

**Fact Sheet Submitted by Megan Somogyi, Attorney at Law,
for CPUC De-Energization (PSPS) Rulemaking No. 18-12-005**

History of Utility De-energization

- Following devastating wildfires in 2007, San Diego Gas & Electric Company asked the CPUC for authority to proactively de-energize power lines during high-fire-threat conditions.
- In July 2018, following the 2017 wildfires, the CPUC extended the authority to de-energize power lines to all investor-owned utilities in California. The CPUC also imposed notification, mitigation, and reporting requirements for de-energization events on the utilities.
- Senate Bill 901 was adopted in September 2018. SB 901 directed California's investor-owned utilities to create Wildfire Mitigation Plans and submit them to the CPUC every year (AB 1054 extended the requirement to three years). The WMPs must contain protocols for de-energizing portions of the electrical system and procedures for notifying customers that may be impacted by de-energization.
- The CPUC opened R.18-12-005 to focus on de-energization. SB 901 required the CPUC to approve the utilities' WMPs within 90 days of their submission, which did not allow enough time to examine the de-energization issue.

Rulemaking 18-12-005

- Opened in December 2018. Split into two phases:
 - Phase 1 focused on utility notification and communication protocols to be established before 2019 fire season. The final Phase 1 decision was issued on June 3, 2019. Decision 19-05-042 is available here: <http://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M296/K598/296598822.PDF>
 - Phase 2 opened on August 14, 2019. Phase 2 will have two tracks. The Scoping Ruling for Phase 2 is available here: <http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M311/K115/311115254.PDF>
- **Phase 2, Track 1** will refine definitions and terminology, examine how to improve outreach and notification for Access and Functional Needs (AFN) populations, examine the utilities' criteria and decision-making for shutting power off, refine communication and notification protocols, examine the coordination necessary for de-energizing transmission lines and what criteria the CPUC should use to evaluate impacts of de-energizing transmission lines, and examine lessons learned from PSPS events since the Phase 1 decision was adopted.
 - Participation in Track 1 will be in the form of written comments and workshops
 - Track 1 will be on an expedited schedule, with a final decision expected in the first quarter of 2020.
- **Phase 2, Track 2** will take a deeper look at the following issues:
 - Necessary changes to de-energization protocols based on lessons learned from PSPS events since the Phase 1 decision;
 - Impacts of de-energization on local governments' notification and communication abilities;
 - Further refinement of notification and communication protocols;
 - Mitigation for de-energization—what services are necessary to mitigate risks to public safety, who should bear the cost of backup generation, what mitigation measures are necessary for prolonged outages, should the utilities be required to consider claims for losses as a result of de-energization, should customers be billed for electric service during a PSPS event;
 - Whether the utilities are taking proactive measures to reduce the need for PSPS in the future;

- What criteria and information should the utilities be required to share regarding *re-energization* of power lines;
 - Should utilities entertain requests to delay PSPS events;
 - Further refinement of the utilities' education and outreach efforts;
 - What additional criteria, if any, should the CPUC use to evaluate the reasonableness of a PSPS event.
- There is currently no schedule set for Track 2, but a ruling from the CPUC is expected to issue shortly
 - The CPUC's Rulemaking will not do the following, due to jurisdictional and other restrictions:
 - Require telecommunications providers to fortify their infrastructure
 - Determine PG&E's liability for damage to property or harm to people occurring as a result of de-energization

Mendocino County's Participation in R.18-12-005

- Mendocino participated fully in Phase 1 as part of a coalition (the Joint Local Governments) with Napa and Sonoma Counties and the City of Santa Rosa
- Participation in Phase 1, for all parties, was done through written comments submitted to the CPUC
- Mendocino and its fellow local governments submitted the following comments:
 - Comments on the Rulemaking:
<http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M263/K645/263645370.PDF>
 - Opening Comments on the Phase 1 Scoping Ruling and Staff Proposal:
<http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M274/K138/274138147.PDF>
 - Reply Comments on the Phase 1 Scoping Ruling and Staff Proposal:
<http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M279/K246/279246536.PDF>
 - Opening Comments on the Proposed Decision Adopting Phase 1 Guidelines:
<http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M290/K365/290365362.PDF>
 - Reply Comments on the Proposed Decision Adopting Phase 1 Guidelines:
<http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M292/K711/292711567.PDF>
- The CPUC adopted virtually all of the recommendations regarding notification and communication made by Mendocino and its fellow local governments. The adopted recommendations include:
 - Requiring PG&E to partner with local governments and first responders to ensure effective notice and improve communication;
 - Requiring PG&E to work with local governments to improve the utility's medical baseline registry and to develop ways to improve outreach to AFN populations;
 - Requiring PG&E to leverage existing communication and notification systems (e.g., Nixle, Reverse 911, etc.) instead of developing its own duplicative systems;

- Requiring PG&E to use the SEMS model for communication with public safety partners, and to update local government contact information annually;
 - Requiring PG&E to establish a 24-hour information hotline that will remain active until power is restored;
 - Requiring better outreach and education for tenants of master-metered properties, such as mobile home parks;
 - Requiring PG&E to share its internal situational awareness information (e.g., weather and fire modeling data and metrics) with local governments and first responders;
 - Requiring PG&E to establish a web-based information portal that will provide situational awareness information, outage maps, affected customer information, and other relevant information to public safety partners;
 - Requiring PG&E to establish a direct line of communication for local governments and first responders to its EOC during PSPS events, including the requirement to embed a local liaison in PG&E's EOC at the government's request, and vice versa;
 - Requiring PG&E to participate in increased table-top exercises with local public safety partners, and to continue readiness preparations throughout the year;
 - Requiring PG&E to give local governments and first responders the opportunity to submit comments to the CPUC on the utility's PSPS after-action reports;
 - Ensuring that PSPS communications and educational material is provided in California's threshold languages.
- The extent to which the CPUC adopted the Joint Local Governments' recommendations is unusual. The CPUC afforded a high level of credibility to Mendocino and its fellow local governments.
 - Mendocino and its fellow local governments will continue to participate fully in the CPUC process during Phase 2
 - Phase 2 presents opportunities to partner with the Rural County Representatives of California, the California State Association of Counties, Community Choice Aggregators, other local governments in PG&E's service territory, and community organizations that represent AFN populations and other under-served California residents

Mendocino's Ongoing Discussions with PG&E to Improve PSPS Practices

- In addition to formal participation at the CPUC, Mendocino and its fellow local governments have been engaged in ongoing discussions since April 2019 with PG&E decision makers regarding improvements to PG&E's PSPS practices and implementation of the CPUC's Phase 1 directives
- The discussions have been productive
- There is still room for improvement in PG&E's implementation of its de-energization programs and measures, but the open dialogue is an asset to both local governments and PG&E as its protocols are being developed