

Decision 17-06-024 June 29, 2017

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Develop and Adopt Fire-Threat Maps and Fire-Safety Regulations.

Rulemaking 15-05-006
(Filed May 7, 2015)

**DECISION AMENDING THE WORK PLAN FOR
THE DEVELOPMENT OF FIRE MAP 2**

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DECISION AMENDING THE WORK PLAN FOR THE DEVELOPMENT OF FIRE MAP 2

1. Summary

Today's decision amends the work plan adopted by Decision (D.) 17-01-009 for the development of a statewide fire-threat map known as Fire Map 2. The purpose of Fire Map 2 is to designate areas where there is an elevated hazard for utility-associated wildfires to occur and spread rapidly, and where communities face an elevated risk from utility-associated wildfires. Fire Map 2 will be used to delineate the boundaries of a new High Fire-Threat District where stricter fire-safety regulations apply.

The amendments to the Fire Map 2 Work Plan adopted by today's decision are as follows:

- The requirement to develop the Shape C fire-threat map is eliminated from the Fire Map 2 Work Plan. The development of Fire Map 2 will be completed upon the development and adoption of the Shape B fire-threat map.
- The schedule for the Fire Map 2 Work Plan is revised. Under the revised schedule, a Tier 1 advice letter containing the final statewide Shape B fire-threat map will be submitted by November 27, 2017.

The amended Fire Map 2 Work Plan adopted by today's decision reflects input and advice from the California Department of Forestry and Fire Protection.

Today's decision does not affect the provisions in D.17-01-009 that establish the schedule and procedures for the identification, evaluation, and adoption (if appropriate) of new fire-safety regulations for the High Fire-Threat District by December 2017.

This proceeding remains open for (i) the development and adoption of Fire Map 2, (ii) the integration of Fire Map 2 into General Order 95 as a new High Fire-Threat District, and (iii) the consideration and possible adoption of new fire-safety regulations for the High Fire-Threat District.

2. Regulatory Background

In Decision (D.) 17-01-009, the California Public Utilities Commission (Commission or CPUC) adopted a work plan for the development and adoption of a statewide fire-threat map known as “Fire Map 2.” The purpose of Fire Map 2 is to designate areas where there is an elevated hazard for utility-associated wildfires to occur and spread rapidly, and where communities face an elevated risk from utility-associated wildfires. Fire Map 2 will be used to delineate the boundaries of a new High Fire-Threat District where stricter fire-safety regulations apply.¹ D.17-01-009 also adopted procedures and a schedule to identify, evaluate, and adopt (if appropriate) new fire-safety regulations for the High Fire-Threat District by December 2017.

Electric utilities have primary responsibility for the development of Fire Map 2, and the California Department of Forestry and Fire Protection (CAL FIRE) has a significant role in overseeing the development of Fire Map 2. Three electric utilities (Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE), and San Diego Gas & Electric Company

¹ The High Fire-Threat District is defined, *infra*.

(SDG&E) are jointly providing funding to pay for expert consultants to assist CAL FIRE in overseeing the development of Fire Map 2.²

D.17-01-009 established a three-step process to develop and adopt Fire Map 2. Step 1 is the creation of a map known as Shape A. Step 2 is the creation of a map known as Shape B. Step 3 is the creation of a final map known as Shape C. Each step is summarized below.

The first step in the development of Fire Map 2 is the creation of a preliminary statewide fire-threat map called Shape A that is based on the following inputs:

1. Cells on Fire Map 1 with a Utility Fire-Threat Index value that is equal to or greater than 800.³ Fire Map 1 was developed by CAL FIRE and adopted by the Commission in D.16-05-036. Fire Map 1 depicts areas of California where there is an elevated hazard for the ignition and rapid spread of power-line fires.
2. Cells on CAL FIRE's Fire Resource and Assessment Program (FRAP) map of fire threats (FRAP map) classified as High, Very High, or Extreme.
3. Historic fire perimeter data (all causes) in CAL FIRE's FRAP data base.
4. The intersection of the following areas associated with communities at risk from wildfire (CARs):
 - i. Areas classified as "Very High" on CAL FIRE's map of Fire Hazard Severity Zones (FHSZs), and

² The funding mechanism adopted by D.17-01-009 to pay for expert consultants and other resources to assist the Independent Review Team (IRT) in overseeing the development of Fire Map 2 is substantially similar to the funding mechanism adopted by D.14-01-010 for the development of Fire Map 1. (D.17-01-009 at 20 and Conclusion of Law 19.)

³ Cells on Fire Map 1 with a Utility Fire-Threat Index value of 800 or higher cover an area equal to approximately 13% of California.

- ii. Areas within the boundaries of communities on record with CAL FIRE as being at risk from wildfire and to a distance of 1.5 miles outside the edges of the CARs boundaries.⁴

Shape A was developed by SDG&E and Reax Engineering (Reax), and reviewed and approved by CAL FIRE. On December 8, 2016, SDG&E filed and served the Shape A Map approved by CAL FIRE. The CAL FIRE-approved Shape A covers more than half of California and, as required by D.16-05-036, incorporates the fire hazards associated with (1) overhead utility facilities generally and at specific locations such as Laguna Beach, and (2) historical power-line fires besides the October 2007 fires in Southern California, such as the Butte Fire that burned 71,000 acres in Amador and Calaveras Counties in September 2015.⁵ In D.17-01-009, the Commission determined that the CAL FIRE-approved Shape A provides a reasonable starting point for the creation of Shape B.⁶

Shape B, which is currently being developed, will be a refinement of the CAL FIRE-approved Shape A. The refinements will be based on utilities' and other Stakeholders' knowledge of local conditions affecting utility-associated wildfire hazards and risks. Additionally, Shape B will be subdivided geographically into three fire-threat Tiers (*i.e.*, Tiers 1, 2, and 3) to delineate different levels of utility-associated wildfire hazards and risks, with Tier 1 having the lowest hazards and risks and Tier 3 the highest hazards and risks.

⁴ There are approximately 1,329 communities currently on record with CAL FIRE as being at risk from wildfire.

⁵ D.17-01-009 at 40 and Conclusion of Law 47.

⁶ D.17-01-009 at Finding of Fact 5, Conclusion of Law 3, and Ordering Paragraph 1.a.

Three groups are responsible for developing and reviewing Shapes B and C.⁷ These are (1) the Peer Development Panel (PDP), (2) the Territory Leads, and (3) IRT led by CAL FIRE. The PDP has overall responsibility for developing the statewide Shape B and Shape C maps. Pursuant to D.17-01-009, the membership of the PDP is limited to persons with expertise in areas directly related to development of the fire-threat maps. The co-leaders of the PDP are PG&E, Reax, and SDG&E.

The Territory Leads are responsible for assisting the PDP by developing territory-specific maps for Shapes B and C. The investor-owned electric utilities (IOUs) and publicly-owned electric utilities (POUs) are the presumptive Territory Leads for their service areas. On February 28, 2017, PG&E filed a roster of all Territory Leads and the territory covered by each Lead. The areas covered by the Territory Leads listed on the roster together encompass all of California.

The IRT is a group of experts led by CAL FIRE that provides independent oversight and review of the PDP's development of Shapes B and C. To ensure the independence of the IRT, CAL FIRE has sole authority to (1) determine the internal and external resources needed for the IRT; (2) determine the number and qualifications of the IRT's members; (3) identify, select, and manage the IRT members; and (4) control the IRT's activities and work products.

Each Territory Lead will develop a tiered Shape B for its assigned territory using an initial statewide Shape B prepared by the PDP and approved by the IRT. D.17-01-009 requires Territory Leads, as part of the development of

⁷ Shape C is described, *infra*.

territory-specific Shape Bs, to solicit input from local, non-party Stakeholders⁸ with expertise regarding local, utility-associated wildfire hazards and risks.

D.17-01-009 authorizes Stakeholder Parties to submit informal comments to a Territory Lead. The Decision requires the Territory Lead to consider all informal comments offered by Stakeholder Parties as the Territory Lead creates a draft Shape B for its service territory.

A Territory Lead may propose to include or exclude areas for its territory-specific Shape B and Tiers. Each Territory Lead must submit to the PDP a proposed Shape B for its territory within a timeframe set by the PDP, in such form as directed by the PDP, and accompanied by such maps, geographic information system files, and other material deemed necessary by the PDP. If a Territory Lead does not fulfill its responsibilities in a timely manner, D.17-01-009 requires the PDP to take over the development of the territory-specific Shape B at issue so that development of Shape B is not delayed.

Each territory-specific Shape B proposal will be reviewed by the PDP, who may confer with the IRT, Territory Leads, and Stakeholder Parties. Each proposal will be approved, modified, or rejected by the PDP, or returned to the Territory Lead for further work.

Next, the PDP will aggregate the PDP-approved, territory-specific Shape Bs in a draft statewide Shape B Map and submit the draft map to the IRT for review and approval. To accelerate the IRT's review of the draft statewide

⁸ D.17-01-009 defines Stakeholders as entities that may be subject to regulations based on Fire Map 2 (e.g., electric utilities) and other interested groups (e.g., CAL FIRE, local municipalities and fire districts, and The Utility Reform Network). Any Stakeholder may request party status in this proceeding in accordance with Rule 1.4 of the Commission's Rules of Practice and Procedure.

Shape B, D.17-01-009 requires the PDP to provide the IRT with advance copies of the PDP-approved, territory-specific Shape Bs as these become available. The IRT may (i) direct the PDP, Territory Leads, and/or Stakeholder Parties to provide additional information, and (ii) direct the PDP to modify the boundaries of Shape B and its Tiers.

So that the development of Fire Map 2 does not become bogged down in disputes over technical issues and other matters, the IRT is authorized by D.17-01-009 to provide guidance and to decide deadlocked issues regarding the development of Fire Map 2. D.17-01-009 requires the PDP to develop Shape B and Shape C in accordance with the IRT's guidance and decisions. Any impasse between the PDP and IRT will be resolved by the IRT.

D.17-01-009 requires the PDP to file and serve the final IRT-approved Shape B. Stakeholder Parties who disagree with the IRT-approved Shape B may submit alternative Shape Bs for the Commission's consideration at that time. All parties may file and serve (1) written comments and reply comments that address both the IRT-approved Shape B and any alternative Shape Bs, and (2) motions for evidentiary hearings.

The assigned Commissioner will review the IRT-approved Shape B, any alternative Shape Bs, written comments, and associated filings. Based on this record, the assigned Commissioner will determine the appropriate course of action. If there is no opposition to the IRT-approved Shape B, the assigned Commissioner may issue a ruling that (1) provides notice that the IRT-approved Shape B shall be used to develop Shape C, and (2) directs the IRT, PDP, and Territory Leads to proceed with the development of Shape C. On the other hand, if there is opposition to the IRT-approved Shape B, the assigned Commissioner may issue a proposed decision and/or take other appropriate actions.

Shape C will consist of the Final Shape B Map overlaid with the locations of electric utility overhead powerlines. To develop Shape C pursuant to the Fire Map 2 Work Plan adopted by D.17-01-009, the PDP will deliver the Final Shape B Map to the Territory Leads, who will overlay their electric utility overhead facilities on the Final Shape B. Next, each Territory Lead will submit the draft Shape C for its territory to the PDP, who will review the submittals for consistency in the way electric utility facilities are depicted on Shape C. The PDP will compile a draft statewide Shape C Map and submit the map to the IRT for review and approval. The PDP is required to make any revisions deemed necessary by the IRT.

D.17-01-009 instructs the PDP to submit the IRT-approved Shape C Map via a Tier 1 advice letter. The Shape C Map (and Fire Map 2) will be effective on the date the Tier 1 advice letter is approved by a disposition letter or, if necessary, by a Commission resolution.

Fire Map 2 will consist of two independent maps – the Shape C Map and a separate map for Tree Mortality. The independent map of Tree Mortality will consist of Tier 1 High Hazard Zones (HHZ) on the United States Forest Service and CAL FIRE’s joint map of Tree Mortality High Hazard Zones (“the Tree Mortality HHZs Map”).⁹ Tier 1 HHZs on the Tree Mortality HHZs Map will be incorporated into Fire Map 2 by reference.¹⁰

⁹ The Tree Mortality HHZs Map that was current when D.17-01-009 was issued is available at: http://www.fire.ca.gov/treetaskforce/downloads/HighHazardZones_Tier1_Tier2_lite.pdf. This map describes Tier 1 HHZs as zones in direct proximity to communities, roads, and utility lines. These zones represent a direct threat to public safety. (D.17-01-009 at 39 and Finding of Fact 21.)

¹⁰ D.17-01-009 at page 39 and Finding of Fact 22.

Table 1 of D.17-01-009 provides a detailed, multi-step schedule for the development and adoption of Fire Map 2. Under this schedule, the statewide Shape C Map will be submitted to the Commission for approval via a Tier 1 advice letter by November 30, 2017, and Fire Map 2 will go into effect soon thereafter. The adopted schedule assumes there are no disputes that require a Commission decision or an evidentiary hearing.

D.17-01-009 also establishes procedures and a schedule to identify, evaluate, and adopt proposed fire-safety regulations for the new High Fire-Threat District.¹¹ Under this schedule, a proposed decision adopting new fire-safety regulations, if any, will be mailed by October 27, 2017. The adopted schedule for considering and possibly adopting new fire-safety regulations for the High Fire-Threat District assumes there are no evidentiary hearings.

Finally, D.17-01-009 addresses several other matters that are beyond the scope of today's decision (e.g., authority for cost-of-service electric utilities to recover the costs they incur pursuant to D.17-01-009 after the reasonableness of such costs has been verified by the Commission).

3. Procedural Background

On March 10, 2017, the assigned Administrative Law Judges (ALJs) issued a ruling that invited parties to submit written comments and reply comments regarding whether D.17-01-009 should be modified so that (1) the final map product is Shape B, and (2) the requirement to develop Shape C is deleted. The March 10, 2017 Ruling also provided notice in accordance with Public Utilities

¹¹ The High Fire-Threat District consists of (i) Tier 1 HHZs the Tree Mortality HHZs Map; and (ii) Tiers 2 and 3 on the Shape C Map. (D.17-01-009 at 39-40 and 59.)

Code Section 1708 that the assigned Commissioner may use these comments to prepare a proposed decision for the Commission's consideration that modifies D.17-01-009 in the manner described previously.¹²

The March 10, 2017 Ruling noted that General Order 95 currently identifies three geographic "Districts" where specified regulations apply. These are the (1) Urban District, (2) Rural District, and (3) Loading District. None of these districts has an associated map that depicts the location of the utility facilities in the district that are subject to the specified regulations for the district. This suggests that it might not be necessary to develop Shape C, which would depict the location of overhead powerlines in the High Fire-Threat District.

In response to the March 10, 2017 Ruling, the following parties filed written comments on April 3, 2017:

- The City of Laguna Beach (Laguna Beach);
- The POUs consisting of the California Municipal Utilities Association (CMUA), Los Angeles Department of Water and Power, and the Sacramento Municipal Utility District;
- The Joint Electric Utilities consisting of PG&E, PacifiCorp d/b/a Pacific Power (PacifiCorp), and SCE;
- The Commission's Safety and Enforcement Division (SED) on behalf of itself and, separately, on behalf of the IRT that is led by the CAL FIRE;¹³ and

¹² Public Utilities Code Section 1708 states, "The commission may at any time, upon notice to the parties, and with an opportunity to be heard as provided in the case of complaints, rescind, alter, or amend an order or decision made by it. Any order rescinding, altering, or amending a prior order or decision shall, when served upon the parties, have the same effect as an original order or decision."

¹³ The IRT and CAL FIRE are not parties in this proceeding. Rather, as set forth in D.17-01-009 at 48, CAL FIRE is participating in this proceeding in an advisory capacity to aid the Commission's development and adoption of Fire Map 2. D.17-01-009 instructs the

Footnote continued on next page

- SDG&E.

The Joint Electric Utilities filed reply comments on April 17, 2017. There were no other reply comments.

4. Summary of Parties' Positions

4.1. Laguna Beach

Laguna Beach does not object to modifying D.17-01-009 to eliminate the development of Shape C. Laguna Beach submits that the Commission's goal of creating a map that designates areas and communities where there is an elevated risk of utility-associated wildfires can be achieved with Shape B.

Although Laguna Beach agrees that it is not necessary to develop Shape C, Laguna Beach believes that information regarding the location of utility infrastructure could assist in identifying and responding to utility-associated wildfire threats. Therefore, Laguna Beach recommends that such mapping information be shared, on a confidential basis if needed, with emergency responders and other appropriate local officials.

4.2. The POUs

The POUs do not oppose modifying D.17-01-009 to eliminate the development of Shape C. However, the POUs assert that the Fire Map 2 Work Plan provides insufficient time to develop Shape B. Therefore, if the development of Shape C is eliminated, the POUs request that the time scheduled for the development of Shape C be reallocated to the development of Shape B.

Commission's SED Advocacy Staff, who are participating in this proceeding as a party, to provide whatever administrative and regulatory support that CAL FIRE may need to participate in this proceeding. Such assistance may include, but is not limited to, filing and serving documents on CAL FIRE's behalf. (D.17-01-009 at Ordering Paragraph 6.)

Specifically, the POUs note the Fire Map 2 Work Plan provides 45 days to develop and review Shape C. The POUs recommend that 44 of these days be reallocated to Step 2(c) of the Shape B development process that is shown in D.17-01-009 at Section 4.5, Table 1, Row 7.

The POUs note that the current schedule for Step 2(c) provides only 119 days for more than 50 Territory Leads to accomplish the following: (1) review the Initial Statewide Shape B Map as it applies to their service territories; (2) gather information from relevant local experts, including fire officials and utility staff; (3) coordinate with the adjacent Territory Leads; (4) input data into the PDP's integrated project management/version control (IPM/VC) software; (5) consider stakeholder input provided through the IPM/VC software; and (6) potentially revise proposals based on direction from the PDP. In addition, those Territory Leads that are publicly owned utilities require sufficient time to communicate with, and receive direction from, their elected governing bodies.

4.3. Joint Electric Utilities

The Joint Electric Utilities support modifying D.17-01-009 to delete the development of Shape C. They believe that Shape C is not needed to implement or enforce stricter fire-safety regulations in the High Fire-Threat District.

The Joint Electric Utilities state that they can produce maps for internal use that show the location of their overhead electric lines relative to Tiers 1, 2, and 3 on the final Shape B Map. They are willing to share their maps with communications infrastructure providers (CIPs) and Commission staff. For those electric utilities and CIPs that cannot produce similar maps for their own service areas, the Joint Electric Utilities state that the delineation of the Tier 1, 2, and 3 boundaries on the Shape B Map will be of sufficient graphic detail to allow

electric utilities, CIPs, and Commission staff to determine whether any particular facility is in Tier 1, 2 or 3.

The Joint Electric Utilities recommend that the 45 days provided by the Fire Map 2 Work plan for the development and review of Shape C be reallocated to the development of Shape B, with most of the reallocated days (44 days) going to Step 2(c). The Joint Electric Utilities assert that it is necessary to reallocate 44 days to Step 2(c) for the following reasons:

- Much of the work that would have gone into the development of the Shape C Map will still have to be done, including expert review, quality control, and other steps to develop the final Tier 2 and Tier 3 boundaries.
- Ensure that the Tier 2 and Tier 3 boundaries in the Shape B Map account for the location of electric utility overhead lines.
- Provide the Territory Leads and the PDP with sufficient time to incorporate appropriate levels of local knowledge and stakeholder input in the development of Shape B. These inputs are crucial to the map's development and accuracy.

The Joint Electric Utilities state that even if the Territory Leads and PDP were able to incorporate the location of overhead electric lines into the development of Tier 2 and Tier 3 boundaries, it is vital that the IRT and other experts (PDP members and Territory Leads) have adequate time to understand the logic and decision making that influenced the proposed boundaries, which may include a confidential review of a utility's overhead infrastructure maps.

4.4. SED

SED states that because utilities should already have maps regarding the location of their overhead facilities, the Shape C Map is not necessary for the Commission to enforce fire-safety regulations that may apply only to utility facilities located in the High Fire-Threat District.

4.5. The IRT

CAL FIRE, acting through SED, submitted comments on behalf of the IRT. The IRT posits that depiction of utility facilities on a fire-threat map is not required to achieve the Commission's objective for Fire Map 2 of delineating the boundaries of a new High Fire-Threat District where stricter fire-safety regulations apply.

The IRT states that if the requirement to develop Shape C is eliminated, many of the 45 days provided by the Fire Map 2 Work Plan for the development of Shape C should be shifted to the development of Shape B. This is because much of work that the IRT was expecting to perform with respect to the development of Shape C will still have to be performed "to clean up Shape B and make it workable for the implementation of regulations....¹⁴" The "clean up" work includes edge fidelity of the Shape B Map's Tier boundaries, typological clean-up to remove overlaps and slivers, and quality control. The IRT believes the clean-up process will take several weeks given that Shape B is a statewide map. For these reasons, the IRT requests that if the development of Shape C is eliminated, that 25 days be reallocated to Step 2(d) of the Shape B development process that is shown in D.17-01-009 at Section 4.5, Table 1, Row 8.

4.6. SDG&E

SDG&E does not oppose modifying D.17-01-009 to eliminate the development of Shape C. SDG&E states that Shape C is not needed to implement or enforce fire-safety regulations.

¹⁴ SED-IRT Comments at 2.

SDG&E recommends that the time scheduled for the development of Shape C be reallocated to the PDP's development of Shape B. SDG&E states that much of the work that would have been performed during the development of Shape C will need to be incorporated into the development of Shape B. SDG&E adds that regardless of whether there is a Shape C Map, a rational map drawing process is needed is to avoid small absurdities in the Tier boundaries so that utility operational staff and Commission enforcement staff do not have to constantly "watch the map" as they inspect circuits.

5. The Amended Fire Map 2 Work Plan

5.1. Eliminating the Development of the Shape C Map

The Fire Map 2 Work Plan adopted by D.17-01-009 established a three-step process for developing and adopting Fire Map 2. The third and final step is the development, review, and adoption of the Shape C fire-threat map. Originally, the Shape C Map was planned to consist of the Shape B fire-threat map overlaid with the location of all electric utility overhead powerlines.

We conclude for the following reasons that it is reasonable to amend the Fire Map 2 Work Plan to eliminate the development, review, and adoption of the Shape C Map (together, "development of Shape C"). First, there is no opposition to eliminating the development of Shape C.

Second, we find that eliminating the development of Shape C will accelerate the completion of Fire Map 2 and conserve the Commission's, the parties', and other stakeholders' limited resources.

Third, as noted by the Joint Electric Utilities, Shape C is not needed because the delineation of the Tier boundaries on the Shape B Map will be of sufficient graphic detail to allow electric utilities, CIPs, and Commission staff to

determine whether a particular facility is in Tier 1, Tier 2, or Tier 3.¹⁵ As a result, we are persuaded by the parties and the IRT¹⁶ that Shape C is not necessary to achieve the Commission's objective for Fire Map 2 of delineating the boundaries of a new High Fire-Threat District where stricter fire-safety regulations apply¹⁷; that Shape C is not needed by electric utilities and CIPs to implement the stricter fire-safety regulations that apply only to the High Fire-Threat District¹⁸; and that Shape C is not needed by Commission staff to enforce stricter fire-safety regulations that apply only to the High Fire-Threat District.¹⁹

Additionally, the development of Shape C is unnecessary with respect to the Joint Electric Utilities because they have the ability to produce maps for internal use that show the location of their overhead powerlines relative to Tiers 1, 2, and 3 on the Shape B Map. The Joint Electric Utilities are willing to share their internally produced maps with CIPs and Commission staff.²⁰

Finally, we are concerned about potential public safety and security issues associated with preparing and publishing a statewide map that shows the location of all utility overhead electric lines in high fire-threat areas.

We emphasize that although today's decision eliminates the development of Shape C, it will be the responsibility of every electric utility and CIP to know the location of its overhead facilities in the High Fire-Threat District and to

¹⁵ Joint Electric Utilities Comments at 3.

¹⁶ The IRT is not a party in this proceeding.

¹⁷ Joint Electric Utilities Comments at 2-3; SDG&E Comments at 2; and SED-IRT Comments at unnumbered page 1.

¹⁸ Joint Electric Utilities Comments at 3; and SDG&E Comments at 2.

¹⁹ Joint Electric Utilities Comments at 3-4; SDG&E Comments at 2; and SED-IRT Comments at 2.

²⁰ Joint Electric Utilities Comments at 3.

comply with all fire-safety regulations that apply to these facilities. Every electric utility and CIP shall provide to Commission staff, upon request, information regarding the location of its overhead facilities in the High Fire-Threat District.

We agree with Laguna Beach that information regarding the location of overhead utility infrastructure could assist local emergency responders in identifying, planning for, and responding to wildfire threats linked to utility infrastructure. However, with the elimination of Shape C, there will be no publicly available source of such information. Therefore, to help emergency responders protect public safety, we will require electric utilities and CIPs to meet and confer with local public-safety officials, upon request, for the purpose of sharing information to help emergency responders plan for, and respond to, wildfire threats associated with overhead utility infrastructure. Electric utilities and CIPs may restrict or withhold the sharing of sensitive information regarding critical infrastructure, as appropriate and with sufficient justification.

5.2. Revised Schedule for the Development of Fire Map 2

The Fire Map 2 Work Plan adopted by D.17-01-009 includes a schedule that provides 45 days for development, review, and submittal of the statewide Shape C Map.²¹ Today's decision reallocates these 45 days as follows. First, in response to comments on the proposed decision, we will provide the Territory Leads and the PDP an additional 14 days to prepare and submit a draft statewide Shape B to the IRT in Step 2(c) in Row 7 of Table 1 of the Fire Map 2 Work Plan

²¹ D.17-01-009 at Section 4.5, Table 1, Rows 11 and 12.

schedule. With this additional time, we expect the Territory Leads and the PDP to submit an accurate, high-quality draft statewide Shape B to the IRT.

Second, we accept the IRT's assertion that with the elimination of the Shape C Map, the IRT will need extra time to review and "clean up" the draft statewide Shape B Map developed by the PDP. Accordingly, of the 45 days allocated to the development of Shape C, we will retain 21 days for the IRT to review and clean up the draft statewide Shape B Map. These 21 days are added to Step 2(d) in Row 8 of Table 1 of the Fire Map 2 Work Plan schedule.

Third, we note that the Fire Map 2 Work Plan schedule adopted by D.17-01-009 requires the PDP to prepare and submit the IRT-approved Shape C Map to SED via a Tier 1 advice letter (A/L). With the elimination of the Shape C Map by today's decision, the final map product will be the Shape B Map. Accordingly, of the 45 days allocated to the development of Shape C by D.17-01-009, we will retain seven days for the PDP to prepare and submit the Final Shape B Map to SED via a Tier 1 A/L. These seven days are added to Step 2(e) in Row 10 of Table 1 of the Fire Map 2 Work Plan schedule.²²

Finally, of the 45 days allocated to the development of Shape C, we will use three days to reduce the Fire Map 2 Work Plan schedule .

The amended Fire Map 2 Work Plan schedule adopted by today's decision is set forth in the following Revised Table 1 from D.17-01-009:

²² The seven days include one holiday (November 23, 2017) and two weekend days (November 25-26, 2017).

<u>Revised Table 1</u>		
Schedule for the Development and Adoption of Fire Map 2		
Row	EVENT / TASK	Timeframe
1. to 6.	The scheduled events and tasks in Rows 1 through 6 have been completed and are not reproduced here.	Completed
7.	<p><u>Step 2(c) re: Shape B, Territory-Specific Development</u></p> <ul style="list-style-type: none"> • Each Territory Lead develops a tiered Shape B for its assigned territory using as a starting point the IRT-approved Initial Statewide Shape B from Row 5 and the IRT-approved Tier definitions from Row 6. • Each Territory Lead solicits input from local, non-party Stakeholders with knowledge and expertise regarding local, utility-related wildfire hazards and risks. • Each Territory Lead submits to the PDP a proposed Shape B for the applicable territory. The Territory Lead may propose to include or exclude areas from its territory-specific Shape B and Tiers using the criteria in the Workshop Report, Attachment 2. • Proposed Shape B for each territory reviewed by PDP. • PDP compiles a draft statewide Shape B using the PDP-approved Shape Bs for each territory. • To accelerate the IRT’s review of the draft statewide Shape B in Row 8, below, the PDP provides the IRT with advance copies of the PDP-approved, territory-specific Shape Bs as these become available. 	Completed by July 31, 2017 (Day 193)
8.	<p><u>Step 2(d) re: Shape B, IRT Review</u></p> <ul style="list-style-type: none"> • PDP submits to the IRT, and serves on the service list, the PDP-approved draft statewide Shape B from Row 7. • IRT reviews the PDP’s draft statewide Shape B. • PDP prepares the statewide Final Draft Shape B in accordance with the IRT’s instructions. 	Completed by Sep. 25, 2017 (Day 249)

Revised Table 1		
Schedule for the Development and Adoption of Fire Map 2		
Row	EVENT / TASK	Timeframe
9.	<p><u>Step 2(e) re: Shape B, CPUC Review</u></p> <ul style="list-style-type: none"> • PDP files & serves the IRT-approved Shape B from Row 8. Completed by October 2, 2017 (Day 256). • Stakeholder Parties file & serve alternative Shape Bs. Completed by October 6, 2017 (Day 260). • Stakeholder Parties file & serve comments regarding the IRT-approved Shape B and alternative Shape Bs, if any. Completed by October 16, 2017 (Day 270). • Reply comments and motions for evidentiary hearings (EHs). Completed by October 26, 2017 (Day 280). • Responses to motions for EHs. Completed by November 3, 2017 (Day 288). 	<p>Completed by Nov. 3, 2017 (Day 288)</p>
10.	<p><u>Step 2(e) re: Shape B, CPUC Review</u></p> <p>Depending on the record developed in Row 9:</p> <ul style="list-style-type: none"> • The Assigned Commissioner issues a ruling that provides notice of the Final Shape B that will be submitted by the PDP via Tier 1 advice letter (A/L), and/or • The Assigned Commissioner takes such other actions that the Commissioner deems appropriate. Completed by November 20, 2017 (Day 305). • The PDP submits the Commissioner-approved Shape B Map to SED via a Tier 1 A/L. Completed by November 27, 2017 (Day 312). 	<p>Completed by Nov. 27, 2017 (Day 312)</p>
11.	<p><u>Row Deleted</u> (re: Development of Shape C)</p>	<p>Not Applicable</p>
12.	<p><u>Row Deleted</u> (re: Review of Shape C)</p>	<p>Not Applicable</p>

<u>Revised Table 1</u>		
Schedule for the Development and Adoption of Fire Map 2		
Row	EVENT / TASK	Timeframe
13.	<ul style="list-style-type: none"> • Fire Map 2 consisting of the Shape B Map and the Tree Mortality High Hazards Zone Map is effective on the date the Tier 1 A/L is approved by disposition letter or, if necessary, by a Commission resolution. 	December 2017 (Estimated)
14.	<p><u>New Fire-Safety Regulations</u></p> <ul style="list-style-type: none"> • Proposed decision mailed by Oct. 27, 2017. • Fire-safety regulations for the High Fire-Threat District considered and adopted, as appropriate. 	November 30, 2017
15.	<p><u>Fire Map 2 Dissemination</u></p> <ul style="list-style-type: none"> • The Director of SED incorporates the Shape B Map into GO 95 and disseminates the map in accordance with the instructions in Section 5 of D.17-01-009. • Interim fire-threat maps replaced by Fire Map 2. 	Completed within 60 days of SED’s or the Commission’s disposition of the Tier 1 A/L in Row 13.

Under the revised schedule, the statewide Shape B fire-threat map will be submitted to the Commission by November 27, 2017, and go into effect soon thereafter.

As stated previously, today’s decision provides the Territory Leads and the PDP with an additional 14 days to prepare and submit a draft statewide Shape B in Row 7 of the Revised Table 1, above. We decline to adopt the POU’s and the Joint Electric Utilities’ similar recommendations to provide an additional 44 days for this task (instead of 14 days). In D.17-01-009, the Commission extended the schedule for the development of Fire Map 2 and provided notice that parties should not expect additional extensions:

The schedule adopted by [D.17-01-009] for the development of Fire Map 2 is based on the schedule recommended by

Joint IOUs in their comments on the Proposed Decision, provides significantly more time for the development of Fire Map 2 compared to the Proposed Decision, and has the support of all but one of the parties that submitted comments on the Proposed Decision. [D.17-01-009] also allows the electric IOUs to track and request recovery of the costs they incur to develop Fire Map 2. In light of extra time and resources provided by [D.17-01-009] for the development of Fire Map 2, parties should not expect any additional extensions of the schedule for the development of Fire Map 2. (D.17-01-009 at 47. Footnotes omitted.)

We have now extended the schedule twice at the request of the POU's and Joint Electric Utilities – once in D.17-01-009 and again in today's decision. Parties should not expect additional extensions. We recognize that the development of a draft statewide Shape B fire-threat map in Row 7 is a challenging task that requires considerable time and resources from the PDP and Territory Leads. It may be helpful to reiterate the Commission's statement in D.17-01-009 that in order to "keep the development of Fire Map 2 moving forward, parties should not let their desire for perfection in Fire Map 2 delay the development of a reasonable Fire Map 2. As a general principle, parties should resolve uncertainties and disputes quickly by choosing the alternative that best protects public safety."²³

We are not persuaded by the Joint Electric Utilities' argument that more time is needed for Row 7 than the extra 14 days provided by today's decision because information regarding the location of utility infrastructure, which was to be used to develop Shape C, will now be needed for the development of

²³ D.17-01-009 at 9.

Shape B's Tier boundaries.²⁴ In D.17-01-009, the Commission determined that Tier boundaries should not be based on the location of utility infrastructure:

We decline to adopt the Workshop Report's recommendation to adjust Tier boundaries during the development of Shape C to take into account the location of utility facilities. For example, if an overhead electric utility circuit crosses Tier boundaries, the Workshop Report proposes that there should be an opportunity to adjust Tier boundaries in a way that divides the circuit between the Tiers in a logical manner for the purpose of applying fire-safety regulations. We conclude that public safety is better protected by having Fire Map 2 boundaries reflect actual fire threats instead of utility operational concerns. (D.17-01-009 at 36.)

6. Text of the Amended Fire Map 2 Work Plan

Our decision to eliminate the development of Shape C has several impacts on the Fire Map 2 Work Plan adopted by D.17-01-009. Appendix A of today's decision provides the Fire Map 2 Work Plan adopted by D.17-01-009, as amended by today's decision. The substantive amendments consist of deleting dicta pertaining to Shape C; moving certain tasks and events from the Shape C process to the Shape B process (e.g., submittal of the Tier 1 A/L); replacing certain internal references to "today's decision" with "D.17-01-009"; and revising the schedule for the development and adoption of Fire Map 2.

The Fire Map 2 that is developed pursuant to the amended Fire Map 2 Work Plan will consist of the statewide Shape B Map and Tier 1 HHZs on the Tree Mortality HHZs Map. The High Fire-Threat District will consist of

²⁴ Joint Electric Utilities' Comments at 2 and 4.

(i) Tiers 2 and 3 on the statewide Shape B Map, and (ii) Tier 1 HHZs on the Tree Mortality HHZs Map.

7. Authority to Revise the Schedule and Procedures

The assigned Commissioner and/or the assigned ALJ(s) may revise the amended Fire Map 2 Work Plan's schedule and procedures, if necessary or appropriate for the orderly and efficient conduct of this proceeding.

8. Schedule and Procedures for New Fire-Safety Regulations

Today's decision does not affect the schedule and procedures adopted by D.17-01-009 for identifying, evaluating, and adopting (if appropriate) new fire-safety regulations for the High Fire-Threat District.

9. Comments on the Proposed Decision

The proposed decision was mailed to the parties in accordance with Pub. Util. Code § 311, and comments were allowed in accordance with Rule 14.3 of the Commission's Rules of Practice and Procedure. Comments were filed on June 14, 2017, by Laguna Beach and jointly by Bear Valley Electric Service, CMUA, Liberty Utilities LLC, PacifiCorp, PG&E, SCE, and SDG&E (together, the Joint Commenters). There were no reply comments.

In its comments on the proposed decision, Laguna Beach recommends that the Commission adopt the proposed decision as written. In contrast, the Joint Commenters express concern that the proposed decision does not provide any additional time for the Territory Leads (TLs) and the PDP to prepare a draft statewide Shape B in Row 7 of the Revised Table 1. The Joint Commenters urge the Commission to add 14 days to Row 7 in order to provide sufficient time for the TLs and PDP to complete stakeholder coordination and final PDP review of the draft statewide Shape B so that an accurate and high quality Shape B is submitted to the IRT.

In response to the Joint Commenters, we will add 14 days to Row 7 of the Revised Table 1. It is our firm expectation that with the extra 14 days provided by today's decision, the TLs and PDP will prepare and submit an accurate, high quality Shape B to the IRT.

10. Assignment of the Proceeding

Michael Picker is the assigned Commissioner for this proceeding, and Valerie Kao and Timothy Kenney are the co-assigned ALJs.

Findings of Fact

1. The purpose of Fire Map 2 is to designate areas where there is an elevated hazard for utility-associated wildfires to occur and spread rapidly, and where communities face an elevated risk from utility-associated wildfires. Fire Map 2 will be used to delineate the boundaries of a new High Fire-Threat District where stricter fire-safety regulations apply.
2. The Fire Map 2 Work Plan adopted by D.17-01-009 established a sequential three-step process to develop and adopt Fire Map 2. Step 1 is the creation of a map known as Shape A. Step 2 is the creation of a map known as Shape B. Step 3 is the creation of a final map known as Shape C. Step A is complete. Step B is currently in progress. Step 3 has not yet started.
3. Shape B will be a statewide fire-threat map, subdivided into three risk tiers known as Tier 1, Tier 2, and Tier 3, with Tier 3 having the highest risk. The Shape C Map will consist of the Shape B Map overlaid with the location of electric utility overhead powerlines.
4. There is no opposition to eliminating the development of Shape C.
5. Eliminating the development of Shape C will accelerate the completion of Fire Map 2 and conserve the Commission's, the parties', and other stakeholders' limited resources.

6. The statewide Shape B Map will be of sufficient graphic detail to allow electric utilities, CIPs, and Commission staff to determine whether any particular facility is located in Shape B's Tier 1, Tier 2, or Tier 3. As a result, the development of Shape C is not necessary to achieve the Commission's objective for Fire Map 2 of delineating the boundaries of a new High Fire-Threat District where stricter fire-safety regulations apply; is not needed by electric utilities and CIPs to implement the stricter fire-safety regulations that apply only to the High Fire-Threat District; and is not needed by the Commission to enforce the stricter fire-safety regulations that apply only to the High Fire-Threat District.

7. The development of Shape C is unnecessary with respect to PacifiCorp, PG&E, and SCE because these electric utilities can produce maps for internal use that show the location of their overhead powerlines relative to Shape B's Tiers 1, 2, and 3. These utilities are willing to share their internally produced maps with CIPs and Commission staff.

8. There are public safety and security issues associated with the Shape C Map, which would show the location of all utility overhead electric lines in high fire-threat areas.

9. The Fire Map 2 Work Plan adopted by D.17-01-009 provides 45 days for development of the statewide Shape C Map.

10. Of the 45 days allocated to development of Shape C, 14 days need to be retained to provide the Territory Leads and PDP with sufficient time to prepare and submit an accurate, high quality draft statewide Shape B to the IRT; 21 days need to be retained for the IRT to review the draft statewide Shape B Map developed by the PDP; and seven days need to be retained for the PDP to prepare and submit the Shape B Map to the Commission via a Tier 1 A/L.

11. Eliminating the development of the Shape C Map should reduce the total amount of time and effort needed to develop Fire Map 2.

12. The remaining work in this proceeding includes (i) completing the development and adoption of Fire Map 2; (ii) integrating Fire Map 2 into General Order 95 as a new High Fire-Threat District; and (iii) considering and possibly adopting new fire-safety regulations for the High Fire-Threat District.

Conclusions of Law

1. The Fire Map 2 Work Plan adopted by D.17-01-009 should be amended to (i) eliminate the development of the Shape C Map, and (ii) complete Fire Map 2 upon the development and adoption of the statewide Shape B Map.

2. The amended Fire Map 2 Work Plan in Appendix A of today's decision should be adopted. The Fire Map 2 that is developed pursuant to the amended Fire Map 2 Work Plan will consist of (i) the statewide Shape B Map, and (ii) Tier 1 HHZs on the Tree Mortality HHZs Map. The High Fire-Threat District will consist of (i) Tiers 2 and 3 on the statewide Shape B Map, and (ii) Tier 1 HHZs on the Tree Mortality HHZs Map.

3. It is the responsibility of every electric utility and CIP to know the location of its overhead facilities in the High Fire-Threat District and to comply with all fire-safety regulations that apply to these facilities. Every electric utility and CIP should provide to Commission staff, upon request, information regarding the location of its overhead facilities in the High Fire-Threat District.

4. To help emergency responders protect public safety, electric utilities and CIPs should meet and confer with local public-safety officials, upon request, for the purpose of sharing information to help local emergency responders plan for, and respond to, wildfire threats associated with overhead utility infrastructure. Electric utilities and CIPs should be authorized to restrict or withhold the sharing

of sensitive information regarding critical infrastructure, as appropriate and with sufficient justification.

5. The revised schedule for the development of Fire Map 2 contained in Section 5.2 of today's decision is reasonable and should be adopted.

6. The following order should be effective immediately so that the amended Fire Map 2 Work Plan can be implemented expeditiously.

7. This proceeding should remain open for (i) the development and adoption of Fire Map 2, (ii) the integration of Fire Map 2 into General Order 95 as a new High Fire-Threat District, and (iii) the consideration and possible adoption of new fire-safety regulations for the High Fire-Threat District.

O R D E R

IT IS ORDERED that:

1. The Fire Map 2 Work Plan adopted by Decision 17-01-009 is amended to eliminate the development of the Shape C Map. The development of Fire Map 2 shall conclude with the development and adoption of the Shape B Map.

2. The amended Fire Map 2 Work Plan in Appendix A of today's decision is adopted. The revised schedule for the Fire Map 2 Work Plan in Section 5.2 of today's decision is adopted.

3. The assigned Commissioner and/or the assigned Administrative Law Judge(s) may revise the schedule and procedures adopted by today's decision for the development and adoption of Fire Map 2, if necessary or appropriate for the orderly and efficient conduct of this proceeding.

4. It is the responsibility of every electric utility and communications infrastructure provider (CIP) to know the location of its overhead facilities in the

High Fire-Threat District and to comply with all fire-safety regulations that are applicable to these facilities. Every electric utility and CIP shall provide to Commission staff, upon request, information regarding the location of its overhead facilities in the High Fire-Threat District.

5. Electric utilities and communications infrastructure providers (CIPs) shall meet and confer with local public-safety officials, upon request, for the purpose of sharing information to help local emergency responders plan for, and respond to, wildfire threats associated with overhead utility infrastructure. Electric utilities and CIPs may restrict or withhold the sharing of sensitive information regarding critical infrastructure, as appropriate and with sufficient justification.

6. This proceeding remains open for (i) the development and adoption of Fire Map 2, (ii) the integration of Fire Map 2 into General Order 95 as a new High Fire-Threat District, and (iii) the consideration and possible adoption of new fire-safety regulations for the High Fire-Threat District.

This order is effective today.

Dated June 29, 2017, at San Francisco, California.

MICHAEL PICKER
President
CARLA J. PETERMAN
LIANE M. RANDOLPH
MARTHA GUZMAN ACEVES
CLIFFORD RECHTSCHAFFEN
Commissioners

Appendix A: The Amended Fire Map 2 Work Plan

- Note:** Appendix A contains the dicta in D.17-01-009 that describes the Fire Map 2 Work Plan, as amended by today's decision. The substantive amendments to the dicta consist of deleting text pertaining to Shape C; moving certain tasks and events from the Shape C process to the Shape B process (e.g., submittal of the Tier 1 A/ L); replacing certain internal references to "today's decision" with "D.17-01-009"; and revising the schedule for the development and adoption of Fire Map 2.
- Note:** The amended dicta is identified by a vertical line in the right margin.
- Note:** The heading numbers in Appendix A starts with "4" to correspond with the heading numbers in D.17-01-009.
- Note:** The footnote numbers do not correspond to the footnote numbers in D.17-01-009.
- Note:** All references to "comments" in the footnotes in Appendix A refer to "comments" that were filed prior to the issuance of D.17-01-009.

4. The Amended Fire Map 2 Work Plan

4.1. Two-Step Process for Developing Fire Map 2

We adopt a two-step process to develop and adopt Fire Map 2. Step 1 is the creation of a map known as Shape A. Step 2 is the creation of a final statewide map known as Shape B. Each step is summarized below.

4.1.1. Step 1: Creation of Shape A

The first step in the development of Fire Map 2 is the creation of a preliminary statewide fire-threat map called Shape A. The process for creating Shape A is described in D.17-01-009, at Section 4.1.1. Because the creation of Shape A is complete, the process used to create Shape A is not repeated here.

4.1.2. Step 2: Creation of Shape B

Except as noted below, we adopt all provisions in the Workshop Report regarding the creation and approval of Shape B.

Shape B will be a refinement of the CAL FIRE-approved Shape A. The refinements will be based on utilities' and other Stakeholders' knowledge of local conditions affecting utility-associated wildfire hazards and risks. Additionally, Shape B will be subdivided geographically into fire-threat Tiers to delineate different levels of utility-associated wildfire hazards and risks.

To ensure consistency and technical rigor, Shape B will be (1) developed by the Peer Development Panel (PDP) described below, which will assign territory-specific mapping roles to Territory Leads; and (2) reviewed and approved by an Independent Review Team (IRT) led by CAL FIRE.

4.1.2.1. The Peer Development Panel and Territory Leads

The PDP will have overall responsibility for developing the statewide Shape B Map. The core of the PDP will consist of a small number of persons with expertise in areas directly related to development of the fire-threat maps.

The Workshop Report anticipates that the PDP will include personnel from PG&E, SDG&E, SCE, PacifiCorp, AT&T, SMUD, LADWP, and Reax.⁶ We adopt the recommendation by Laguna Beach to allow the Fire Chief for the City of Laguna Beach, who has been actively participating in this phase of the proceeding, to be included on the PDP as an expert on wildfire risks to communities.⁷

We adopt the Workshop Report's proposal for the PDP to be led by SDG&E and Reax.⁸ We also adopt the CIP Coalition's proposal to add PG&E as a co-leader.⁹ We further adopt SDG&E's recommendation to limit the membership of the PDP to persons with expertise in areas directly related to the development of fire-threat maps.¹⁰ The PDP co-leaders will file and serve the PDP roster,¹¹ and the Assigned Commissioner and/ or the assigned ALJ may resolve disputes regarding the PDP roster.¹²

The Workshop Report describes the Territory Leads as the individuals or entities responsible for assisting the PDP by developing territory-specific maps for Shape B. The investor-owned electric utilities (IOUs) and publicly-owned electric utilities (POUs) are the presumptive Territory Leads for their service areas. If there is no utility with electric facilities in a given territory, or the IOU

⁶ Workshop Report, at 6.

⁷ Laguna Beach Comments on the Proposed Decision, at 2.

⁸ Workshop Report, at 6.

⁹ CIP Coalition Comments at 2 – 3. PG&E is willing to serve as a co-lead of the PDP. (PG&E Reply Comments, at 2 – 3.)

¹⁰ SDG&E Comments on the Proposed Decision, at 3.

¹¹ Workshop Report, at 6.

¹² Workshop Report, at 6, Footnote 10.

or POU does not want to be the Lead for its service territory, the PDP will be responsible for creating the Shape B for that territory.¹³

The Workshop Report allows CIPs, IOUs, and POUs with facilities adjacent to or in a territory to have specialists (with the appropriate expertise) participate with the Territory Lead in the development of Shape B for a given territory. Parties participating as Territory Leads or working with the Territory Leads are not necessarily part of the statewide PDP but may be.¹⁴

We decline to adopt the Workshop Report's proposal that Stakeholder Parties should have no role in the creation of Shape B unless they are a member of the PDP, a Territory Lead, or part of the Independent Review Team.¹⁵ We will allow all Stakeholder Parties to submit informal comments to a Territory Lead using the web-based integrated project management/ version control software used by the PDP. The Territory Lead shall consider all comments offered by Stakeholder Parties as the Territory Lead creates Shape B for its service territory.

To facilitate collaboration with the Territory Leads, we will require the PDP to file and serve a roster of all Territory Leads, the territory covered by each Lead, and contact information for each Lead. The areas covered by the Territory Leads listed on the roster shall together encompass all of California.

4.1.2.3. Stakeholders

The Workshop Report describes Stakeholders as entities that may be subject to regulations based on Fire Map 2 (e.g., IOUs, POUs, and CIPs) and other interested groups (e.g., CAL FIRE, local municipalities and fire districts,

¹³ Workshop Report, at 6.

¹⁴ Workshop Report, at 6 - 7.

¹⁵ Workshop Report, at 8.

and TURN). Any Stakeholder may request party status in this proceeding in accordance with Rule 1.4 of the Commission's Rules of Practice and Procedure. Stakeholder Parties may contribute to the development of Shape B by submitting informal comments to the Territory Leads as described previously, and by filing formal comments at the Commission regarding Shape B as described below.

4.1.2.3. The Independent Review Team

The Workshop Report proposes the establishment of a group called the Technical Review Team to independently review the PDP's development of Shape B. Consistent with the Workshop Report, we will establish a group called the Independent Review Team (IRT) to provide independent oversight and review of the PDP's development of Shape B.

We adopt the Workshop Report's recommendation to have CAL FIRE lead the IRT.¹⁶ CAL FIRE is exceptionally well qualified to provide independent oversight and review of the PDP's development of Shape B, which will be based on data and maps prepared by CAL FIRE, including Fire Map 1, the FRAP fire-threat map, CAL FIRE's list of communities at risk (CARs) from wildfire, and CAL FIRE's maps of the fire hazard severity zones (FHSZs) within or adjacent to the CARs. More broadly, CAL FIRE has unsurpassed expertise, experience, and knowledge with respect to mapping fire threats across California's vast and complex landscape. We appreciate CAL FIRE's willingness to take on the important role of leading the IRT.

To preserve the independence of CAL FIRE and the IRT, CAL FIRE will have sole authority to (1) determine the internal and external resources needed for the IRT, (2) determine the number and qualifications of the IRT's members,

¹⁶ Workshop Report, at 7.

and (3) identify, select, and manage the IRT members. CAL FIRE will control the IRT's activities, and all IRT work products will reflect CAL FIRE's independent judgement and expertise.

Although the Workshop Report requires the IRT to file and serve the final IRT roster, we will direct SED's Advocacy Staff to file and serve the roster because of SED's extensive experience with the Commission's regulatory procedures. We decline to adopt the Workshop Report's recommendation to authorize the Assigned Commissioner and/ or the assigned ALJ to resolve disputes regarding the composition of the IRT. As stated previously, CAL FIRE will have complete control over the IRT.

So that the development of Fire Map 2 does not become bogged down in disputes over technical issues and other matters, we adopt SDG&E's recommendation to empower the IRT to provide guidance and to decide deadlocked issues regarding the development of Fire Map 2.¹⁷ Providing the IRT with such authority will help ensure that Fire Map 2 is technically sound and developed expeditiously. It will also require the IRT to be available and engaged throughout the development of Fire Map 2. The PDP shall develop Shape B in accordance with the IRT's guidance and decisions.

The IRT's authority to render guidance and decisions regarding the development of Fire Map 2 does not constitute an improper delegation of the Commission's authority as suggested by the CIP Coalition.¹⁸ The Commission recognized in D.16-01-014 that public agencies may delegate the performance of ministerial tasks, including (1) the investigation and determination of facts

¹⁷ SDG&E Comments, at 4.

¹⁸ CIP Coalition Reply Comments, at 6 – 7.

preliminary to agency action, and (2) making preliminary recommendations and draft orders. An agency's subsequent approval or ratification of a delegated act validates the act, which becomes the act of the agency itself.¹⁹

Here, the role of the IRT is to oversee the PDP's development of Shape B. Parties will have an opportunity to submit formal comments and/ or protests to the Commission regarding the Shape B that is developed in accordance with the IRT's guidance and decisions. The Commission will review any comments or protests, revise Shapes B as the Commission deems appropriate, and adopt a final Fire Map 2. Consequently, there is no improper delegation of authority to the IRT.

To ensure that the IRT has adequate expertise and resources to perform its responsibilities within the schedule adopted by today's decision, we adopt the following variant of the Workshop Report's recommendation²⁰ to hire and fund expert consultants to assist the IRT:

- CAL FIRE will identify the specific experts and resources needed to assist the IRT.
- PG&E, SCE, and SDG&E shall contract with, and pay for, expert consultants and resources identified by CAL FIRE.
- To ensure independence, the activities and work products of the expert consultants hired by the IOUs shall be determined and overseen by CAL FIRE.
- CAL FIRE will review and approve the expert consultants' invoices and deliverables. If requested by CAL FIRE, SED Advocacy Staff shall assist CAL FIRE in reviewing and processing invoices.

¹⁹ D.16-01-014 at 88, citing D.09-05-020 at 2 – 3.

²⁰ Workshop Report, at 17 – 19.

- PG&E, SCE, and SDG&E shall choose one among themselves to prepare and execute the contract(s) appropriate to CAL FIRE's requirements²¹ and the utility's normal contracting practices.²² The contractor(s) shall record billable costs for time, materials, and expenses, which will be reviewed for accuracy and reasonableness by CAL FIRE and/ or SED Advocacy Staff. After approval from CAL FIRE and/ or SED, the contractor(s) shall directly bill the lead IOU, which in turn may bill the two other IOUs for their proportionate shares of the lead IOU's payments to the contractor(s).
- In conjunction with the previous bullet, one expert consultant may be selected as the lead vendor to prepare and execute sub-contracts with other expert consultants under terms and conditions appropriate to CAL FIRE's requirements and the utility's normal contracting practices.²³ The lead vendor will manage and make payments to the sub-contractors. The lead vendor will record billable costs for time, materials, and expenses, which will be reviewed for accuracy and reasonableness by CAL FIRE and/ or SED Advocacy Staff. After approval from CAL FIRE and/ or SED, the lead vendor will directly bill the lead IOU, which in turn may bill the other two IOUs for their proportionate shares of the lead IOU's payments to the lead vendor.
- PG&E, SCE and SDG&E shall share the total payments using the following allocation: PG&E (49%), SCE (41%) and SDG&E (10%). This allocation is based on 2011 annual electric revenue as an allocation proxy.

²¹ For example, the contract may provide that services will be subject to the supervision of CAL FIRE and any limits as to time, expenses and costs will be determined by CAL FIRE, with the understanding that payment would be subject to any provisions adopted by the Commission.

²² For example, IOUs routinely include contract provisions that encourage the contractor, to the extent subcontractors are engaged, to utilize Commission-audited firms owned by women, minorities and/ or disabled veterans.

²³ *Ibid.*

- Total IOU payments for expert consultants and other resources, as determined by CAL FIRE, through the creation of a final statewide Fire Map 2 is capped at \$500,000.
- PG&E, SCE, and SDG&E may record their payments (or allocated share of payments) to the contractor(s) in their Fire Hazard Prevention Memorandum Accounts (FHPMAs) that are described in D.12-01-032 at 153-156.
- Because the need for expert consultants and other resources to assist the IRT will be determined by CAL FIRE, and the work will be directed and reviewed by CAL FIRE, there will be a rebuttable presumption that the payments (or allocated share of payments) recorded in the FHPMAs, not to exceed \$500,000, are reasonable and may be recovered in rates.
- CAL FIRE and/ or SED must seek Commission approval to exceed the cost cap, if needed. The cost responsibility for any additional expenditures above the initial cost cap of \$500,000 will be considered at that time. If PG&E, SCE and SDG&E volunteer to pay for additional expenditures, any payments booked in the respective FHPMAs will be presumed reasonable up to any new/ revised cost cap authorized by the Commission.

The funding mechanism adopted by today's decision to pay for expert consultants and other resources to assist the IRT in overseeing the development of Fire Map 2 is substantially similar to the funding mechanism adopted by D.14-01-010 for the development of Fire Map 1.

We recognize that it may be necessary to enter into sole-source contracts for expert consultants and resources to assist the IRT because of (1) the need to hire expert consultants quickly for IRT-related work that will begin immediately after the issuance of D.17-01-009; and (2) the potentially small number of consultants who have the requisite expertise, knowledge, and experience; can

begin work immediately; and can devote considerable time to the IRT for a period of 11 to 12 months.²⁴

We also recognize that CAL FIRE, in anticipation of D.17-01-009, has been working with expert consultants since December 2016 to expedite the development of Fire Map 2. This work has included the formation of the IRT, planning the IRT's specific duties and responsibilities, consulting with the PDP regarding the development of the project management software described below, and performing other work with the assistance of expert consultants. Therefore, we will authorize the funding mechanism adopted by today's decision to encompass work performed by expert consultants under CAL FIRE's direction beginning in December 2016.

Although the Workshop Report recommends a cost cap of \$250,000 for outside experts and resources, we will adopt a higher cost cap of \$500,000 based on our experience with the development of Fire Map 1, which required nearly \$500,000 of funding from the IOUs for outside experts and resources. We believe it is prudent to establish a higher cost cap in order to avoid any interruption in the IRT's work – and the consequent delay in the development of Fire Map 2 – that could occur if the recommended cost cap of \$250,000 were to be exceeded.

We agree with the Workshop Report's recommendation that the payments made to contractor(s) by PG&E, SCE, and SDG&E pursuant to today's decision shall have no precedential value as to the percentage of cost responsibility or non-responsibility of other parties for any other aspects of this proceeding.²⁵

²⁴ The adopted schedule for the development of Fire Map 2 is contained in the body of today's decision at Section 5.2.

²⁵ Workshop Report, at 18.

4.1.2.4. Creation of Shape B

The PDP will have overall responsibility for creating Shape B, with heavy reliance on the Territory Leads and oversight by the IRT.²⁶

To help manage the process of creating Shape B, we adopt the Workshop Report's suggestion to require the PDP to use web-based integrated project management/ version control (IPM/ VC) software.²⁷ This software will allow the IRT, PDP, and each Territory Lead to create an account that makes it possible to initiate "tickets" that feature proposed changes. For example, a Territory Lead may propose a modification to Shape B by initiating a ticket, attaching a GIS shapefile for the proposed change, and providing a written justification for the proposed change. This ticket and its attachments will be immediately viewable by anyone with a web browser. The PDP will use the ticket to comment on the proposed change, ask questions, request additional information, and accept, modify, or reject the change. As a result, the entire process for creating Shape B will be transparent and documented.²⁸ To ensure that the IPM/ VC software meets the needs of the IRT, we will direct the PDP to consult with the IRT prior to selecting and implementing the software.

So that Stakeholder Parties can monitor and participate in the development of Fire Map 2, we will require the PDP to provide Stakeholder Parties with access to the IPM/ VC software and the ability to view all tickets, create their own tickets, and respond to other parties' tickets. The PDP shall file

²⁶ Workshop Report, at 5, 6, and 8.

²⁷ The contemplated IPM/ VC software is akin to a web-based enterprise data application.

²⁸ Workshop Report, Attachment 2, Section 3.2.1. The PDP, in consultation with the IRT, may use procedures other than "tickets," but the selected procedures must be transparent to Stakeholder Parties and Territory Leads.

and serve instructions for Stakeholder Parties to access and use the IPM/ VC software within 30 days from the effective date of D.17-01-009.²⁹

In their comments on the Proposed Decision, the Joint POU's state that a Territory Lead or Stakeholder Party may wish to use sensitive information regarding the nature and location of critical infrastructure (sensitive information) to demonstrate that a particular area should be included in Tier 2 or Tier 3. The Joint POU's request a means for Territory Leads and Stakeholder Parties to (1) propose a change to Tier boundaries based on sensitive information that is not provided through the "transparent" IPM/ VC software, and (2) remove sensitive information that is inadvertently posted on the IPM/ VC software.³⁰

We strongly discourage the use of sensitive information to justify changes to Tier boundaries. Territory Leads (TLs) and Stakeholder Parties (SPs) should use publicly available information such as Google Earth to identify the location of critical infrastructure. TLs and SPs should also use general, non-sensitive descriptions of critical infrastructure such as "transmission line," "government facility," or other general descriptors. However, if it becomes necessary to use sensitive information to justify a proposed change to a Tier boundary, which we strongly discourage, a TL or SP may submit the sensitive information directly to CAL FIRE and the PDP co-leads PG&E and SDG&E (but not Reax) using a secure and confidential means of communication (e.g., thumb drive). CAL FIRE and the PG&E and SDG&E co-leads may share sensitive information with other members of the IRT and PDP, as appropriate, who are authorized to view sensitive information.

²⁹ The 30-day period is based on the Joint IOUs' Comments on the Proposed Decision, at 4 and 14.

³⁰ Joint POU's Comments on the Proposed Decision, at 4 – 5.

Sensitive information should not be posted on the IPM/ VC software. If sensitive information is inadvertently posted on the IPM/ VC software, the PDP should remove the material as soon as possible after learning of the incident.

4.1.2.4.1. Step 2(a): Initial Statewide Shape B

Using the CAL FIRE-approved Shape A from Step 1 as the starting point, the development of Shape B will occur in the following sequence. In Step 2(a), the PDP will run statewide GIS operations to carve out areas from the CAL FIRE-approved Shape A that cannot propagate wildfires such as barren landscapes, irrigated agricultural land, and high-density urban areas. The PDP will also refine Shape B on a statewide basis to: (i) Include and exclude polygons from Shape B based on demonstrably incorrect logic in Fire Map 1 or the FRAP fire-threat map, and (ii) to exclude high fire-threat cells that are isolated spatially. We will require the PDP to consult with the IRT prior to executing these carve outs and refinements, and the IRT to approve carve outs and refinements so as to avoid the possibility of having to re-do this initial step and all subsequent steps.

Any impasse between the PDP and IRT in Step 2(a) shall be resolved in favor of the IRT. Stakeholder Parties may use their preferred carve outs and refinements to create and submit alternative Shape Bs for the Commission's consideration in Step 2(e).

4.1.2.4.2. Step 2(b): Fire-Threat Tiers

In Step 2(b), the PDP will develop a conceptual framework to divide Shape B into geographic fire-threat Tiers. However, the number of Tiers was left for parties to address in their comments on the Workshop Report and for the Commission to decide.

We adopt SDG&E's recommendation to divide Shape B into three fire-threat Tiers.³¹ We agree with the Workshop Report's suggestion, as modified by SED's comments on the Proposed Decision,³² to broadly define the three Tiers as follows³³:

Tier 1: Areas with zero to moderate wild fire risk.

Tier 2: Areas with elevated wild fire risk.

Tier 3: Areas with extreme wild fire risk.

Tiers 2 and 3 will together comprise Shape B. Tier 1 will consist of all areas outside of Shape B.

We decline to adopt AT&T's proposal to direct the PDP to determine if there should be more than three fire-threat Tiers as part of the development of Shape B. We appreciate AT&T's desire to assess whether Fire Map 2 should have more than three Tiers in order to (1) reflect the significant variability in vegetation, topography, weather, and other factors affecting wild fire risks across California; and (2) properly focus fire-safety regulations and utility resources.³⁴ However, we agree with Laguna Beach that AT&T's proposal could delay the development and adoption of Fire Map 2.³⁵ We also agree with Laguna Beach and SDG&E that adopting a Shape B with more than three Tiers would add

³¹ SDG&E Comments at 5, and SDG&E Reply Comments at 2 – 3.

³² SED Comments on the Proposed Decision, at 2 - 3 and A-1.

³³ Workshop Report, at Attachment 2, Sections 4.1.1 and 4.1.2.

³⁴ AT&T Comments, at 1 – 9.

³⁵ Laguna Beach Comments, at 2 – 4.

complexity to mapping, fire-safety regulations, utility operations, and enforcement without a meaningful improvement to fire safety.³⁶

We disagree with AT&T's assertion that adopting three fire-threat Tiers is inconsistent with the interim fire-threat maps adopted in R.08-11-005 that have four tiers.³⁷ In D.12-01-032, the Commission adopted a *de facto* two-tier approach, and the areas depicted on the interim fire-threat maps were divided between the two tiers.³⁸ The 3-tier approach adopted by today's decision, while more complex than the previous two-tier approach, provides more granularity compared to the previous 2-tier approach and thereby allows fire-safety regulations to be deployed more effectively and efficiently.

The parties did not reach a consensus on the detailed definition of each of the three Tiers adopted by today's decision or the means for mapping each Tier. With one condition, we adopt the Workshop Report's proposal to have the PDP develop a more detailed definition of each Tier in consultation with the IRT, and to have the IRT approve the definitions.³⁹ Our one condition is that the Tier definitions shall have no more than a negligible effect on the exterior boundaries of Shape B. Put differently, the Tier definitions should not re-define or negate the fire-threats that comprise the Initial Statewide Shape B from Step 2(a).⁴⁰

³⁶ Laguna Beach Comments, at 3 – 4; Laguna Beach Reply Comments, at 5 – 6, SDG&E Comments, at 5; and SDG&E Reply Comments, at 2 – 3.

³⁷ AT&T Comments, at 4 – 5, and AT&T Reply Comments, at 1 - 4.

³⁸ D.12-01-032, at 148 and Ordering Paragraph 12.ii.

³⁹ Workshop Report, Attachment 2, Section 4.1.2.

⁴⁰ Tier definitions should incorporate the suite of data used to produce the Fire Map 1 Utility Fire Threat Index, and may include other relevant data regarding the ignition, propagation, and spread of wildfires. An example of other relevant data is an area's proximity to fire suppression resources, which affects the likelihood of a wildfire escaping initial attack.

Our one condition will enable the PDP to focus on defining Tier 3. Once Tier 3 is defined, Tier 2 would consist of Shape B less the area defined as Tier 3. Tier 1 would consist of all areas outside of Shape B. Two examples of possible definitions of Tier 3 provided in the Workshop Report are:

1. Areas where fire poses a significant threat to human life, has potential to damage/ destroy multiple homes, or cause significant damage to the environment or other values at risk, or
2. Areas where fire consequences could be similar to the catastrophic Southern California firestorm of 2007.⁴¹

We agree with the Workshop Report's recommendation that the Tiers should be defined in a manner that can be applied statewide using either (1) the "narrative approach" in the Workshop Report, Attachment 2, Table 1, or (2) the "matrix approach" in Attachment 2, Section 5. Once the IRT has approved the Tier definitions, the PDP shall update the Tier parameters for the matrix approach in Workshop Report, Attachment 2, Section 5, Figure 1 and Table 2.⁴² The PDP shall carry out these updates in consultation with the IRT.

The PDP shall notify the Territory Leads and Stakeholder Parties of the IRT-approved Tier definitions and the IRT-approved updates to the Tier parameters for the matrix approach. Notice should be provided through the IPM/ VC software.

Any impasse between the PDP and IRT regarding Tier definitions shall be resolved in favor of the IRT. Stakeholder Parties may use their preferred Tier

⁴¹ Workshop Report, Attachment 2, Section 4.1.2.

⁴² Workshop Report, at 12 and Attachment 2, Section 4.1.2.

definitions to create and submit Shape Bs with alternative Tier definitions for the Commission's consideration in Step 2(e).

4.1.2.4.3. Step 2(c): Territory-Specific Development

In Step 2(c), each Territory Lead will develop a tiered Shape B for its assigned territory. The starting point for each Territory Lead will be the IRT-approved Initial Statewide Shape B from Step 2(a) and the IRT-approved Tier definitions from Step 2(b). The Territory Lead may propose to include or exclude areas for its territory-specific Shape B and Tiers using the criteria in the Workshop Report, Attachment 2, Section 4.3 (the "narrative approach") and/ or Section 5 (the "matrix approach").

We will require all proposed exclusions from a territory-specific Shape B to be well supported and protect public safety. For example, a Territory Lead may propose to remove an area from Shape B if all three of the following conditions are satisfied:

1. The removed area has no significant fire history.
2. The removed area has no proximity to communities at risk or other significant assets at risk.
3. At least one other factor in the "removal" column of the Workshop Report, Attachment 2, Table 1 is present.⁴³

We will also require each Territory Lead to submit to the PDP a proposed Shape B for the applicable geographic area within a timeframe set by the PDP, in such form as directed by the PDP, and accompanied by such maps, GIS files, information, and other material deemed necessary by the PDP. All substantive

⁴³ SDG&E Comments, at 4.

communications between a Territory Lead and the PDP shall occur through the IPM/ VC software and be visible to all Stakeholder Parties.⁴⁴

Each territory-specific Shape B proposal will be reviewed by the PDP, who may confer with the IRT, Territory Leads, and Stakeholder Parties. Each proposal will be approved, modified, or rejected by the PDP, or returned to the Territory Lead for further work. The PDP shall use the IPM/ VC software to provide an explanation for each proposal that is approved, modified, or rejected. The IRT shall resolve any deadlocks between the PDP and Territory Leads.

We will not permit the PDP and Territory Leads to alter any carve outs or refinements to Shape B that were approved or rejected by the IRT in Step 2(a) unless there is good cause for doing so (e.g., the Territory Lead presents new information that was not considered in Step 2(a)). The PDP shall notify the IRT of any such alterations approved by the PDP and provide justification for each alternation. The IRT may accept, modify, or reject such alterations.

The PDP will compile a statewide draft Shape B using the PDP-approved Shape Bs submitted by the Territory Leads. The PDP-approved statewide Shape B shall reflect all decisions made by the IRT regarding the development of Shape B in Step 2(c). Any impasse between the PDP and the IRT in Step 2(c) shall be resolved in favor of the IRT. Stakeholder Parties (including Territory Leads and PDP members) may submit alternative Shape Bs for the Commission's consideration in Step 2(e).

There will likely be at least six Territory Leads, and perhaps several more. If a Territory Lead does not fulfill its responsibilities in Step 2(c) in a timely

⁴⁴ As described in Section 4.1.2.4 of today's decision, sensitive information regarding critical infrastructure should not be transmitted or disclosed publicly.

manner, we will require the PDP to take over the development of the territory-specific Shape B at issue so that Step 2(c) is not delayed.

To accelerate the IRT's review of the draft statewide Shape B in Step 2(d), we will require the PDP in Step 2(c) to provide the IRT with advance copies of the PDP-approved, territory-specific Shape Bs as these become available.

4.1.2.4.4. Stakeholder Input

We decline to adopt the Workshop Report's proposal to have the PDP solicit input from the Stakeholders Parties regarding the draft statewide Shape B that is approved by the PDP in Step 2(c).⁴⁵ Today's decision authorizes Stakeholder Parties to communicate with the Territory Leads, the PDP, and the IRT throughout the development of Shape B using the IPM/ VC software. Stakeholder Parties will also have an opportunity in Step 2(e) to submit (1) written comments regarding the IRT-approved statewide Shape B, and (2) alternative Shape Bs. We conclude that today's decision provides a reasonable opportunity for Stakeholder Parties to provide input regarding the development of Shape B without the additional step of requiring the PDP to solicit input from Stakeholder Parties.

We agree with the consensus among the parties that the development of Fire Map 2 should include input from Stakeholders who are not parties in this proceeding. To achieve this objective, we adopt SDG&E's recommendation to require the Territory Leads, as part of the development of territory-specific Shape Bs in Step 2(c), to solicit input from local, non-party Stakeholders with expertise regarding local, utility-associated wildfire hazards and risks. Such Stakeholders may include, for example, the local County Fire Chief's Association

⁴⁵ Workshop Report, at 12 – 13 and Attachment 2, Section 4.4.

and/ or local Fire Safe Councils.⁴⁶ We also adopt SDG&E’s recommendation that because of regional differences, each Territory Lead should decide for itself how to identify and communicate with local, non-party Stakeholders.⁴⁷

We decline to adopt the Workshop Report’s proposal to require the PDP to solicit input on the draft statewide Shape B that is approved by the PDP in Step 2(c) from all 1,329 CARs and all “points of contact” designated by each city and county in California⁴⁸ pursuant to Pub. Util. Code § 768.6.⁴⁹ Although the Workshop Report’s proposal to solicit input from thousands of communities across California is well intentioned, it would require considerable time and resources.⁵⁰ We conclude that the previously described process for soliciting Stakeholder input adopted by today’s decision, while less comprehensive than the Workshop Report’s proposal, is sufficient to develop a Fire Map 2 that reasonably incorporates relevant knowledge and expertise regarding local, utility-associated wildfire threats.

⁴⁶ SDG&E Comments, at 4 – 5. In a somewhat similar recommendation, PG&E proposes that the Territory Leads should be permitted (but not required) to “invite participation from stakeholders (local fire marshals, fire safe councils, CARs, CIPs, etc.) with particular local knowledge or expertise.” (PG&E Comments at 3 – 4.)

⁴⁷ SDG&E Comments, at 4 – 5.

⁴⁸ PG&E states that the “points of contact” include 482 cities and 2,407 unincorporated communities. (PG&E Comments, at 3.)

⁴⁹ Workshop Report, at 12 – 13 and Attachment 2, Section 4.4.

⁵⁰ The concerns of CARs should be addressed, to a large degree, by their inclusion in Shape A.

4.1.2.4.5. Step 2(d): IRT Review and Approval

In Step 2(d) the PDP will submit to the IRT for review and approval the draft statewide Shape B prepared by the PDP at the conclusion of Step 2(c).⁵¹ We will require the PDP to submit to the IRT a package that contains:

1. The following maps:
 - (i) The Initial Statewide Shape B approved by the IRT at the conclusion of Step 2(a).
 - (ii) The draft statewide Shape B prepared by the PDP at the conclusion of Step 2(c).
 - (iii) One or more maps that provide a detailed comparison of Shape B in Item (i) relative to Item (ii).
2. Instructions for obtaining an electronic copy of the required map(s) in PDF format. This requirement may be met by including a PDF copy in the package submitted to the IRT.
3. Instructions for accessing a publicly available data file for each map in Item 1, above, using commonly available GIS software.
4. A complete set of all proposed revisions to Shape B submitted by the Territory Leads in Step 2(c).
5. The PDP's explanation for each revision to Shape B that is approved, modified, or rejected by the PDP in Step 2(c).
6. Any other information and material deemed relevant by the PDP and/ or requested by the IRT.

The PDP shall serve (but not file) either the package submitted to the IRT or a notice of availability of the package.

The IRT may (i) direct the PDP, Territory Leads, and/ or Stakeholder Parties to provide additional information, and (ii) direct the PDP to modify the boundaries of Shape B and its Tiers. The IRT shall provide a written explanation

⁵¹ Workshop Report, at 13 – 14 and Attachment 2, Section 4.5.

for each of its revisions to Shape B in Step 2(d). To ensure transparency, all of these communications should occur through the PDP's IPM/ VC software.

The PDP shall prepare a final draft of Shape B in accordance with the IRT's instructions. Stakeholder Parties who disagree with the IRT-approved Shape B may submit alternative Shape Bs for the Commission's consideration in Step 2(e).

4.1.2.4.6. Step 2(e): Commissioner Review

In Step 2(e), the PDP shall file and serve a document that contains:

1. The IRT-approved Shape B Map from Step 2(d).
2. Instructions for obtaining an electronic copy of the required map in PDF format. This requirement may be met by including a PDF copy of the map in the document that is filed and served electronically.
3. Instructions for accessing a publicly available data file for the map in Item 1 using commonly available GIS software.
4. The IRT-approved Tier definitions from Step 2(b).
5. Any other information and documents deemed relevant by the PDP.

Five days later, Stakeholder Parties may file and serve a document that contains an alternative Shape B. Any such document shall include the following:

- One or more maps that depict the Stakeholder's proposed boundaries relative to the IRT-approved Shape B exterior boundaries and interior Tier boundaries.
- Instructions for obtaining an electronic copy of the required map(s) in PDF format. This requirement may be met by including a PDF copy of the map(s) in the document that is filed and served electronically.
- Instructions for obtaining a data file for the required map(s) that is readable by commonly available GIS software.
- A detailed explanation of why the Stakeholder Party's proposed boundaries for Shape B should be adopted.

Parties may file and serve written comments and reply comments that address both the IRT-approved Shape B and any alternative Shape Bs. Parties may also file and serve motions for evidentiary hearings.⁵² The schedule for these filings is set forth in the body of today's decision at Section 5.2.

Depending on the record developed in Step 2(e), the Assigned Commissioner may take such actions as the Commissioner deems appropriate. For example, if there is no opposition to the IRT-approved Shape B, the assigned Commissioner may issue a ruling that directs the PDP submit the IRT-approved Final Shape B Map to the Commission for adoption via a Tier 1 advice letter. On the other hand, if there is opposition to the IRT-approved Shape B, the assigned Commissioner may issue a proposed decision and/ or take other appropriate actions.

We decline to adopt the Workshop Report's proposal for the IRT-approved Shape B from Step 2(d) to be filed at the Commission for review and approval via a Tier 1 advice letter.⁵³ The Tier 1 advice letter process would not provide an opportunity for parties to submit alternative Shape Bs or a procedural vehicle for the Commission to consider any alternative Shape Bs that are submitted. Also, the Tier 1 advice letter process is not suitable for documents that foreseeably could require more than ministerial review and approval by Commission staff, which may be the case with the IRT-approved Shape B.

⁵² Any such motion must (i) identify and describe the specific factual issues that require an evidentiary hearing; and (ii) provide a proposed schedule and dates for all hearing-related events, such as a PHC, service of prepared written testimony, the number of hearing days, briefs and reply briefs, etc.

⁵³ Workshop Report, at 14.

4.1.2.5. Adoption of Shape B

Depending on the record developed in Step 2(e), the assigned Commissioner may direct the PDP to submit the IRT-approved Final Shape B Map via a Tier 1 advice letter. The Tier 1 advice letter shall be submitted to the Commission's Safety and Enforcement Division (SED) and shall be effective upon SED's or the Commission's disposition of the advice letter.⁵⁷ Put differently, the Final Shape B Map (and Fire Map 2) will be effective on the date the Tier 1 advice letter is approved by a disposition letter or, if necessary, by a Commission resolution.⁵⁸

We will require the advice letter to include (i) the Assigned Commissioner-authorized Final Shape B Map, (ii) instructions for obtaining an electronic copy of the Final Shape B Map in PDF format,⁵⁹ and (iii) instructions for obtaining a data file of the map that is readable in commonly available GIS software. Any person may protest or respond to the advice letter within 20 days.⁶⁰ If a protest is submitted, the PDP may file minor revisions in consultation with the IRT. If major revisions are required, SED will determine whether the advice letter must be resolved by a Commission resolution.⁶¹

The Commission's Energy Division shall provide whatever administrative support that SED may need to process the advice letter. Such support may include, for example, posting notice of the advice letter on the Commission's

⁵⁷ Workshop Report, at 15.

⁵⁸ GO 96-B, General Rule 7.3, and the Joint IOU Comments on the Proposed Decision, at 14.

⁵⁹ This requirement may be met by including a PDF copy with the advice letter that is submitted and served electronically.

⁶⁰ GO 96-B, General Rule 7.4.

⁶¹ GO 96-B, General Rule 7.3.

website, posting notice of SED's disposition of the advice letter, and archiving the advice letter.

4.2. Fire Map 2 and Tree Mortality

Fire Map 2 shall incorporate by reference a separate map for Tree Mortality that is independent of the Shape B Map.⁶⁶ The independent map of Tree Mortality shall consist of Tier 1 High Hazard Zones on the United States Forest Service (USFS) and CAL FIRE's joint map of Tree Mortality High Hazard Zones (HHZs).⁶⁷ As a result, there is no need to develop a map for Tree Mortality HHZs.

Fire Map 2 shall consist of the Shape B Map and the Tier 1 HHZs on the Tree Mortality HHZs Map. While the Shape B Map component of Fire Map 2 is expected to remain unchanged for 10 years, the Tree Mortality HHZs Map may be revised regularly by the USFS and CAL FIRE and thus is not suitable for inclusion in Fire Map 2 as an embedded layer.

The following table illustrates how we anticipate fire-safety regulations will apply to Fire Map 2's Shape B and Tree Mortality HHZs:

⁶⁶ SDG&E Comments at 6. SDG&E's proposal for incorporating tree mortality into Fire Map 2 is similar to the Revised Scoping Memo set forth in the ALJ ruling dated September 6, 2016.

⁶⁷ The Tree Mortality HHZs Map that was current when D.17-01-009 was issued is available at: http://www.fire.ca.gov/treetaskforce/downloads/HighHazardZones_Tier1_Tier2_lite.pdf. This map describes Tier 1 HHZs as "zones in direct proximity to communities, roads, and utility lines. They represent a direct threat to public safety."

	Fire Map 2			
	Shape B			Tree Mortality
Regulation	Tier 1 Moderate	Tier 2 Elevated	Tier 3 Extreme	Tier 1 HHZs
Regulation X	No	No	Yes	No
Regulation Y	5 Feet	10 Feet	15 Feet	15 Feet
Regulation Z	5 Years	3 Years	2 Years	2 Years

Fire Map 2 will be effective on the date the PDP's Tier 1 advice letter containing the Shape B Map in Step 2(e) is approved by a disposition letter or, if necessary, by a Commission resolution.

4.3. Fire Hazards Associated with the Laguna Beach Area and the Butte Fire

Decision 16-05-036 requires the Fire Map 2 Work Plan to address the fire hazards associated with (1) overhead facilities generally and at specific locations such as Laguna Beach, and (2) parties' knowledge of historical power-line fires besides the October 2007 fires in Southern California, such as the Butte Fire that burned 71,000 acres in Amador and Calaveras Counties in September 2015.⁶⁸

The modified Fire Map 2 Work Plan adopted by D.17-01-009 defines Shape A in a way that incorporates the fire hazards identified in D.16-05-036.⁶⁹ In addition, the procedures adopted by D.17-01-009 for developing Shape B will allow Territory Leads and Stakeholder Parties to propose inclusions of fire-threat areas on Shape B relative to Shape A. Thus, if Shape A inadvertently omits a

⁶⁸ D.16-05-036 at 2, 34 – 35, and Ordering Paragraph 3.iii.

⁶⁹ Shape A includes (i) Fire Hazard Severity Zones adjacent to Laguna Beach, and (ii) the area burned by the Butte Fire.

high fire-threat area, a Territory Lead or Stakeholder Party may call attention to this omission during the development of Shape B.

4.4. Dispute Resolution

We agree with MGRA that Stakeholder Parties should be able to raise concerns regarding the development of Fire Map 2 prior to the final review process in order to avoid lengthy revisions cycles at the end of the process. Accordingly, we adopt MGRA's recommendation to allow Stakeholder Parties to submit informal comments to the IRT, PDP, and Territory Leads throughout the development of Fire Map 2.⁷⁰ To achieve this objective, D.17-01-009 requires the PDP to provide Stakeholder Parties with access to the PDP's IPM/ VC software so that parties can (1) communicate with the PDP, IRT, and Territory Leads; and (2) monitor information and documents that are transmitted between or among the IRT, PDP, Territory Leads, and Stakeholder Parties.

In Section 4.1.2.3 of D.17-01-009, we provide the IRT with authority to resolve technical disputes raised by Stakeholder Parties, the PDP, and Territory Leads during the development of Fire Map 2, and we direct the PDP to develop Fire Map 2 in accordance with the IRT's decisions. In Step 2(e), Stakeholder Parties who have concerns about the IRT's resolution of disputes with respect to Shape B may file formal comments and/ or alternative Shape Bs. We will address Stakeholder Parties' concerns, if any, in Step 2(e).

We strongly encourage Stakeholder Parties to use the previously described dispute resolution processes if they have concerns regarding the development of Fire Map 2. Stakeholder Parties should request intervention from the Assigned Commissioner and/ or the assigned ALJ only as a last resort, and only when the

⁷⁰ MGRA Reply Comments, at 2.

IRT is acting in a manner inconsistent with the direction or authority provided by today's decision, making decisions not based on sound science, or otherwise acting arbitrarily or capriciously.

4.5. Amended Schedule for Fire Map 2

The amended schedule for the development and adoption of Fire Map 2 is contained in the body of today's decision at Section 5.2.

4.6. SED Assistance to CAL FIRE

CAL FIRE is participating in this proceeding in an advisory capacity to aid the Commission's development and adoption of Fire Map 2. The Commission's SED Advocacy Staff, who are participating in this proceeding as a party, shall provide whatever administrative and regulatory support that CAL FIRE may need to participate in this proceeding. Such assistance may include, but is not limited to, filing and serving documents on CAL FIRE's behalf. SED Advocacy Staff shall stay in regular contact with CAL FIRE for the purpose of monitoring CAL FIRE's need for support, if any.

5. Incorporating Fire Map 2 into GO 95

Fire Map 2 will consist of two independent maps – the Shape B Map and the Tree Mortality HHZs Map. The Shape B Map will be available in two forms:

1. High resolution PDF file (no special software required for viewing). This file should be less than 50 megabytes in size.
2. Zip archive of native GIS files (when unzipped, requires GIS software and/ or Google Earth for viewing). This file should be less than 50 megabytes in size.⁷³

The Tree Mortality HHZs Map is available on CAL FIRE's website.⁷⁴

⁷³ Workshop Report at Section III.D.1.

The Scoping Memo directed the Fire Map 2 Work Plan to address the procedure for incorporating Fire Map 2 into GO 95 and other GOs, if applicable. The Workshop Report suggests this can be accomplished by way of reference to a webpage that can be accessed from the Commission's website.⁷⁵

In accordance with the Workshop Report's suggestion, we will instruct the Director of SED or the Director's designee to:

1. Arrange for the PDF and GIS files for the Final Shape B Map from Step 2(e) to be hosted on a Commission server and/ or other server deemed appropriate by the Director.
2. Post on the Commission's website (A) static download links to the PDF and GIS files for the Final Shape B Map, and (B) a download link to the then-current version of the Tree Mortality HHZs Map.
3. Update GOs 95, 165, 166, and other GOs, if applicable, to replace references to the interim fire-threat maps with references to Fire Map 2. The current interim fire-threat maps will be retired at that time.

The Director shall complete these tasks no later than 60 days after the date of SED's or the Commission's disposition of the PDP's Tier 1 advice letter submittal that contains the Final Shape B Map. For the purpose of today's decision, the date of the SED's disposition shall be the reported "date closed" on the Commission's website.

⁷⁴ The Tree Mortality HHZs Map that was current when D.17-01-009 was issued is available at: http://www.fire.ca.gov/treetaskforce/downloads/HighHazardZones_Tier1_Tier2_lite.pdf.

⁷⁵ Workshop Report, at 19.

6. Correcting the Shape B Map

As electric utilities, CIPs, and other Stakeholder Parties begin to use the Shape B Map and become familiar with it, they may find material errors that warrant correction. Today's decision invites Stakeholder Parties and CAL FIRE to notify SED of any material errors they discover in the Shape B Map so that the errors can be corrected.

If SED learns of a material error in the Shape B Map, SED shall take the following actions, as appropriate: (1) Confer with CAL FIRE; (2) correct the error by preparing a resolution for the Commission's consideration that explains the error, describes the correction, and provides a corrected Shape B Map in PDF and GIS formats; and (3) replace the download links on the Commission's website to the erroneous Shape B Map with links to the corrected Shape B Map.

7. Updating Fire Map 2

The Tree Mortality HHZs Map that is incorporated into Fire Map 2 by reference may be revised from time-to-time by the USFS and CAL FIRE. We will direct SED to periodically check CAL FIRE's website for revisions to the map. If and when there are revisions, SED shall update the link to the Tree Mortality HHZs Map that SED placed on the Commission's website in accordance with Section 5 of D.17-01-009.

Consistent with the recommendation in the Workshop Report,⁷⁶ we intend to update Fire Map 2 in ten-year cycles. The Commission will have discretion in the future to determine the exact timing of the next update cycle, the scope of the update, and the associated processes and procedures.

⁷⁶ Workshop Report, at Section IV.B.

8. Transition of Existing Regulations to Fire Map 2

The Commission adopted a number of fire-safety regulations in R.08-11-005 that apply only to certain high fire-threat areas on the interim fire-threat maps adopted in that proceeding. These fire-safety regulations are summarized in Section 2 of D.17-01-009.

The Scoping Memo directed the Fire Map 2 Work Plan to address the transition of existing fire-safety regulations that rely on interim fire-threat maps to Fire Map 2. The Workshop Report did not address this topic. Instead, the Workshop Report states that this topic should be deferred until fire-threat Tiers are adopted during the development of Fire Map 2 so that the adopted Tiers can be correlated with the high fire-threat areas on the interim fire-threat maps.

We decline to adopt the Workshop Report's proposal to defer this topic. We conclude that the existing fire-safety regulations which apply only to high fire-threat areas in Northern California on the interim fire-threat maps shall apply only to areas in Northern California designated as Tier 3 (extreme fire threat) on Shape B of Fire Map 2. Similarly, the existing fire-safety regulations which apply only to high fire-threat areas in Southern California on the interim fire-threat maps shall apply only to areas in Southern California designated as Tier 3 (extreme fire threat) on Shape B of Fire Map 2.⁷⁷

We adopt the Joint IOUs' recommendation that the transfer of existing regulations to Tier 3 should take effect as soon as possible after the Commission's

⁷⁷ Consistent with D.12-01-032, today's decision defines Southern California as consisting of Imperial, Santa Barbara, Ventura, Los Angeles, Orange, San Diego, Riverside, and San Bernardino Counties. Northern California is defined as all other counties in California. (D.12-01-032 at Ordering Paragraph 16.)

adoption of Shape B as set forth in the body of today's decision at Section 5.⁷⁸

Consistent with the Joint IOUs' recommendation, we will require the transfer of existing fire-safety regulations to be completed no later than September 1, 2018, in time for the autumn fire season in Southern California.

We disagree with the CIP Coalition's position that there must be a cost-benefit analysis to determine where on Fire Map 2 it is cost effective to apply existing fire-safety regulations, which can only occur after Fire Map 2 is complete.⁷⁹ We conclude that public safety requires the most restrictive fire-safety regulations which currently apply only to certain high fire-threat areas on the interim fire-threat maps should transfer automatically to Tier 3 areas on Shape B of Fire Map 2. Pursuant to D.17-01-009, Tier 3 of Shape B will be areas with extreme wildfire risk that require the most restrictive fire-safety regulations.

Parties may request refinements to the areas on Fire Map 2 where the transferred fire-safety regulations should apply in accordance with the schedule and procedures specified in D.17-01-009.

(END OF APPENDIX A)

⁷⁸ Joint IOUs Comments on the Proposed Decision, at 9, 18, and 22. See also SDG&E Comments on the Proposed Decision, at 3.

⁷⁹ CIP Coalition Comments, at 5.