August 13, 2026

Via Electronic Filing

Director Forest Kaser
Office of Energy Infrastructure Safety
California Natural Resources Agency
Sacramento, CA, 95184

Subject: Public Advocates Office's Informal Comments on the July 30, 2026 SB 254 Implementation Workshop

Dear Director Kaser,

The Public Advocates Office at the California Public Utilities Commission (Cal Advocates) respectfully submits the following comments on the Energy Safety and California Public Utilities Commission Public Workshop regarding SB 254 Implementation.

Please contact Iain Fisher (Iain.Fisher@cpuc.ca.gov) or Nat Skinner (Nathaniel.Skinner@cpuc.ca.gov) or with any questions relating to these comments.

We respectfully urge the Commission and the Office to address the important issues herein and those that were discussed at the workshop.

Sincerely,

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TABLE OF CONTENTS

Page

I. INTRODUCTION

The Public Advocates Office at the California Public Utilities CPUC (Cal Advocates) provides these comments on the Office of Energy Infrastructure Safety (Energy Safety) and the California Public Utilities Commission (CPUC)'s Joint Public Workshop on the implementation of Senate Bill (SB) 254 held on July 30, 2026, pursuant to Energy Safety and CPUC Staff direction at the Workshop.

SB 254 amends Public Utilities Code § 8386 and establishes new requirements that will apply beginning with the first General Rate Case (GRC) filed after January 1, 2027.[1] The amendments to Public Utilities Code Section 8386 seek to improve coordination among wildfire mitigation planning, risk assessment, and utility ratemaking processes. Specifically, implementation of SB 254 requires that the CPUC:

- Ensure consistency between the Risk Assessment Mitigation Phase (RAMP) and the Wildfire Mitigation Plan (WMP) (Public Utilities Code § 8386(h)(12));[2]
- Consider cost of the WMP as part of the GRC (Public Utilities Code § 8386.4)[3];
- Evaluate and determine the reasonableness of the cost and revenue requirements related to a WMP (Public Utilities Code § 8386.4)[4] and;
- Ensure that revenues authorized by the CPUC shall not be diverted to non-WMP purposes (Public Utilities Code § 8386.3).[5]

In addition to the July 30th workshop, the CPUC plans to hold Risk-Based Decision Framework (RDF) workshops during the fourth quarter of 2026.[6] Energy Safety also is undertaking development of its 2027 WMP Guidelines.[7]

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[1] Public Utilities Code (Pub. Util. Code) section 8386(c)(1).

[2] Pub. Util. Code section 8386(h)(12).

[3] Pub. Util. Code section 8386.4.

[4] Pub. Util. Code section 8386.4.

[5] Pub. Util. Code section 8386.3.

[6] *Order Instituting Rulemaking to Refine the Risk-Based Decision-Making Framework for Electric Gas Utilities*, May 7, 2026, at 17.

[7] *Wildfire Mitigation Plan Submission Schedules*, January 26, 2026, at 2: "In 2026, Energy Safety will revise its WMP Guidelines to incorporate new requirements according to Senate Bill 254."

Cal Advocates appreciates the opportunity to respond to questions posed in the SB 254 workshop and recognizes efforts by the CPUC and Energy Safety to ensure that the proposed amendments to SB 254 improve the effectiveness, efficiency, and coordination of wildfire mitigation planning and oversight for California's investor-owned electric utilities. For each utility this will be achieved by: (a) integrating wildfire planning with the General Rate Case proceeding, which is the CPUC's ratemaking process, and (b) clarifying the collaborative process between Energy Safety and the CPUC.

In these comments, Cal Advocates addresses the 11 questions posed by CPUC Safety Policy Division (SPD) and Energy Safety Staff as well as structural recommendations for the implementation of SB 254. The 11 questions are as follows:

1. What makes preparing a redlined version of the WMP difficult? What technological approaches would make it easier?
2. Do stakeholders have thoughts about what the CPUC should consider, if anything, to make sure that any flexibility provided in GRCs does not impede Energy Safety's ability to hold the utilities accountable?
3. How will utilities prepare for potential revenue uncertainty during the test year/first year of WMP period? What interim relief, or other accounts, could be used? Are there other uncertainties utilities face?
4. What circumstances do utilities see as leading to a delayed GRC filing? Note that a late WMP Decision should not delay a GRC filing.
5. What inefficiencies have stakeholders observed in Energy Safety and CPUC reports and reviews?
6. What information do stakeholders think would be beneficial for CPUC decision-makers to understand to help ensure CPUC's decision on WMP work is evident and clearly communicated to Energy Safety? What outcomes or structures do utilities need to support their Revised WMP filing?
7. Regarding wildfire initiative expenditures: What additional requirements do stakeholders think should be imposed related to expenditure changes for wildfire initiatives?
8. Regarding wildfire initiative expenditures: Do stakeholders think there are data management issues or reporting requirements that would make costs easier to track to the

mitigation activity? Is already enough data to ensure the revenue required to implement the WMP is not diverted to other activities? Is there value in a 1-to-1 relationship between GRC funding-to-WMP activity? Could this type of requirement potentially be addressed by Staff Resolution?

9. Regarding wildfire initiative expenditures: What requirements, other than auditing, do stakeholders have in mind that would ensure authorized WMP revenue requirements are not diverted to other purposes?

10. Regarding wildfire initiative expenditures: What would be an effective procedural way to create a consequence for utilities who incorrectly record costs or reallocation of WMP authorized funds?

11. How do ECs propose to clarify for the CPUC the impact a proposed settlement agreement or a proposed decision will have on a WMP? Assuming Energy Safety is to make a ministerial decision on whether to approve a revised WMP subsequent to a GRC decision, how is it proposed to make clear in the record of a GRC proceeding the impact of a given GRC decision on the WMP?

Many of the above questions are complex and open-ended. They are therefore difficult to comprehensively answer in a two-week comment period. Given the significant impacts of the SB 254 requirements, Cal Advocates believes that both Energy Safety and the Commission should address the issues discussed below. Specifically, Cal Advocates recommends that some or all of the questions posed by SPD and Energy Safety staff form the scope of a new Order Instituting Investigation (OII) or Order Instituting Rulemaking (OIR) to fully address the questions with the benefit of an assigned Commissioner's office, docketed comments, and a presiding Administrative Law Judge; Energy Safety could conduct its formal processes in parallel.

II. COMMENTS ON THE JOINT WORKSHOP

A. Procedural Comments

1. A Commission proceeding, jointly coordinated with Energy Safety, is required to assess the rules and requirements of future RAMP and GRC filings related to Energy Safety WMP Cost Inputs.

One of the objectives of SB 254 is to align the timelines for the Risk Assessment Mitigation Phase (RAMP), Wildfire Mitigation Plan (WMP), and General Rate Case (GRC) processes.[8] It is important to address process alignment because SB 254 fundamentally changes the relationship between each of these processes and requires greater coordination amongst them. A formal proceeding, which will conclude by the end of 2027 and which will be structured such that both the CPUC and Energy Safety can work from the same set of facts, policy, and process recommendations made by parties, is critical to compliance with Public Utilities Code sections 8386 and 8386.4 in a timely and efficient manner. Such a proceeding will also provide timely alignment of the RAMP, WMP, and GRC.

The most efficient way to meet these statutory requirements is for the Commission to expeditiously open a proceeding to consider the myriad issues raised at the workshop and in stakeholder comments. The proceeding should conclude within 12 to 14 months, in time for Commission analysis of costs associated with the IOUs' 2027 WMP filings in subsequent GRC proceedings.[9] This will also allow for any potential changes in the GRC process that can help meet Energy Safety's and the IOUs' deadlines for revised WMP submittal after the GRC is adopted by the Commission.

2. It is critical that inputs remain consistent between WMP and RAMP filings.

Statements by Energy Safety and Commission Staff at the Workshop seem to indicate that any inconsistencies between WMP and RAMP filings will be addressed in subsequent GRCs.[10] Cal Advocates has significant concerns with this approach, given its potential to create competing records and inconsistency between the agencies. As an initial matter, Cal Advocates recommends that a transparent reconciliation process be developed so that conflicts between the decisions adopting the RAMP and WMP are minimized in the following GRC proceeding. Cal Advocates further recommends that rules be put into place to require a direct one-to-one linkage between each wildfire mitigation initiative described in the RAMP, the WMP, and those that are later filed for cost recovery in the GRC process. This direct line between the RAMP and WMP processes and the GRCs will avoid inconsistencies that may take up valuable time to

[8] Pub. Util. Code section 8386 and 8386.4.

[9] The first test of the SB 254 implementation is SCE's Test Year 2029 GRC, likely filed in May of 2027. SCE's preceding RAMP is ongoing in Application (A).26-05-018.

[10] Workshop Presentation Slides 39 and 40: Submission and Decision Sequence, discussion of question "How are any differences between the RAMP and WMP resolved in the GRC application?"

litigate in a GRC, and will enable Energy Safety to effectively monitor progress of each utility in achieving its WMP targets.

Inconsistencies between the RAMP and the WMP could lead to significant delays while they are reconciled. To avoid this situation, Cal Advocates recommends that alignment between WMP and RAMP filings be placed within the scope of a proceeding as described in Section A.1, above.

B. Cal Advocates responses to questions posed by SPD and Energy Safety Staff:

1. What makes preparing a redlined version of the WMP difficult? What technological approaches would make it easier?

Cal Advocates has no position on this question. However, Cal Advocates agrees with Energy Safety and CPUC Staff sentiments expressed in the workshop that WMP redlines are necessary for review of the utilities' WMP submissions and should not be removed.

2. Do stakeholders have thoughts about what the CPUC should consider, if anything, to make sure that any flexibility provided in GRCs does not impede Energy Safety's ability to hold the utilities accountable?

This question is important to determine whether existing or future flexibility in utility GRC filings provide gaps that allow the utilities to avoid accountability for needed investments in wildfire mitigation. Any flexibility of funding allocation within the GRC must both satisfy the statutory requirements to consider the cost of the WMP as part of the GRC and respect Energy Safety's authority for reviewing such wildfire mitigation programs.[11] However, given its open-endedness and complexity, this question cannot and should not be resolved without formal stakeholder input in a CPUC proceeding as described in Section A.1, above. A proceeding will help Energy Safety to hold the utilities accountable by allowing for any potential changes in the GRC process to help meet Energy Safety and the IOUs' deadlines for WMP submittal after the Commission adopts a GRC decision.

[11] Pub. Util. Code § 8386.4.

3. How will utilities prepare for potential revenue uncertainty during the test year/first year of the WMP period? What interim relief or other accounts could be used? Are there other uncertainties utilities face?

This is an important question that bears consideration in a dedicated Commission proceeding. At the outset, Cal Advocates opposes the creation of any new balancing or memorandum accounts to address uncertainty between what was authorized in a WMP and what is reviewed in a GRC. Any review or forecasts of costs should be conducted within the Commission's GRC process for stakeholder review and assessment of whether cost recovery is reasonable. The creation of interim relief, memorandum accounts, or balancing accounts merely shifts the burden of a utility's management's failure to properly forecast the cost of this work from the utilities to ratepayers. Utilities have been pursuing wildfire mitigation work for a decade, if not more. It is more than reasonable to expect them to properly forecast the cost of this work.

4. What circumstances do utilities see as leading to a delayed GRC filing? Note that a late WMP decision should not delay a GRC filing.

Cal Advocates defers comment on this question but reserves the right to comment on this topic in a later filing.

5. What inefficiencies have stakeholders observed in Energy Safety and CPUC reports and reviews?

SB 254 creates the opportunity for greater coordination between Energy Safety and the CPUC and establishes an opportunity to streamline regulatory oversight. Cal Advocates notes that this is an open-ended question that merits additional review. Narrowing the scope of the question to seek input on specific Energy Safety and CPUC reports and reviews would be beneficial to the process.

However, as one example of an inefficiency, Cal Advocates notes that IOUs filed annual reports on compliance (ARCs) in April 2026 for the 2024 WMPs. Energy Safety has yet to file its ARCs for 2024. The length of time between completion of a WMP year and the final reports on compliance creates long gaps that may hinder enforcement action such as requiring refunds of improperly spent funds allocated to the WMP.

Development of a formal process where common reporting formats, coordinated review schedules, and shared data requirements would improve regulatory efficiency and provide a more consistent framework for evaluating wildfire mitigation planning, implementation, and cost recovery.

6. What information do stakeholders think would be beneficial for CPUC decision-makers to understand to help ensure that the CPUC's decision on WMP work is evident and clearly communicated to Energy Safety? What outcomes or structures do utilities need to support their Revised WMP filing?

Cal Advocates interprets this question as asking how the CPUC's decision on just and reasonable WMP expenditures within the GRC are clearly communicated to Energy Safety. The CPUC and Energy Safety need to collaboratively establish what information should be included in the CPUC's GRC decisions. This can be achieved by maintaining a one-to-one relationship between programs in the WMP, RAMP, and GRC. This linkage will help clearly communicate to Energy Safety, both during the processes and after approvals are made, and what outcomes or structures are needed to support revised WMP filings. It is essential for Energy Safety to be able to track all of the revenue requirement changes that may occur over the course of the Commission's GRC process so that Energy Safety can adjust WMP targets to match via Revised WMP filings from the utilities.

It is also important that CPUC decisions clearly identify the potential impacts that changes in funding would have on WMP initiates so that the implications of the changes on the WMP compliance targets are clearly understood by both the CPUC and Energy Safety. The GRC decision should include a specific section addressing WMP-related revenue requirements to facilitate the CPUC's ability to ensure compliance through auditing and other methods yet to be determined. Energy Safety and Safety Policy Division staff must maintain awareness of the WMP testimony within the CPUC's GRC process, and collaborate with CPUC Energy Division staff to ensure that Energy Safety decision-makers are kept abreast of any changes to the WMP that may come out of the CPUC's GRC process.

A formal proceeding will allow this concept to be explored more thoroughly, for example if certain appendices to the GRC would aid their statutory review process for WMP revisions after the GRC is adopted.

7. Regarding wildfire initiative expenditures: What additional requirements do stakeholders think should be imposed related to expenditure changes for wildfire initiatives?

Cal Advocates acknowledges the importance of getting this right and therefore recommends this question be scoped into a formal proceeding for SB 254 implementation at the CPUC for further assessment and discussion.

8. Regarding wildfire initiative expenditures: Do stakeholders think there are data management issues or reporting requirements that would make costs easier to track to the mitigation activity? Is there already enough data to ensure the revenue required to implement the WMP is not diverted to other activities? Is there value in a 1-to-1 relationship between GRC funding-to-WMP activity? Could this type of requirement potentially be addressed by Staff Resolution?

Similar to prior responses, Cal Advocates recommends these questions be scoped into a formal proceeding at the CPUC to address the implementation of SB 254. However, as discussed in response to Question 6, Cal Advocates believes that there is value to establishing a one-to-one relationship between GRC funding and WMP activity, as doing so will avoid inconsistencies between state agencies and programs. A 1-to1 relationship will also ease auditing and tracing of expenditures over time.

Cal Advocates strongly opposes addressing any implementation of SB 254 via Staff Resolution. The benefit of public and docketed comments, and the leadership of an assigned Commissioner and Administrative Law Judge is vital to a quick and productive resolution of the outstanding implementation questions.

9. Regarding wildfire initiative expenditures: What requirements, other than auditing, do stakeholders have in mind that would ensure authorized WMP revenue requirements are not diverted to other purposes?

Similar to prior responses, Cal Advocates recommends this question be placed within the scope of a formal proceeding at the CPUC to address the implementation of SB 254. The requirements developed in the proceeding would be used to evaluate whether changes to utilities' wildfire mitigation spending have remained consistent with identified wildfire risks. Furthermore, appropriate reporting requirements will allow the CPUC and Energy Safety to monitor whether authorized funding is being spent as intended and provide timely visibility into material changes that could affect wildfire mitigation outcomes or future funding requests.

10. Regarding wildfire initiative expenditures: What would be an effective procedural way to create a consequence for utilities who incorrectly record costs or reallocation of WMP authorized funds?

Similar to prior responses, Cal Advocates recommends this question be scoped into a formal proceeding at the CPUC to address the implementation of SB 254. As an initial proposal, the Commission should disallow certain WMP costs from cost recovery as a consequence for incorrect recording or reallocation of funds in a manner that violates SB 254 and Public Utilities Code § 8386.3. Any further penalties can be assessed through the Commission's Safety and Enforcement Division's existing authority to enforce utility compliance with WMP commitments. Cal Advocates supports the establishment of clear, publicly available, consequences alongside appropriate remedies and enforcement mechanisms that will discourage improper accounting practices, promote accurate financial reporting, and ensure that authorized wildfire mitigation funding is used solely for its intended purpose by the utilities.

11. How do ECs propose to clarify for the CPUC the impact a proposed settlement agreement or a proposed decision will have on a WMP? Assuming Energy Safety is to make a ministerial decision on whether to approve a revised WMP subsequent to a GRC decision, how is it proposed to make clear in the record of a GRC proceeding the impact of a given GRC decision on the WMP?

The CPUC should take notice of proposed settlement agreements on a WMP when assessing the WMP portion of the GRC proceeding. New documentation and data requirements may be required in the GRC proceedings to make clear how wildfire mitigation funding is being applied to which actions, tailored to meeting Energy Safety's need for clarity on upgrades that are being approved as part of the GRC.

Energy Safety may consider a WMP amendment process in where a GRC decision or settlement substantively alters targets or programs in the WMP. Following the ratification of the decision, the utility should immediately file a notice of amendment with Energy Safety. This could occur outside the WMP Update process, as an amendment in this circumstance would require no discretion on the part of the utility; a utility should only amend the WMP to comply with the GRC decision and should make no other changes through this process.

III. CONCLUSION

Cal Advocates greatly supports the coordinated efforts of Energy Safety and the CPUC to implement SB 254. Cal Advocates acknowledges that, due to the limited time allotted for post-workshop comments, many of its above responses defer more detailed responses to a future CPUC proceeding. Cal Advocates respectfully requests that both the Office of Energy Infrastructure Safety and the California Public Utilities Commission consider the above comments and open a proceeding to develop a record immediately.

Respectfully submitted,

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