 100°F to 98°F. Joint AL Attachment A . All other stakeholders proposed a reduction to between 90°F and 95°F. *Id.*

⁵ The materials provided with the Joint AL note that UCAN repeatedly stated that simple change in the temperature threshold would enable a near-zero implementation cost, a statement that was not disputed by the IOUs. See Attachment A to Joint AL. See also Attachment C-1 to Joint AL (CforAT/NCLC feedback on Working Group Meeting #3, noting that the IOUs stated that it would be easy and low-cost to implement a simple interim solution of lowering the existing temperature threshold).

⁶ Attachment B-2 to Joint AL.



single temperature cutoff until such time as the CalHeatScore system is in place. With a single threshold, however, the level needs to be more protective of residents in areas of the state that are not accustomed to high temperatures, and who are at heightened risk in the event of an extreme heat event that deviates substantially from the temperatures to which they are acclimated. For that reason, CforAT/NCLC believe that the single interim temperature threshold should be set at 90°F.⁷

While Awaiting the Availability of the API, More Analysis Should be Conducted on the Appropriate Protection Level to Set

The IOUs have proposed using Level 3 on the CalHeatScore scale as the trigger for disconnection levels, with the added protection of retention of a 72-hour look-ahead period.⁸ Other stakeholders, particularly UCAN, have supported use of a Level 2 threshold. It is the understanding of CforAT and NCLC that none of the implementation timeline or structural considerations would differ based on which of these thresholds is adopted by the Commission.

In order to allow for further evaluation of the different impacts of these two proposed settings, and given that there will be a substantial period of time before the use of the CalHeatScore tool is in place regardless, CforAT and NCLC request an opportunity for the Working Group to reconvene and conduct further review of the appropriate CalHeatScore threshold level. In the upcoming Resolution process, the Commission should direct the stakeholders to conduct such a review and report back any further information within 60 days after the resolution is issued. The actual work to implement the proposal would not be impacted while such further analysis is conducted, and the Commission would benefit from further analysis and party feedback.

Conclusion

CforAT and NCLC appreciate the work from both the Commission and the IOUs to move toward an improved form of extreme heat protection for customers. With the addition of an appropriate interim standard and further review of the best threshold for long-term protections, the process proposed by the Joint AL will provide benefits to customers at risk during extreme heat events.

[Signature on subsequent page]

⁷ The IOUs propose to keep the fallback protection level for any time that the CalHeatScore tool is temporarily unavailable at 100°F statewide. Joint AL at p. 9. This proposal would completely fail to provide any of the increased protection that is the goal of the entire exercise currently underway.

⁸ Joint AL at p. 7.



Respectfully submitted,

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Service List for R.18-07-005



January 6, 2026

CPUC Energy Division
Attn: ED Tariff Unit
505 Van Ness Avenue, 4th Floor
San Francisco, CA 94102
EDTariffUnit@cpuc.ca.gov

Re: Protest of The Utility Reform Network of The Joint IOUs' Advice Letter (SCE Advice Letter No. 5707-E et al.) to Propose Region-Specific Heat Risk Protections Pursuant to D.25-06-012

Dear Energy Division,

On December 17, 2025, Southern California Edison Company (SCE) on behalf of Pacific Gas and Electric Company (PG&E), San Diego Gas & Electric Company (SDG&E), and Southern California Gas Company (SoCalGas) submitted for filing Advice Letters 5707-E (SCE), 7783-E (PG&E), 4770-E (SDG&E), and 6570-G (SoCalGas). Pursuant to D.25-06-012 in R.18-07-005, the Disconnections OIR, the Joint Investor-Owned Utilities' (IOUs') Advice Letter (Joint AL) proposes new extreme heat thresholds to suspend residential customer disconnections.

The Utility Reform Network (TURN) reviewed these filings and respectfully submits this protest of the Joint AL. The IOUs' proposal does not go far enough to protect customers from the relative health risks of extreme heat. The Joint AL would suspend disconnections for customers in a given ZIP code when the CalHeatScore (CHS) index¹ exceeds level 3 in a 72-hour forecast window.² However, due to delays in CHS data accessibility, the proposal would fail to establish protections by the May 1, 2026 deadline required by D.25-06-012. In the meantime, the IOUs propose to maintain the existing statewide temperature threshold of 100 degrees for suspending disconnections. While TURN generally supports use of the CHS tool because it assesses relative health risks, the Joint AL does not provide sufficient information to evaluate the appropriate CHS risk level to incorporate, contrary to repeated requests by the stakeholder working group.

Given these shortcomings with the IOUs' proposal, as well as the urgency of implementing meaningful extreme heat protections before summer 2026, TURN recommends that the Commission partially adopt the proposals presented in the Joint AL while requiring the following modifications:

- Approve an interim and “fallback” statewide temperature threshold of 90 degrees or, alternatively, no higher than 95, rather than the IOUs' proposed 100 degrees, to satisfy the requirements of D.25-06-012 until the CHS data interface is available.

¹ CalHeatScore is a heat risk ranking system operated by the California Office of Environmental Health Hazard Assessment, available at: <https://calheatscore.calepa.ca.gov/>

² Joint AL, pp. 6-7.

- Require PG&E and SDG&E to develop a ZIP code-based process prior to CHS availability, on the same timeline as SCE, to minimize implementation delays.
- Approve extreme heat thresholds based on a CHS risk level 3 on an interim basis, until the Commission can evaluate the relative impacts of using CHS risk levels 2 and 3. Require the IOUs to provide a comparison of disconnections impacts from establishing protections at CHS risk levels 2 and 3, to ensure the final approved approach meaningfully expands protections relative to the existing 100-degree threshold.
- Require the IOUs to provide a forecast of implementation costs in a follow-up compliance advice letter.

The Commission directed the IOUs to develop a proposal for extreme heat protections in collaboration with a stakeholder working group.³ While the proposal need not be a consensus among all parties in the working group, prior feedback indicates that *all* parties besides the IOUs find the 100-degree threshold insufficient as an interim or fallback measure. All parties supported a ceiling of 90 or 95 degrees for regional temperature thresholds,⁴ which suggests support for an equivalent or lower ceiling for a statewide threshold.

1. The IOUs' proposal would unacceptably delay implementation of additional protections to mitigate the health risks of extreme heat.

Assuming the CHS data interface is available in May 2026, SCE anticipates that it could implement the new extreme heat thresholds by August or September 2026.⁵ SDG&E and PG&E anticipate implementation by November 2026.⁶ Thus, implementation by all IOUs would not take effect until six months *after* the May 1, 2026 deadline established by D.25-06-012.⁷ In the interim, the IOUs propose maintaining the existing 100-degree disconnections moratorium. If there is an additional delay in the release of the CHS data interface or Commission decision on the Joint AL, the IOUs expect additional implementation delays.⁸ This outcome seems possible given that the CHS team plans to make the data interface available by “summer 2026”,⁹ which could be as late as August 2026 – potentially delaying IOU implementation until February 2026.

This proposed implementation delay, and the absence of any interim improvement for customers in summer 2026, is unacceptable. D.25-06-012 directed the IOUs to develop “a proposal to lower the temperature or other relevant thresholds that trigger disconnections suspension in light of the relative health risks identified in TURN’s Motion of August 14, 2024.”¹⁰ TURN’s Motion highlighted the increasingly frequent, severe, and long-lasting occurrence of extreme heat in

³ Joint AL, p. 4; D.25-06-012, p. 35.

⁴ Joint AL, Attachment A, p. 5. In feedback provided on 10/20/25, CforAT, NCLC, UCAN, TURN, and Cal Advocates all supported a “ceiling” of 90 or 95 degrees for the temperature threshold to trigger disconnections.

⁵ Joint AL, pp. 10-11.

⁶ Joint AL, pp. 11-12.

⁷ D.25-06-012, p. 35.

⁸ Joint AL, p. 9.

⁹ Joint AL, p. 7.

¹⁰ D.25-06-012, p. 35.

California, and the critical importance of electricity access to power fans and air conditioners, in order to ensure health and safety at high summertime temperatures.¹¹

D.25-06-012 established that this proposal “*must*” be implemented by May 1, 2026,¹² which would ensure protections are in place before the hottest months of the year. The Commission recognized the “growing need for these protections”¹³ and set an objective to “reduce disconnections in areas that experience heat events.”¹⁴ Thus, the IOUs’ proposal fails to comply with the Decision, postponing urgently needed protections despite increasing health and safety risks. Underscoring this concern, global climate forecasts already predict that 2026 will be one of the hottest years on record, bringing more extreme weather and longer heatwaves worldwide.¹⁵

2. Require the IOUs to implement an interim and “fallback” temperature threshold of 90 degrees or at most 95 degrees.

The stakeholder working group discussed options for interim measures to account for relative heat risk before the CHS approach can be implemented. These included regional thresholds based on 98th percentile historic temperatures, and National Weather Service heat alerts,¹⁶ which trigger disconnections suspension in states such as Washington, Georgia, and Illinois.¹⁷ At the final working group meeting, the IOUs proposed lowering the statewide temperature threshold as a straightforward interim measure.¹⁸ It is unclear why the Joint AL does not reflect this proposal, when all parties support some improvement from the current 100-degree threshold. While the IOUs contend that a multi-phased approach would be costly, simply lowering the statewide temperature threshold would incur a “near-zero” implementation cost, as noted by UCAN.¹⁹

The Commission should require the IOUs to implement a lower interim temperature threshold of 90 degrees, or at most 95 degrees, for disconnections suspension if the CHS approach cannot be implemented by the May 1, 2026 deadline. This cut-off should also serve as the “fallback” basis for protections if CHS data is unavailable at any point after implementation.

TURN previously proposed 95 degrees as the ceiling for regional temperature thresholds, based on the existing threshold in Arizona, a state with even hotter average summer temperatures than California.²⁰ However, TURN’s proposal would have also suspended disconnections at far lower

¹¹ “Emergency Motion of The Utility Reform Network to Modify Weather-Related Disconnection Protections to Better Address ‘Extreme Heat’ Health and Safety Risks” (August 14, 2024), R.18-07-005, p. 1.

¹² D.25-06-012, p. 35, emphasis added.

¹³ D.25-06-012, p. 46.

¹⁴ D.25-06-012, p. 2.

¹⁵ “2026 outlook,” UK Met Office, December 18, 2025. <https://www.metoffice.gov.uk/about-us/news-and-media/media-centre/weather-and-climate-news/2025/2026-outlook-likely-another-year-above-1.4c>

¹⁶ Joint AL, Attachment A, p. 4.

¹⁷ Joint AL, Attachment B-3, p. 3.

¹⁸ Joint AL, Attachment D, p. 24 (Slide “Desired Outcomes”: “*Option 1 is an interim solution proposed for immediate implementation until CalHeatScore is available”).

¹⁹ Joint AL, Attachment A, p. 6.

²⁰ Joint AL, Attachment D, p. 15 (TURN Proposal); “Final Package of Termination of Service Rules Approved,” Arizona Residential Utility Consumer Office, October 20, 2025. <https://ruco.az.gov/hot-topics/disconnection-rules>

temperatures in cooler regions of the state, and incorporated criteria reflecting humidity and nighttime cooling – other factors known to exacerbate health risk during extreme heat events.

Given that a statewide temperature threshold fails to account for both regional temperature differences and the non-temperature factors which exacerbate health risks, a threshold of 90 degrees is appropriate to protect households in mountainous and coastal areas. According to the state's Cal-Adapt climate tool, the extreme heat threshold is below 100 degrees in 41 of 58 counties (71%), and at or below 90 degrees in 14 counties (24%).²¹ San Francisco County defines an extreme heat event as any day when temperatures exceed 85 degrees.²² Further north, Del Norte County faces extreme heat when temperatures exceed 76.8 degrees.²³ Within counties, local cut-offs also vary and can be significantly lower than the county-level threshold.²⁴

A threshold of 90 degrees is also reasonable because it is aligned with other extreme heat standards. Illinois has a statewide moratorium on electric disconnections when temperatures exceed 90 degrees, or the National Weather Service issues a heat alert for a given area, which can occur at temperatures below 90 degrees.²⁵ As UCAN notes, California daycare regulations define safe indoor temperatures as up to 85 degrees.²⁶ Per Cal Advocates, the California Division of Occupational Safety and Health (CalOSHA) safety guidelines initiate high heat procedures at 80 degrees for indoor workplaces, which can occur when outdoor temperatures are lower than 80 degrees.²⁷ While a statewide 90-degree threshold is appropriate as a fallback measure for these reasons, TURN urges the Commission to at least adopt a fallback threshold no higher than 95 degrees, consistent with Arizona's approach.

Finally, it is worth noting that while parties provided data on relative health risks and examples of existing policies to support a lower temperature threshold, the Joint AL does not offer any evidence to support continuation of the 100-degree standard on an interim or fallback basis.

3. Require PG&E and SDG&E to develop a ZIP code-based process prior to CHS availability, on the same timeline as SCE, to minimize implementation delays.

SCE anticipates that it can implement the CHS tool within 3 or 4 months of data interface availability, compared to 6 months for SDG&E and PG&E.²⁸ The reason for this difference

²¹ See Cal-Adapt – Extreme Heat Days & Warm Nights tool, providing extreme heat thresholds for cities and counties throughout California, <https://cal-adapt.org/tools/extreme-heat>. “Emergency Motion of The Utility Reform Network to Modify Weather-Related Disconnection Protections to Better Address ‘Extreme Heat’ Health and Safety Risks” (August 14, 2024), R.18-07-005, p. 9.

²² City and County of San Francisco, “Extreme Heat and Health” (May 17, 2023), <https://www.sf.gov/reports/may-2023/extreme-heat-and-health>.

²³ See Cal-Adapt, <https://cal-adapt.org/tools/extreme-heat>

²⁴ For example, in San Luis Obispo County, the extreme heat threshold is 85 degrees in Morro Bay and 103.3 degrees in Paso Robles. Likewise, in Humboldt County, the extreme heat threshold is 76.9 degrees in Eureka and 97.8 degrees in Garberville. See Cal-Adapt, <https://cal-adapt.org/tools/extreme-heat>

²⁵ 220 ILCS 5/8-205. <https://www.ilga.gov/Documents/legislation/ilcs/documents/022000050K8-205.htm>.

²⁶ Joint AL, Attachment B-5 (UCAN), p. 1.

²⁷ §3395, “Heat Illness Prevention in Outdoor Places of Employment.” <https://www.dir.ca.gov/title8/3395.html>; Joint AL, Attachment B-1 (Cal Advocates), p. 2.

²⁸ Joint AL, pp. 10-12.

appears to be SCE's plan to transition to a ZIP-code basis for implementing disconnections protections for 1 to 2 months prior to CHS data availability.²⁹ Neither PG&E nor SDG&E provide an explanation for why they are unable to take the same steps as SCE to prepare for full implementation, as soon as the Joint AL is approved. The Commission should require all the IOUs to take proactive steps to develop a ZIP-code based process so that they can implement CHS protections as soon as possible, once the data interface becomes available.

4. Require the IOUs to present an analysis of impacts from suspending disconnections at CHS risk level 2 or 3 to inform future implementation of the CHS threshold.

The Joint AL would suspend disconnections whenever the CHS reaches a risk level 3 ("high impact").³⁰ The IOUs contend that this level – which corresponds to a 66%+ increase in emergency room visits – is appropriate because it reflects significant health risks from extreme heat. However, as UCAN notes, a CHS value of 2 can indicate up to a 66% increase in emergency department visits, which still reflects a substantial increase in risk.³¹ As a CHS draft data interface was not yet available during the working group process, parties have not had an opportunity to review past data from the CHS tool and evaluate its impacts on disconnection days relative to the existing temperature threshold.

In comments, TURN, Cal Advocates, and UCAN requested that the IOUs provide estimates of the additional days with suspended disconnections stemming from its final proposal.³² The IOUs have not presented this information in their Joint AL, nor have they provided it to the stakeholder working group members. The IOUs should be directed to present an analysis which estimates these impacts when establishing the protections threshold at CHS risk level 2, level 3, and the current 100-degree threshold. Without this comparison, the Commission does not have sufficient information to assess whether the IOUs' proposal to use CHS risk level 3 will achieve the reduction in relative heat risks intended by D.25-06-012. In the absence of this analysis, the Commission should approve protections beginning at CHS risk level 3 on an interim basis, with the intent to evaluate whether risk level 2 would be more appropriate once the IOUs provide the necessary analysis.

5. Require the IOUs to provide a forecast of implementation costs.

The Joint AL emphasizes that the IOUs' proposal would be low cost to implement. As a third-party tool, using CalHeatScore "is cost-effective because it minimizes the need for internal data processing."³³ SCE and SDG&E respectively state that "[b]udget projections show minimal

²⁹ Joint AL, p. 10.

³⁰ Joint AL, p. 7.

³¹ Joint AL, Attachment A, p. 7.

³² Joint AL, Attachment B-3 (TURN), p. 4: "At the past two working group meetings, TURN has requested additional details on customer impacts (in terms of days disconnected)... for each proposed approach."; Attachment B-1 (Cal Advocates), p. 4: "The IOUs should quantify how their proposal changes the number of days in which disconnections are prohibited when compared to the current threshold."; Attachment C-3 (UCAN), p. 1: "When the IOUs file their advice letter proposing extreme heat protections, UCAN requests that the IOUs provide an analysis showing the percentage of customers that would have been protected from disconnections."

³³ Joint AL, p. 6.

incremental costs” and “[b]udget projections reflect minimal incremental costs.”³⁴ PG&E, however, does not discuss budget projections and instead anticipates “an increase in manual work for the development of connection and automation with the new CHS API.”³⁵

Before the IOUs are authorized to record incremental costs to their disconnection memorandum accounts, the IOUs should provide forecasts of implementation costs. Both TURN and Cal Advocates previously requested that the IOUs include implementation cost details with their proposal.³⁶ Considering each IOU will be switching their geographic basis for extreme weather protections from city or sub-region to ZIP code,³⁷ it is unclear why implementation costs would differ for PG&E. The IOUs should provide budget projections in comparable formats and justify any differences between forecasts in a follow-up compliance advice letter.

6. Conclusion

In sum, the IOUs’ proposal fails to improve protections by the deadline, as it would maintain the 100-degree threshold for disconnections suspension through summer 2026. The Commission should approve an interim and “fallback” temperature threshold of 90 degrees, or alternatively, no higher than 95 degrees. TURN supports the IOUs’ proposal to implement extreme heat protections based on the CHS tool, with the caveat that data is needed to identify the appropriate risk level for suspending disconnections to improve protections relative to the existing criteria.

TURN appreciates your attention to this important matter. Please feel free to contact us if you have any questions.

Sincerely,

Sylvie Ashford, Energy & Climate Policy Analyst

The Utility Reform Network

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CC: Connor Flanigan, Vice President, State Regulatory Operations (SCE), Adam Smith, Director, Regulatory Relations (SCE), Sidney Dietz, Director, Regulatory Relations (PG&E), Greg Anderson, Regulatory Tariff Manager (SDG&E), Veronica Arroyo, Regulatory Tariff Manager (SoCalGas)

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³⁴ Joint AL, p. 11.

³⁵ Joint AL, p. 12.

³⁶ Joint AL, Attachment B-3 (TURN), p. 4: “At the past two working group meetings, TURN has requested additional details on...implementation costs for each proposed approach.”; Attachment B-1 (Cal Advocates), p. 4: “Please describe the additional costs of implementing multiple criteria.”

³⁷ Joint AL, pp. 10-12.



January 6, 2026

VIA ELECTRONIC MAIL (EDTARIFFUNIT@CPUC.CA.GOV)

California Public Utilities Commission
Energy Division
Attention: Tariff Unit
505 Van Ness Avenue, 4th Floor
San Francisco, CA 94102

Re: Utility Consumers' Action Network's Protest of Joint Investor-Owned Utilities (IOUs) Advice Letter to Propose Region-Specific Heat Risk Protections Pursuant to D.25-06-012

Dear Energy Division Tariff Unit,

Pursuant to the California Public Utilities Commission's ("Commission") General Order ("GO") 96-B,¹ The Utility Consumers' Action Network ("UCAN"), submits this protest of Southern California Edison Advice Letter No. 5707-E ("SCE"), San Diego Gas & Electric ("SDG&E") Advice Letter No. 4770-E, Pacific Gas and Electric ("PG&E") Advice Letter No. 7783-E, Southern California Gas Company ("SoCalGas") Advice Letter No. 6570-G, the Joint Investor-Owned Utilities (IOUs) Advice Letter to Propose Region-Specific Heat Risk Protections Pursuant to D.25-06-012 ("Advice Letter").² The Advice Letter was submitted in response to Ordering Paragraph (OP) 4 of Decision (D.) 25-06-012.³ UCAN protests the Advice Letter pursuant to section 7.4.2 of GO 96-B, including: subsection (2), which allows protests if the "relief requested in the advice letter would violate statute or Commission order"; subsection (3), which allows protests if the "analysis, calculations, or data in the advice letter contain material

¹ CPUC General Order 96-B, <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M023/K381/23381302.PDF>; References to "General Rules" are to the general rules identified in General Order 96-B.

² Joint Investor-Owned Utilities (IOUs) Advice Letter to Propose Region-Specific Heat Risk Protections (December 17, 2025), https://www.pge.com/tariffs/assets/pdf/adviceletter/ELEC_7783-E.pdf.

³ D.25-06-012, OP 4, pp. 52-53, <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M570/K089/570089378.PDF>.

errors or omissions”; and subsection (6), which allows protests if the “relief requested in the advice letter is unjust, unreasonable, or discriminatory.”⁴

1. BACKGROUND

D.25-06-012 requires PG&E, SDG&E, SCE, and SoCalGas (collectively, the IOUs) to “jointly file a proposal via a Tier 3 Advice Letter, to adjust the temperature thresholds that trigger disconnections suspensions, taking into account the relative heat risks identified in The Utility Reform Network’s motion filed in the instant proceeding on August 14, 2024.”⁵ The decision also directed:

...the Large IOUs to develop, in collaboration with Cal Advocates, TURN, CforAT, and NCLC, and any other interested parties to this proceeding, a proposal to lower the temperature or other relevant thresholds that trigger disconnections suspensions in light of the relative heat risks identified in TURN’s Motion of August 14, 2024. This proposal shall identify regions in each Large IOU’s territory that should have a lower temperature threshold to suspend disconnections then propose region-specific thresholds. The Large IOUs must jointly file this proposal via a Tier 3 Advice Letter within six months of the issuance date of this decision. The approved proposal must then be implemented before May 1, 2026. The proposal need not be a consensus among all stakeholders; the Advice Letter should identify major issues where stakeholders disagree and allow each stakeholder to succinctly explain their position. The Commission will seek proposals that have a targeted focus on reducing customers’ relative heat exposure, that rely on data and tools that are proven and consistently available, and minimize cost and burden of implementation.⁶

The IOUs invited parties of R.18-07-005 to three working group meetings where the IOUs collected input.⁷ The IOUs also collected feedback on the IOUs’ heat protection proposal. The IOUs filed their Advice Letter on December 17, 2025.

D.25-06-012 requires small and multi-jurisdictional utilities (“SMJU”) to “jointly file a Tier 3 Advice Letter either adopting the Large IOUs’ proposal, proposing a modified version, or presenting an alternative proposal” within 1 month of the IOUs’ Tier 3 Advice Letter filing.

⁴ GO 96-B, Section 7.4.2, p. 13.

⁵ D.25-06-012, OP 4, pp. 52-53.

⁶ D.25-06-012, p. 35.

⁷ Working Group meetings were held August 28, 2025, October 10, 2025, and November 12, 2025.

2. INTRODUCTION

UCAN protests the Advice Letter on three of the six grounds listed in GO 96-B. First, the Advice Letter violates a Commission order by neglecting to “adjust the temperature thresholds that trigger disconnections suspensions.”^{8, 9} Second, the Advice Letter’s “analysis, calculations, or data... contain material errors or omissions.” Errors or omissions of this kind are grounds for protest.¹⁰ Information on omissions is collected in Heading 6, below. Third, the Advice Letter requests unjust and unreasonable relief,¹¹ by requesting disconnection suspensions at CalHeatScore 3,¹² a level that fails to protect large segments of the population including children and the elderly.

Perhaps most importantly, the IOUs’ Advice Letter represents an IOU proposal which ignores most input from parties. The Advice Letter’s failure to incorporate feedback from parties violates the intent of D.25-06-012, which required the IOUs to develop the new heat risk disconnection suspensions “in collaboration” with parties to the proceeding.¹³ In contrast, during each working group meeting, the IOUs emphasized the sentence from D.25-06-012 which stated that “the proposal need not be a consensus among all stakeholders.”¹⁴ Improperly the IOUs took this to mean that they were not required to incorporate stakeholder positions, but were merely required to collect feedback. That interpretation is at odds with the express language of D.25-06-12.

UCAN requests that the Commission deny the IOU’s advice letter as submitted. Instead, the Commission should order the IOUs to incorporate items which were recommended by the non-IOU parties. The Commission should issue a resolution that establishes the following requirements as the basis for IOU advice letters:

- Retention of a 72-hour look-ahead for disconnection suspensions based on a specific threshold
- sets the disconnection suspension threshold equal to a CalHeatScore 2
- sets a maximum temperature threshold of 90°F as a backstop above which the utilities will not disconnect customers.

⁸ D.25-06-012, OP 4, pp. 52-53.

⁹ Protest Grounds: GO-96-B, Section 7.4.2, subsection 2.

¹⁰ Protest Grounds: GO-96-B, Section 7.4.2, subsection 3.

¹¹ Protest Grounds: GO-96-B, Section 7.4.2, subsection 6.

¹² CalHeatScore, <https://calheatscore.calepa.ca.gov/#tool>.

¹³ D.25-06-012, p. 35, (“The decision directs the Large IOUs to develop, in collaboration with Cal Advocates, TURN, CforAT, and NCLC, and any other interested parties to this proceeding, a proposal to lower the temperature or other relevant thresholds that trigger disconnections suspensions in light of the relative heat risks identified in TURN’s Motion of August 14, 2024.”).

¹⁴ D.25-06-012, p. 35.

- sets an interim and fallback temperature threshold of 90°F if the CalHeatScore is unavailable and until the respective IOUs integrates the CalHeatScore value of 2 into its disconnection suspension process.

D.25-06-012 “directs the Large IOUs to develop, in collaboration with... interested parties to this proceeding, a proposal to lower the temperature or other relevant thresholds that trigger disconnections suspensions ...”¹⁵ The IOUs’ proposal fails to make the Commission-required changes. UCAN’s modifications to the IOUs’ proposal conforms to Commission-requirements by reducing the temperature threshold and other triggers at which disconnections are suspended. UCAN’s proposed changes would result in revised Advice Letters that should be adopted through a Commission resolution.

3. THE ADVICE LETTER VIOLATES REQUIREMENTS OF D.25-06-012 BY RETAINING THE TEMPERATURE TRIGGER.

Prior to D.25-06-012, each of the electric Large IOUs (PG&E, SCE, and SDG&E) recommended that the Commission consider lowering the temperature threshold.¹⁶ In response to the IOUs and to other parties’ recommendations, D.25-06-012 required the IOUs to submit a proposal “to lower the temperature or other relevant thresholds that trigger disconnections suspensions.”¹⁷ Each of the IOU’s implementation proposals keep the current 100-degree threshold in place until the IOUs implement the CalHeatScore threshold.¹⁸ Each of the IOU’s implementation proposals *also* keep the current 100-degree threshold in place as a fallback threshold in the case that the CalHeatScore data becomes unavailable.¹⁹ Two of the large IOUs expressed opposition to changing the temperature threshold in D.25-06-012,²⁰ and by establishing the fallback position as the status quo, the IOUs’ proposal disincentivizes the IOU’s efficient and expeditious implementation of the new CalHeatScore threshold.

Further, if the CalHeatScore becomes temporarily or permanently unavailable then the default temperature threshold would remain at 100 degrees even though D.25-06-012 required “proposals that have a targeted focus on *reducing* customers’ relative heat exposure” compared to

¹⁵ D.25-06-012, p. 35.

¹⁶ D. 25-06-012, p. 34, (“SCE offers that the Commission could reconsider whether the 100 degrees Fahrenheit threshold should be slightly lowered to increase the number of customers protected from disconnections, or consider the use of other, more established tools such as NOAA’s Heat Index and Wet-bulb Globe Temperature measure.110 PG&E and SDG&E agree that if the Commission wishes to refine its extreme weather protections, it might consider adjusting the existing temperature threshold, but suggest further analysis before the Commission takes action.”).

¹⁷ D.25-06-012, p. 35.

¹⁸ Advice Letter, pp. 9-12.

¹⁹ Advice Letter, pp. 9-12.

²⁰ D.25-06-012, p. 34, (“PG&E and SDG&E agree that if the Commission wishes to refine its extreme weather protections, it might consider adjusting the existing temperature threshold, but suggest further analysis before the Commission takes action.”).

the status quo,²¹ and found that “there is *growing* need for these protections.”²² Decision 25-06-012’s language on this subject is unambiguous. It finds the status quo to be insufficient protection and orders the IOUs to submit advice letters that lower the temperature threshold. Additionally, D.25-06-012 already denied SCE’s request to delay implementation of the new heat protections beyond the May 1, 2026 deadline.²³

The interim-temperature threshold, the fallback-temperature threshold, and the backstop temperature threshold should all be set at a level that protects customers. Aside from the IOUs, all the other parties in the working group agreed that that the interim temperature and the fallback temperature should be significantly lower than the current 100-degree threshold. Most non-IOU parties recommended a temperature threshold of 90 degrees or lower (i.e., UCAN, TURN, and CalAdvocates).²⁴ Two parties, CforAT and NCLC, recommended 95 degrees as a maximum threshold and asked the IOUs to “prioritize expanding protections, particularly for a potential interim solution that would only be in place until a more refined approach can be implemented.”²⁵

4. THE ADVICE LETTER VIOLATES REQUIREMENTS OF D.25-06-012 BY MAINTAINING THE STATUS QUO FOR THE SUMMER OF 2026.

The IOUs’ proposal’s implementation timeline fails to meet the May 1, 2026 deadline set in D.25-06-012.²⁶ D.25-06-012 explicitly denied setting an implementation deadline determined

²¹ D.25-06-012, p. 35. (“The Commission will seek proposals that have a targeted focus on *reducing* customers’ relative heat exposure, that rely on data and tools that are proven and consistently available, and minimize cost and burden of implementation.” Emphasis added.).

²² D.25-06-012, p. 46. (“The Commission does not require the utilities to adopt interim measures for Summer 2025 as there is no evidence such measures could be adopted that quickly. SCE recommends that the timeline for implementation of the extreme weather requirements be made dependent on the Tier 3 Advice Letter approval. The Commission declines to adopt SCE’s recommendation, as there is *growing* need for these protections.” Emphasis added.).

²³ *Ibid.*

²⁴ Advice Letter, Attachment C-3 (UCAN’s feedback), p. 1; Attachment B-5 (UCAN’s heat protections proposal), p. 1, Attachment C-2 (TURN’s feedback) (“TURN recommends that this threshold be set at 90 degrees statewide, as proposed by UCAN, or vary regionally (at the Zip Code/NWS forecast zone level) based on historical temperatures up to a ceiling of 95 degrees..”); Attachment B-1 (CalAdvocates’ feedback) (“According to the California Code of Regulations, Title 8 section 3396a, temperature control measures for indoor workplaces are triggered by whenever the temperature, or heat index, reaches 87 degrees and 3396d requires indoor cool down spaces to be maintained at less than 82 degrees[link removed]. In, 2025 the California Department of Housing and Urban Development recommended a maximum safe indoor temperature of 82 degrees [link removed]. Therefore, temperature thresholds chosen by the IOUs should reflect what indoor temperatures are safe, since people generally spend the majority of their time indoors.”)

²⁵ Advice Letter, Attachment C-1, p. 1, (“Even 95°F may pose heat risk for some individuals, including vulnerable populations such as people with medical needs or disabilities. The IOUs should set the threshold at no higher than 95°F and prioritize expanding protections, particularly for a potential interim solution that would only be in place until a more refined approach can be implemented.”).

²⁶ D.25-06-012, p. 35, (“The approved proposal must then be implemented before May 1, 2026.”).

according to the Tier 3 Advice Letter approval.²⁷ The IOUs' proposal claims that the Commission "could... elect to modify the schedule" in D.25-06-012, and in-fact, fails to provide the Commission with a proposal that could be implemented without modifying the schedule. For that reason, the Advice Letter is a collateral attack on D.25-06-012 and a violation of D.25-06-012.

Even though D.25-06-012 noted the need for "*reducing* customers' relative heat exposure," and that reducing heat exposure is a "growing need,"²⁸ the IOUs proposals show that the updated heat protections would not be in place for the 2026 summer.²⁹ The Advice Letter notes that the API for CalHeatScore is needed to integrate CalHeatScore into the IOUs' respective disconnections processes. The CalHeatScore developer has stated that the API for CalHeatScore may be available between early 2026 and the summer of 2026.³⁰

The implementation section of the Advice Letter lists the following implementation schedules:

- SCE: 3-4 months after API is available³¹
- SDG&E: 6 months after API is available³²
- PG&E: 6 months after API is available³³

The Advice Letter notes that August 2026 is the earliest date that "one or more IOUs could implement" the heat protections based on CalHeatScore,³⁴ but because the Advice letter notes that both PG&E and SDG&E are at least 3 months behind SCE, then the new PG&E and SDG&E heat protections will not be operational until the summer of 2027.³⁵ Unless everything goes perfectly, SCE will not implement new heat protections until the summer of 2027 either.³⁶

²⁷ D.25-06-012, p. 46. ("The Commission does not require the utilities to adopt interim measures for Summer 2025 as there is no evidence such measures could be adopted that quickly. SCE recommends that the timeline for implementation of the extreme weather requirements be made dependent on the Tier 3 Advice Letter approval. The Commission declines to adopt SCE's recommendation, as there is *growing* need for these protections." Emphasis added.).

²⁸ D.25-06-012, p. 35 and 46.

²⁹ Advice Letter, pp. 9-12.

³⁰ Advice Letter, p. 7, ("On October 31, 2025, OEHHA informed SCE via email that it is developing an API and expects to make it available in summer 2026. On November 25, 2025, OEHHA informed SCE that it had published an initial draft, proof-of-concept API on the CA State Geoportal,¹⁸ with an official draft API to be released in early 2026.").

³¹ Advice Letter, p. 10. ("SCE expects to be able to fully deploy the API-driven solution within 3 to 4 months of API availability, provided the advice letter is approved by the Commission by the time the API becomes available.").

³² Advice Letter, p. 11, ("SDG&E estimates approximately six months from the time the CalHeatScore Level 3 data is production ready (i.e. the CalHeatScore API becomes available), to complete evaluation, testing and deployment.").

³³ Advice Letter, p. 12, ("PG&E estimates that it will take up to 6 months after the CalHeatScore becomes available to implement the new heat protections.").

³⁴ Advice Letter, p. 9, ("August 2026 | Earliest date one or more IOUs could implement").

³⁵ Advice Letter, pp. 10-12.

³⁶ Advice Letter, p. 9, ("August 2026 | Earliest date one or more IOUs could implement").

The IOUs' proposal to retain the status quo high-temperature threshold during the interim and as a fallback conflicts with D.25-06-012 because the decision ordered enhanced heat protections be created. Thus, the Commission has already determined that the current heat protections do not adequately protect customers.

5. THE ADVICE LETTER VIOLATES REQUIREMENTS OF D.25-06-012 BY FAILING TO IDENTIFY MAJOR ISSUES WHERE STAKEHOLDERS DISAGREE.

D.25-06-012 states that "the Advice Letter should identify major issues where stakeholders disagree and allow each stakeholder to succinctly explain their position."³⁷ Within the advice letter the IOUs did not list parties' disagreement on major issues. Instead, the IOUs supplied an attachment summarizing parties' positions. The IOUs' approach downplays the non-IOUs' parties' objections to the IOUs' proposal and conflicts with the instructions in D.25-06-012.

To ensure that the Commission has the information it needs to draft its resolution updating heat protections, UCAN provides the following summary that it sees as the issues on which there are major disagreements between the IOUs' proposal and the positions of other stakeholders: the temperature threshold, CalHeatScore threshold, and the analysis of the effect of the new proposal compared to the status quo.

5.1. All non-IOU parties proposed lower temperature thresholds.

Prior to the implementation of the CalHeatScore threshold, and during any instances of the CalHeatScore becoming unavailable, the IOUs' proposal reverts to a statewide temperature threshold. The IOUs propose retaining the 100-degree threshold that is currently in place. All non-IOU parties supported replacing the 100-degree threshold with a lower temperature.

The non-IOU parties provided data on the temperature thresholds for other states including Illinois, which has a threshold of 90 degrees.³⁸ The non-IOU parties also supplied the IOUs with temperature protection data from California agencies and California regulations including temperature thresholds from Cal OSHA (thresholds for various purposes range from 80 degrees to 87 degrees)³⁹ and requirements for California daycare facilities (85-degree maximum on typical days).⁴⁰ The following is the list of temperatures recommended by the various non-IOU parties:

³⁷ D.25-06-012, p. 35, ("The Large IOUs must jointly file this proposal via a Tier 3 Advice Letter within six months of the issuance date of this decision.").

³⁸ Advice Letter Attachment B-4 (UCAN Feedback) pp. 4-5; Advice Letter Attachment B-5 (UCAN Proposal), p. 1; Advice Letter Attachment B-2 (CforAT and NCLC Feedback); Advice Letter Attachment B-3 (TURN Feedback); Advice Letter Attachment C-1 (CforAT and NCLC Feedback) p. 1; Advice Letter Attachment C-2 (TURN Feedback), p. 1.

³⁹ Advice Letter Attachment B-1 (CalAdvocates Feedback), pp. 2-3.

⁴⁰ Advice Letter Attachment B-4 (UCAN Feedback) pp. 4-5; Advice Letter Attachment B-5 (UCAN Proposal), p. 1.

- CalAdvocates: below 90 degrees ⁴¹
- UCAN: 90 degrees, in alignment with Illinois temperature protections ⁴²
- TURN: 90 degrees statewide, or varying by region capped at 95 degrees ⁴³
- CforAT and NCLC: “no higher than 95 degrees”⁴⁴

In contrast to the non-IOU parties, the IOUs provided no basis for retaining their 100-degree threshold during times when the CalHeatScore data through its API is not available. D.25-06-012 specifically directed the IOUs to submit “a proposal to lower the temperature or other relevant thresholds that trigger disconnections suspensions...”⁴⁵ The IOUs’ proposal addressing temperature thresholds should be rejected because it violates the direction of the Commission and because it conflicts with the recommendations of every non-IOU party.

5.2. All non-IOU parties that commented on the CalHeatScore threshold requested consideration of CalHeatScore 2 as the new threshold and asked for the IOUs to submit analyses, which the IOUs failed to provide.

Only UCAN and TURN commented on the IOUs’ CalHeatScore threshold. Both noted that the IOUs failed to provide data or analysis to support the IOUs’ proposal for a CalHeatScore 3 threshold.⁴⁶ UCAN, CalAdvocates, and TURN each requested data from the IOUs regarding the IOUs’ threshold proposals.⁴⁷ Because the Commission has no data on which to determine if the CalHeatScore 3 threshold is adequate protection for ratepayers, the Commission should, at a minimum, reduce the threshold to a CalHeatScore 2.

In support of UCAN’s request for a CalHeatScore 2 threshold, UCAN notes that CalHeatScore 2 threshold equates to a 33% to 66% increase of heat-related emergency room

⁴¹ “According to the California Code of Regulations, Title 8 section 3396a, temperature control measures for indoor workplaces are triggered by whenever the temperature, or heat index, reaches 87 degrees and 3396d requires indoor cool down spaces to be maintained at less than 82 degrees... In, 2025 the California Department of Housing and Urban Development recommended a maximum safe indoor temperature of 82 degrees [link removed], temperature thresholds chosen by the IOUs should reflect what indoor temperatures are safe...”).

⁴² Advice Letter Attachment B-5 (UCAN Proposal), p. 1.

⁴³ Advice Letter Attachment C-2 (TURN feedback), p. 1, (“while parties including TURN have presented facts supporting a lower threshold at 90 degrees, in line with Illinois, or 95 degrees, in line with Arizona. TURN recommends that this threshold be set at 90 degrees statewide, as proposed by UCAN, or vary regionally (at the Zip Code/NWS forecast zone level) based on historical temperatures up to a ceiling of 95 degrees.”).

⁴⁴ Advice Letter Attachment C-1 (CforAT and NCLC feedback), p. 1, (“Even 95°F may pose heat risk for some individuals, including vulnerable populations such as people with medical needs or disabilities. The IOUs should set the threshold at no higher than 95°F and prioritize expanding protections, particularly for a potential interim solution that would only be in place until a more refined approach can be implemented.”).

⁴⁵ D.25-06-012, p. 35.

⁴⁶ Advice Letter Attachment C-2 (TURN Feedback), p. 1; Advice Letter Attachment C-3 (UCAN Feedback) p. 1.

⁴⁷ Advice Letter Attachment B-1 (CalAdvocates Feedback), pp. 3-4; Advice Letter Attachment C-2 (TURN Feedback), p. 1; Advice Letter Attachment C-2 (TURN Feedback), p. 1; Advice Letter Attachment C-3 (UCAN Feedback) p. 1.

visits compared to the baseline number of emergency room visits.⁴⁸ Additionally, CalHeatScore documentation provides a figure of a sample zip code showing that CalHeatScore 2 equates to an apparent temperature of ~94 to ~98 degrees.⁴⁹ In contrast, for the same zip code, a CalHeatScore of 3 equates to an apparent temperature of ~98 to ~101 degrees.⁵⁰ Apparent temperature can be higher or lower than the actual temperature.⁵¹ The figure demonstrates that the CalHeatScore 3 threshold may be similar to the existing heat protections that the Commission determined to be insufficient. The Commission should adopt a CalHeatScore 2 threshold to ensure expanded heat protections in alignment with D.25-06-012's intent.

6. THE ADVICE LETTER CONTAINS MATERIAL ERRORS OR OMISSIONS.

As noted previously, the IOUs failed to provide the Commission with points of major disagreement, which D.25-06-012 required to be included in the Advice Letter.⁵² The Advice Letter also omits any analysis to support its proposed CalHeatScore-3 threshold. Thus, the Commission does not have the data needed to adopt a CalHeatScore-3 threshold. If the Commission rejects the IOUs proposal outright due to lack of supporting data, the Commission should, as an interim measure, adopt a statewide temperature threshold of 90 degrees on a 72-hour look ahead basis.

7. THE PROPOSAL IN THE ADVICE LETTER IS UNJUST AND UNREASONABLE.

As noted under Heading 5.1, above, every non-IOU party recommended temperature thresholds between 87 degrees and 95 degrees as a reasonable temperature threshold. In contrast the IOUs requested to retain the current 100-degree threshold which conflicts with D.25-06-012. The Commission determined that the current heat protections of the 100-degree threshold were insufficient and required the IOUs to “collaborate” with other parties to “lower the temperature” or other relevant thresholds that trigger disconnections suspensions.⁵³ It is neither just nor reasonable for the IOUs to unilaterally propose to retain the current thresholds as that would violate the Commission’s direction and conflicts with the input of every non-IOU party. Instead of proceeding further with the IOU’s advice letters that violate the provisions of D.25-06-012, the Commission should pass a resolution requiring the IOUs to comply with the temperature

⁴⁸ California Environmental Protection Agency, Office of Environmental Health Hazard Assessment, CalHeatScore Methods Documentation, p. 6, <https://calheatscore.calepa.ca.gov/sites/default/files/2025-02/methods02032025.pdf>.

⁴⁹ California Environmental Protection Agency, Office of Environmental Health Hazard Assessment, CalHeatScore Methods Documentation, p. 6, Figure 1, <https://calheatscore.calepa.ca.gov/sites/default/files/2025-02/methods02032025.pdf>.

⁵⁰ *Ibid.*

⁵¹ NOAA, Heat Index Chart, shows the effect of humidity on temperature and the resulting apparent temperature, https://www.noaa.gov/sites/default/files/2022-05/heatindex_chart_rh.pdf.

⁵² See Heading 5; D.25-06-012, p. 35 (“the Advice Letter should identify major issues where stakeholders disagree...”).

⁵³ D.25-06-012, p. 35.

provisions of D.25-06-012 and should, as an interim measure, adopt a statewide temperature threshold of 90 degrees on a 72-hour look ahead basis.

8. TO PROTECT RATEPAYERS, UCAN PROPOSES A SOLUTION THAT FIXES THE IOUS' FAULTY PROPOSAL

As an alternative to the IOUs flawed advice letter filings, UCAN believes it is incumbent on the Commission to revise the IOU's proposals in a manner that provides for compliance with the Commission-ordered deadline. The Commission's resolution responding to the AL should revise the fallback-temperature threshold, the interim-temperature threshold, and the backstop temperature threshold to 90 degrees. This aligns with the feedback that the parties supplied to the IOUs in response to the IOUs' proposal.⁵⁴ CalAdvocates's feedback aligns with an even lower temperature threshold.⁵⁵ Finally, the CalHeatScore threshold should be set to 2 to ensure greater heat protections than the current 100-degree temperature threshold.

9. CONCLUSION

For the reasons described above, UCAN respectfully requests the Commission:

- Adopt a CalHeatScore 2 threshold.
- Adopt a statewide temperature threshold of 90 degrees as an interim threshold and fallback threshold.
- Adopt statewide temperature threshold of 90 degrees as a backstop temperature regardless of whether CalHeatScore is triggered.

UCAN thanks Commission staff for their review of this protest and for considering UCAN's modifications that ensure just and reasonable heat protections to support the health and safety of California ratepayers.

Respectfully submitted,

The Utility Consumers' Action Network

⁵⁴ See footnote 24.

⁵⁵ Advice Letter Attachment B-1 (CalAdvocates Feedback), pp. 2-3, ("According to the California Code of Regulations, Title 8 section 3396a, temperature control measures for indoor workplaces are triggered by whenever the temperature, or heat index, reaches 87 degrees and 3396d requires indoor cool down spaces to be maintained at less than 82 degrees[link removed]. In, 2025 the California Department of Housing and Urban Development recommended a maximum safe indoor temperature of 82 degrees [link removed]. Therefore, temperature thresholds chosen by the IOUs should reflect what indoor temperatures are safe, since people generally spend the majority of their time indoors.").

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January 6, 2026

Via Electronic Mail

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**Re: Protest to Joint Investor-Owned Utilities (IOUs)
Advice Letter to Propose Region-Specific Heat Risk Protections**

I. INTRODUCTION

Pursuant to General Order (GO) 96-B 7.4.1, the Public Advocates Office at the Public Utilities Commission (Cal Advocates) hereby submits this Protest to Southern California Edison Company (SCE), San Diego Gas & Electric Company (SDG&E), Pacific Gas and Electric Company (PG&E), and Southern California Gas Company's (SoCalGas) joint Tier 3 Advice Letter 5707-E/4770-E/7783-E/6570-G (Joint AL).

The Joint AL proposes changes to heat risk protections for customer disconnections, including using CalHeatScore to trigger disconnections. The CalHeatScore tool was developed by the California Office of Environmental Health Hazard Assessment and uses local data to generate heat risk scores at the zip code level. CalHeatScore has five levels of heat risk ranging from low to severe, low reflecting the baseline risk of heat related illness on an average summer day.¹ The IOUs propose the use of CalHeatScore level three, meaning high risk, to trigger disconnections protections and recommend that the current maximum temperature threshold remain at 100 degrees as a fallback for when the tool is unavailable.

Cal Advocates protests the Joint AL on the grounds that the plan for implementation of these heat protections does not comply with the implementation date ordered by the Commission in Decision (D.) 25-06-012 and that the proposal is unjust and

¹ CalHeatScore Methods Documentation at 6: <https://calheatscore.calepa.ca.gov/sites/default/files/2025-02/methods02032025.pdf>.

unreasonable.^{2 3 4} Additionally, the CalHeatScore level at which the IOUs propose to implement disconnections protections does not meet the requirements of D.25-06-012 and does not include necessary supporting analysis.^{5 6} In addition, the proposed maximum threshold for initiation of disconnections protections, in the absence of CalHeatScore data, does not comply with what was ordered in D.25-06-012 and the IOUs have not produced any empirical justification to support this choice.^{7 8 9} Finally, the IOUs have omitted any analysis to support their assertions that use of the CalHeatScore tool minimizes administrative burden and cost.¹⁰

For these reasons, the Commission should reject the IOUs' proposed implementation timeline, choice of level to trigger protections, choice of maximum temperature thresholds, and statements on cost effectiveness and administrative burden. The Commission should order the IOUs to reduce the maximum temperature threshold to 95 degrees.¹¹ The Commission should also require the IOUs to provide evidence and

² Decision. (D) 25-06-012, *Decision Addressing Requirements of Senate Bill 1142 and Extreme Heat Disconnections Protections*, at 35:” The approved proposal must then be implemented before May 1, 2026.” see also Ordering Paragraph 4 at 52-52.

³ General Order (GO) 96-B, Rule 7.4.2(2) (An advice letter may be protested on the grounds that “The relief requested in the advice letter would violate statute or Commission order or is not authorized by statute or Commission order on which the utility relies.”)

⁴ GO 96-B, Rule 7.4.2(6) (An advice letter may be protested on the grounds that “The relief requested in the advice letter is unjust, unreasonable, or discriminatory, provided that such a protest may not be made where it would require relitigating a prior order of the Commission.”)

⁵ GO 96-B, Rule 7.4.2(2) (An advice letter may be protested on the grounds that “The relief requested in the advice letter would violate statute or Commission order or is not authorized by statute or Commission order on which the utility relies.”)

⁶ GO 96-B, Rule 7.4.2(3) (An advice letter may be protested on the grounds that “The analysis, calculations, or data in the advice letter contain material errors or omissions.”)

⁷ D.25-06-012 at 35 and Ordering Paragraph (OP) 4.

⁸ GO 96-B, Rule 7.4.2(2) (An advice letter may be protested on the grounds that “The relief requested in the advice letter would violate statute or Commission order or is not authorized by statute or Commission order on which the utility relies.”)

⁹ GO 96-B, Rule 7.4.2(3) (An advice letter may be protested on the grounds that “The analysis, calculations, or data in the advice letter contain material errors or omissions.”)

¹⁰ GO 96-B, Rule 7.4.2(3) (An advice letter may be protested on the grounds that “The analysis, calculations, or data in the advice letter contain material errors or omissions.”)

¹¹ As outlined further in Section B below, a maximum threshold of 95 degrees is more reasonable than the current 100 degree threshold employed by IOUs, as it aligns with past academic theory of the maximum external wet bulb temperature tolerable to humans, which reflects the heat and humidity at which the human body's evaporative cooling (sweating) stops working.

analysis to support their claims about cost effectiveness and administrative burden as well as how the use of CalHeatScore level three would address the relative heat risks identified in The Utility Reform Network's (TURN) emergency motion on extreme heat.^{12 13}

II. BACKGROUND

D.18-12-013 adopted interim rules to reduce customer disconnections and ordered that customers not be disconnected at temperatures above 100 degrees or below 32 degrees Fahrenheit as forecasted in a 72-hour look ahead period.¹⁴ These temperature thresholds were affirmed in D.20-06-003.¹⁵ D.25-06-012 addressed extreme heat disconnections protections and ordered stakeholders to develop a proposal to lower the temperature threshold, or other relevant thresholds, that trigger disconnections protections while accounting for the relative heat risks identified in TURN's emergency motion on extreme heat.¹⁶ The Commission ordered the IOUs to implement their proposal before May, 1 2026.¹⁷

III. DISCUSSION

A. The Joint AL does not comply with the implementation timeline set by the Commission in D.25-06-012.¹⁸

The IOUs' proposal does not comply with the implementation deadline for extreme heat disconnections protections ordered in D.25-06-012. The Application Programming Interface (API) necessary to carry out the IOUs' proposal to utilize the CalHeatScore tool is unlikely to be operational by May 1, 2026. As the IOUs state, "...the CalHeatScore

¹² D.25-06-012 at 35.

¹³ Emergency Motion of The Utility Reform Network to Modify Weather-Related Disconnection Protections to Better Address "Extreme Heat" Health and Safety Risks, August 14, 2024: <https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M537/K783/537783590.PDF>; TURN explained the dangers of extreme heat, identified factors that determine heat risk, and proposed the use of the National Weather Service HeatRisk Index.

¹⁴ D. 18-12-013, *Decision Adopting Interim Rules to Reduce Residential Customer Disconnections for California-Jurisdictional Energy Utilities*, OP 1(c) at 31.

¹⁵ D. 20-06-003, *Phase I Decision Adopting Rules and Policy Changes to Reduce Residential Customer Disconnections for the Larger California-Jurisdictional Energy Utilities*, OP 1(f) at 146.

¹⁶ D.25-06-012 at 35.

¹⁷ D.25-06-012 at 35.

¹⁸ GO 96-B, Rule 7.4.2(2) (An advice letter may be protested on the grounds that "The relief requested in the advice letter would violate statute or Commission order or is not authorized by statute or Commission order on which the utility relies.")

tool, having launched only in May 2025, does not have historical data available for assessment and has not yet developed a system for automated data exchange, complicating its near-term integration into IOU billing systems.”¹⁹ And “[w]hile CalHeatScore offers a robust and equitable foundation for regionally tailored heat risk protections, it is important to note that the Application Programming Interface (API) for the tool may not be fully available or operational by the Commission's required implementation date of May 1, 2026”.²⁰ Furthermore, the IOUs project an additional three to six months to implement CalHeatScore in their disconnections protections once the API becomes available, nearly guaranteeing that consumer protections will not come into effect until after the summer of 2026.²¹ The IOUs proposal therefore does not comply with the Commission’s directive, and during 2026, it would deny customers protections when the risks from extreme heat are the most acute.

B. It is unjust for the IOUs to deny customers protections ordered by the Commission; therefore, the maximum temperature threshold should be lowered to 95 degrees as an interim solution.²²

General Order 96-B states that an advice letter may be protested if, “The relief requested in the advice letter is unjust, unreasonable, or discriminatory, provided that such a protest may not be made where it would require relitigating a prior order of the Commission”.²³ It is unjust and unreasonable to delay implementation of these ordered consumer protections until after the summer of 2026 when there are immediate solutions available with low costs of implementation. The IOUs should amend their proposal to provide provisional protection until CalHeatScore can be fully implemented.

While the IOUs propose a single-phase approach, all other parties in the Working Group meetings supported a multi-phase approach to meet the May 1, 2026, implementation deadline.²⁴ This multiphase approach would consist of lowering the existing threshold as

¹⁹ Joint AL at 5.

²⁰ Joint AL at 7.

²¹ Joint AL at 10-12.

²² GO 96-B, Rule 7.4.2(6) (An advice letter may be protested on the grounds that “The relief requested in the advice letter is unjust, unreasonable, or discriminatory, provided that such a protest may not be made where it would require relitigating a prior order of the Commission.”)

²³ GO 96-B, Rule 7.4.2(6) (An advice letter may be protested on the grounds that “The relief requested in the advice letter is unjust, unreasonable, or discriminatory, provided that such a protest may not be made where it would require relitigating a prior order of the Commission.”)

²⁴ Joint AL at Attachment A, Attachment C-1, Attachment C-3, Attachment D.

a temporary solution until the CalHeatScore tool can be fully operationalized. This simple modification still allows for the utilization of CalHeatScore at a later date, while providing customers relief by the Commission's required implementation deadline and minimizing administrative burden. The IOUs acknowledge that lowering the threshold would not be costly and would be quick to implement, since there are no changes to IOU processes necessary to lower the existing threshold as a temporary solution.²⁵ Lowering the threshold on an interim basis would adhere to the Commission's deadline in D.25-06-012²⁶ and provide a reasonable level of consumer protection until the CalHeatScore API is fully available.

An interim threshold of 95 degrees or less is an appropriate temperature level supported by empirical evidence of risks to human health. As noted in Cal Advocates' prior comments in the working group,²⁷ the academic theory of the maximum external wet bulb temperature tolerable to humans, which reflects the heat and humidity at which the human body's evaporative cooling (sweating) stops working, was set for many years at 95 degrees. More recent research suggests the threshold may be even lower.²⁸ In fact, the maximum wet bulb temperature for healthy adults may range from as low as 77 degrees to 87.8 degrees, and it could be even less for vulnerable populations.²⁹

Moreover, other California State departments set standards for indoor and workplace safety at temperatures considered safe that are much lower than 100 degrees. The California Division of Occupational Safety and Health (CalOSHA) requires temperature control measures for indoor workplaces to come into effect at 87 degrees and 80 degrees for outdoor workplaces.^{30 31} The California Department of Housing and Urban

²⁵ Joint AL at Attachment A.

²⁶ D.25-06-012 at 35.

²⁷ See Joint AL at attachment B-1 for Cal Advocates comments presenting research on temperature and heat risk.

²⁸ See Joint AL at attachment B-1 for Cal Advocates comments presenting research on temperature and heat risk.

²⁹ A 2022 study in the Journal of Applied Physiology found that the critical wet bulb temperature for young healthy adults was 77-82.4 degrees in hot and dry environments and 86-87.8 degrees in warm and humid environments (Vecellio et al). See Joint AL at attachment B-1 for Cal Advocates comments presenting research on temperature and heat risk.

³⁰ California Division of Occupational Safety and Health, §3396. Heat Illness Prevention in Indoor Places of Employment: <https://www.dir.ca.gov/title8/3396.html>

³¹ California Division of Occupational Safety and Health, §3395. Heat Illness Prevention in Outdoor Places of Employment: <https://www.dir.ca.gov/title8/3395.html>

Development recommends a maximum safe indoor temperature of 82 degrees.³² The use of thresholds in greater alignment with indoor safe temperature standards is more appropriate for disconnections protections, since people generally spend the majority of their time indoors and access electricity indoors.³³ This current data and analysis demonstrate a threshold of 95 degrees more accurately reflects risks to human health than the current 100 degree threshold. The Commission should order the IOUs to lower the maximum threshold for disconnection protections to 95 degrees or less until CalHeatScore can be fully implemented.

C. The IOUs' proposal to have disconnections protections come into effect at CalHeatScore level three lacks factual justification as required by D.25-06-012 and any supporting analysis is omitted.^{34 35}

In D.25-06-012 the Commission clearly ordered new heat protections to be supported by data and evidence of risk, "... have a targeted focus on reducing customers' relative heat exposure, that rely on data and tools that are proven and consistently available, and minimize cost and burden of implementation".³⁶ CalHeatScore is an appropriate data based tool, but the choice of level three to start protections is arbitrary. The IOUs provide no data or analysis to explain how level three is connected to managing relative heat risk. Furthermore, the IOUs do not address why protections should only come into effect after community risk of heat-related illness has doubled, rather than before, in order to prevent severe outcomes.³⁷ The Commission has stated that the threshold must

³² California Department of Housing and Community Development, Policy Recommendations: Recommended Maximum Safe Indoor Air Temperature, 2025: <https://www.hcd.ca.gov/plans-and-reports/ab-209-2022>

³³ Residential indoor temperatures and health: A scoping review of observational studies, Edwards et al. - Science of The Total Environment – 2025: <https://www.sciencedirect.com/science/article/pii/S0048969725010137>.

³⁴ GO 96-B, Rule 7.4.2(2) (An advice letter may be protested on the grounds that "The relief requested in the advice letter would violate statute or Commission order or is not authorized by statute or Commission order on which the utility relies.")

³⁵ GO 96-B, Rule 7.4.2(3) (An advice letter may be protested on the grounds that "The analysis, calculations, or data in the advice letter contain material errors or omissions.")

³⁶ D.25-06-012 at 35.

³⁷ CalHeatScore Methods Documentation at 6: <https://calheatscore.calepa.ca.gov/sites/default/files/2025-02/methods02032025.pdf>.

be lowered based on the relative heat risks identified in TURN's motion, and the IOUs have not made the connection between level three and those risks.³⁸

The IOUs have presented operational reasons for choosing level three, but the Joint AL contains no substantive analysis of the differences in heat risk between level two and level three, or any of the other options discussed. The IOUs cannot claim that level three offers adequate consumer protection without demonstrating how it is meaningfully connected to risk or how the level three risk compares with other options. Data and analysis are necessary for the Commission to consider setting the threshold at any CalHeatScore level. The IOUs must provide factual explanations and evidence as to why level three is the appropriate choice for protecting consumers.

D. The proposed maximum threshold under the CalHeatScore approach does not comply with D.25-06-012 and is unsupported by evidence. ^{39 40}

The IOUs propose to keep the current maximum temperature threshold of 100 degrees as a fallback in instances where the CalHeatScore Index may not be available.⁴¹ However, in D.25-06-012 the Commission ordered the IOUs to, "... lower the temperature or other relevant thresholds that trigger disconnections suspensions in light of the relative heat risks identified in TURN's Motion of August 14, 2024".⁴² The IOUs' proposal does not comply with the Commission's orders because the Joint AL proposes to leave the temperature threshold unchanged and provide no additional protections to counter the heat risks identified by TURN.

Moreover, maintaining the maximum threshold at 100 degrees does not have an empirical basis and the IOUs have not demonstrated how this choice would reduce health-related heat risks. Cal Advocates has provided recent data and numerous peer reviewed studies on temperature and risk that show that the threshold should be lower and that 100 degrees

³⁸ D.25-06-012 at 35.

³⁹ General Order (GO) 96-B, Rule 7.4.2(2) (An advice letter may be protested on the grounds that "The relief requested in the advice letter would violate statute or Commission order or is not authorized by statute or Commission order on which the utility relies.")

⁴⁰ GO 96-B, Rule 7.4.2(3) (An advice letter may be protested on the grounds that "The analysis, calculations, or data in the advice letter contain material errors or omissions.")

⁴¹ Joint AL at 9.

⁴² D.25-06-012 at 35.

is dangerous to human beings.⁴³ Any threshold must be based on data and evidence of exposure to heat risks. The IOUs have neither produced any data and evidence, nor have they made any attempt to explain how upholding the existing threshold meets that standard.

As discussed above in section B, lowering the temperature threshold is empirically supported and connected to evidence of risk to human health.⁴⁴ Maintaining continuity with the same lowered threshold, until the CalHeatScore API is available, would minimize administrative burden, cost, and confusion during implementation.

E. The Commission should disregard the IOUs' claims that utilizing CalHeatScore is cost effective and minimizes administrative burden.⁴⁵

The IOUs state, "... the Electric IOUs evaluated measures with regards to the cost and burden of implementation, which depends on the extent of change required for each IOU, compared to current system implementation and processes, as well as the complexity of internal calculations versus externally available 'ready-to-use' measures of heat risk".⁴⁶ The IOUs also claim their budget projections using CalHeatScore have minimal incremental costs and that their proposal minimizes administrative burden.⁴⁷ However, the Joint AL does not contain any analysis to support the IOUs' assertions. During the working group process, stakeholders repeatedly asked the IOUs to provide analysis on cost and ease of implementation for the different options considered.⁴⁸ The IOUs did not provide any evidence during that process or in the Joint AL that would support their statements. The Commission should disregard the IOUs' claims on the basis that no analysis has been provided to support them and direct the IOUs to provide the supporting analysis used to make those cost and implementation determinations.

⁴³ See Joint AL at attachment B-1 for Cal Advocates comments presenting research on temperature and heat risk.

⁴⁴ See Joint AL, at attachment B-1 for Cal Advocates comments presenting research on temperature and heat risk.

⁴⁵ GO 96-B, Rule 7.4.2(3) (An advice letter may be protested on the grounds that "The analysis, calculations, or data in the advice letter contain material errors or omissions.")

⁴⁶ Joint AL at 5.

⁴⁷ Joint AL at 7 and 11.

⁴⁸ Joint AL at Attachment A, Attachment B-1, Attachment B-3, Attachment C-2.

IV. CONCLUSION

The Public Advocates Office respectfully requests the Commission adopt the recommendations contained herein.

Sincerely,

/s/ Shelly Lyser
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Program Manager

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