



Liberty  
933 Eloise Avenue  
South Lake Tahoe, CA 96150  
Tel: 800-782-2506  
Fax: 530-544-4811

June 18, 2026

***VIA OEIS E-FILING***

Sheryl Bilbrey  
Program Manager, Environmental Science Division  
Office of Energy Infrastructure Safety  
715 P Street, 20<sup>th</sup> Floor  
Sacramento, CA 95814

Docket #2025 NON

**Subject:** Liberty's Response to Notice of Non-Performance –  
NON\_ESD\_LU\_KJO\_20260428\_1248

Dear Sheryl Bilbrey:

Liberty Utilities (CalPeco Electric) LLC ("Liberty") appreciates the opportunity to clarify the information contained in the Office of Energy Infrastructure Safety ("Energy Safety") e finding(s) in "NON\_ESD\_LU\_KJO\_20260428\_1248" (Notice of Non-Performance or NON), on May 19, 2026, regarding Energy Safety's inspection of work completed by Liberty in accordance with its 2025 Wildfire Mitigation Plan ("WMP").

Liberty completed a detailed inspection on June 17, 2025, during which vegetation grow-ins were identified and subsequently mitigated on November 7, 2025. On April 28, 2026, Energy Safety performed a field audit of the completed 2025 vegetation management work and identified a lodgepole pine tree measuring approximately 38 feet in height with a two-stem structure (19-inch combined diameter) (referred to herein as "Tree C") that had declined in condition after Liberty's 2025 inspection and mitigation activities, and prior to Energy Safety's audit.

As such, Liberty respectfully disagrees that the NON is warranted and asks that it be withdrawn. Liberty completed the vegetation management work identified under the 2025 inspection cycle. Tree C did not meet the criteria for mitigation at the time of Liberty's June 17, 2025 inspection. Tree conditions can change rapidly in Liberty's service territory due to environmental stressors, including drought conditions and insect activity. Liberty implements inspection protocols to identify hazard trees on an annual basis. Tree C was determined to be a hazard based on its condition in 2026.

Since then, Liberty has inspected Tree C and created a work order to mitigate the hazard as part of its fall-in mitigation initiative for 2026. The tree was mitigated on June 15, 2026.

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Liberty appreciates Energy Safety's continued efforts to identify, communicate, and resolve wildfire risks throughout California. If there are any questions, please contact me at:

Jordan Parrillo  
Manager of Regulatory Affairs  
Liberty Utilities (CalPeco Electric) LLC  
701 National Ave,  
Tahoe Vista, CA 96148  
Telephone: 530-721-7818  
[jordan.parrilo@libertyutilities.com](mailto:jordan.parrilo@libertyutilities.com)

**Liberty Response**

**Energy Safety Finding:**

Energy Safety considers this deficiency as “Moderate” because Liberty has not removed the dying lodgepole pine tree located within striking distance of the conductors, consistent with the requirements of Public Resources Code section 4293. The existence of this tree presents an ongoing wildfire risk.

On April 28, 2026, Energy Safety conducted an inspection of Liberty’s WMP’s initiatives in the vicinity of South Lake Tahoe, California. During the inspection, Energy Safety identified a dying codominant lodgepole pine tree southeast of pole ID 259697 and near coordinates 38.84969752545917, -120.02454878367814 along Pomo Street. It is located within SRA. The tree is approximately 38 feet tall, with a combined diameter at breast height of 19 inches (one stem measuring 9 inches and the other 10 inches). The codominant lodgepole pine stands approximately 31.7 feet from the conductors. It exhibits yellowing needles throughout the canopy and visible crown dieback. The inspector’s observations are documented in Exhibit A photographs, which are attached to this report. Photo 1 depicts pole ID 259697 and other markings on the pole. Photos 2, 3 and 4 depict the dying codominant lodgepole pine tree.

Notice	Deficiency #	Location
NON_ESD_LU_KJO_20260428_1248	Deficiency 1	Coordinates 38.84969752545917, -120.02454878367814

**Summary of Energy Safety Findings<sup>1</sup>:**

Specifically, the NON describes that on April 28, 2026, Energy Safety conducted an inspection of Liberty’s WMP initiatives in the vicinity of the city of South Lake Tahoe, California in High Fire Threat District (HFTD) Tier 2 within the State Responsibility Area (SRA), and found the following deficiency:

Deficiency 1. Energy Safety observed that Liberty failed to implement its 2025 WMP initiative 8.2.3.4, which requires compliance with Public Resources Code section 4293, by not removing a dead, declining or dying tree near coordinates 38.84969752545917, -120.02454878367814. Energy Safety considers this non-performance to be in the Moderate risk category. Liberty must complete a corrective action for this non-performance by six months from the date of this notice.

**Liberty Response:**

Liberty respectfully requests that the Notice of Non-Performance (NON) be withdrawn, as Energy Safety identified a tree that was outside the scope of Liberty’s 2025 WMP initiative, and only became in scope after.

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<sup>1</sup> Energy Safety NON\_ESD\_LU\_KJO\_20260428\_1248

Liberty conducted a detailed inspection of vegetation along the subject span (span from pole 275576 to 259697) on June 17, 2025. During this inspection, Liberty identified two previously topped lodgepole pines, a small Jeffrey pine, and conifer brush encroaching beneath the distribution lines. Work orders were generated, and the identified vegetation was successfully mitigated on November 7, 2025.

On April 28, 2026—more than 10 months after Liberty’s inspection and over five months after completion of the associated work—Energy Safety identified a declining lodgepole pine measuring approximately 38 feet in height with a combined diameter at breast height of 19 inches (two stems measuring 9 inches and 10 inches) (referred to herein as “Tree C”) in the same span and vicinity of the trees Liberty removed in 2025. At the time of Liberty’s 2025 inspection, Tree C did not meet criteria requiring mitigation; therefore, no work order was generated.

Tree conditions in Liberty’s service territory can change rapidly due to environmental stressors, including drought and insect activity. Tree C was determined to be a hazard based on its condition in 2026. T Liberty has since inspected Tree C, generated a work order, and completed mitigation on June 15, 2026, as part of its 2026 fall-in mitigation initiative.

Picture 1: Tree ID W120024501N38849738\_2  
(brush removals at time of detailed inspection on June 17, 2025; removed November 7, 2025)



Picture 2: Tree ID W120024501N38849738\_2  
(brush removals at time of detailed inspection on June 17, 2025; removed November 7, 2025)



Picture 3: Tree ID W120024501N38849738\_2  
(at time of detailed inspection June 17, 2025; removed November 7, 2025)



Picture 4: Tree ID W120024557N38849688  
(at time of detailed inspection June 17, 2025; removed November 7, 2025)



Picture 5: Tree ID W120024557N38849688\_2  
(at time of inspection June 17, 2025; removed November 7, 2025)



Picture 5: Tree found by Energy Safety  
(picture from May 20, 2026; removed June 15, 2026)

