State of California – A Natural Resources Agency
OFFICE OF ENERGY INFRASTRUCTURE SAFETY
715 P Street, 15th Floor | Sacramento, CA 95814
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Gavin Newsom, Governor
Forest Kaser, Director

October 14, 2026

Dan Marsh
Director, Rates and Regulatory Affairs
Liberty Utilities
701 National Avenue
Tahoe Vista, CA 96148

STATUS UPDATE ON NOTICE OF NON-PERFORMANCE

Mr. Marsh:

The Office of Energy Infrastructure Safety (Energy Safety) issued a Notice of Non-Performance (NON), NON_PAD_LU_CYA_20260603_1054, to Liberty Utilities (LU) on September 3, 2026,[1] pursuant to Public Utilities Code section 326 and Government Code section 15475.1. LU submitted its NON response on October 5, 2026.[2]

It is Energy Safety's understanding that all equipment on LU's newly replaced distribution poles will be exempt equipment. This understanding stems from a conversation Liberty Utilities had with Energy Safety's Performance Assessment Division on June 4, 2025, during an in-person field visit to Liberty Utilities' service territory. Based on this conversation, Energy Safety reaffirms the statements in NON_PAD_LU_CYA_20260603_1054 and will keep the NON open until the fuse has been replaced with a CAL FIRE exempt fuse. If you have any questions, please contact me at Patrick.Doherty@energysafety.ca.gov.

Sincerely,

Patrick Doherty

Patrick Doherty
Program Manager | Performance Assessment Division
Office of Energy Infrastructure Safety
Patrick.Doherty@energysafety.ca.gov

[1] https://efiling.energysafety.ca.gov/eFiling/Getfile.aspx?fileid=61236&docket=2025%20NON&shareable=true
[2] https://efiling.energysafety.ca.gov/eFiling/Getfile.aspx?fileid=61393&docket=2025%20NON&shareable=true