

PUBLIC UTILITIES Commission

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VIA ELECTRONIC FILING AND EMAIL

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Subject: The Public Advocates Office's Comments on Draft Resolution WSD-021 and the Office of Energy Infrastructure Safety's Draft Action Statement on Pacific Gas and Electric Company's 2021 Wildfire Mitigation Plan (WMP) Update Pursuant to Public Utilities Code Section 8386.

Pursuant to Rule 14.5 of the California Public Utilities Commission's (Commission's) Rules of Practice and Procedure and the Commission's August 9, 2021 Letter to Parties Interested in Resolution WSD-021,¹ the Public Advocates Office at the California Public Utilities Commission (Cal Advocates) hereby submits Opening Comments on the Draft Resolution WSD-021 issued by the Commission, and the Draft Action Statement issued by the Office of Energy Infrastructure Safety (Energy Safety)² on Pacific Gas and Electric Company's

¹ Hereinafter Comment Letter of Draft Resolution WSD-021.

² At the time Cal Advocates submitted its comments on the 2021 WMP, Energy Safety was part of the California Public Utilities Commission and was referred to as the Wildfire Safety Division. Cal Advocates will use Energy Safety for consistency throughout these comments.

(PG&E) 2021 WMP Update pursuant to Public Utilities (P.U.) Code Section 8386.³ These comments are timely submitted on August 30, 2021.⁴

I. INTRODUCTION AND BACKGROUND

On August 9, 2021, Energy Safety issued a Draft Action Statement on PG&E's 2021 WMP Update to the Energy Safety WMP service list. On the same day, the Commission issued Draft Resolution WSD-021, which ratifies Energy Safety's Draft Action Statement on PG&E's 2021 WMP, requires PG&E to meet the commitments in its 2021 WMP Update, and requires PG&E to fulfill certain additional obligations to Energy Safety.

II. DISCUSSION & RECOMMENDATIONS

In its Draft Action Statement on PG&E's 2021 WMP, Energy Safety identified 29 key areas for improvement in PG&E's 2021 WMP Update, as well as associated remedies for those issues. Furthermore, throughout the Draft Action Statement, Energy Safety discusses about 30 additional issues that PG&E should improve by its 2022 WMP Update. Cal Advocates agrees with the remedies proposed by Energy Safety, as discussed below. Additionally, Cal Advocates makes the following recommendations:

- Energy Safety should provide an opportunity for stakeholders to review and comment on the November 1, 2021 Progress Report.
- Energy Safety should clarify the consequences for continued insufficiencies in PG&E's WMPs.
- Energy Safety should facilitate the evaluation of covered conductor required in issue PG&E-21-09.
- Energy Safety should develop a tracking system to ensure PG&E properly responds to all issues and remedies identified in the Draft Action Statement on PG&E's 2021 WMP.
- Energy Safety should require Change Orders for any changes a utility makes to its WMP after submission.

³ See Energy Safety website, Docket # 2021-WMPs, REF # (Doc. No.) 10275 (hereinafter Draft Action Statement on PG&E's 2021 WMP).

⁴ Comment Letter of Draft Resolution WSD-021.

- Energy Safety should ensure that all WMP-related presentations are open and transparent.

III. COMMENTS

A. **Energy Safety should provide an opportunity for stakeholders to review and comment on the November 1, 2021 Progress Report.**

The Draft Action Statement on PG&E's 2021 WMP requires PG&E to file a Progress Report on November 1, 2021, to detail the actions it has taken to address 29 key areas for improvement.⁵ The Draft Action Statement does not, however, state whether this Progress Report will be served publicly, nor whether stakeholders will be allowed to submit comments.

Stakeholder review has revealed key deficiencies in utility WMPs and associated supplemental reporting, such as the 2020 Remedial Compliance Plans.⁶ It is in the public interest that PG&E's continued reporting to Energy Safety on the numerous deficiencies in its WMP be open and transparent, with the opportunity for stakeholders to review PG&E's response to the 29 areas for improvement outlined in the Draft Action Statement.

Energy Safety should make clear that the November 1, 2021 Progress Report will be publicly served on the WMP service list, and that stakeholders will be allowed at least 10 business days to submit comments on the report.

B. **Energy Safety should clarify the consequences for continued insufficiencies in PG&E's WMPs.**

Cal Advocates identified numerous deficiencies in PG&E's February 5, 2021 WMP Update, and in PG&E's June 3, 2021 Revised 2021 WMP. Our comments totaled over 80 pages and outlined areas where PG&E management failed to remediate its earlier management failures, where PG&E management failed to properly prioritize the highest-risk circuits for mitigation, and where PG&E management failed to sufficiently explain discrepancies in prior filings, in addition to many other concerns.⁷

⁵ Draft Action Statement on PG&E's 2021 WMP, p. 11.

⁶ See, for example, comments by the Public Advocates Office, The Protect Our Communities Foundation, and The Mussey Grade Road Alliance on the 2020 Remedial Compliance Plans of PG&E, SCE, and SDG&E, filed August 10, 2020.

⁷ See *Comments of the Public Advocates Office on the 2021 Wildfire Mitigation Plan Update of Pacific Gas and Electric Company*, filed March 29, 2021, and *Comments of the Public Advocates*

In comments on PG&E's Revised 2021 WMP, Cal Advocates recommended that Energy Safety order PG&E to include substantial remedies in its 2022 WMP, with a failure to do so resulting in immediate denial of its 2022 WMP.⁸ Cal Advocates additionally recommended that PG&E should be found not to be in good standing pursuant to Public Utilities Code 8389(e)(2) for failing to fully address the six Critical Issues outlined in the May 4 Revision Notice.²

While PG&E has made some progress in the intervening months, there are still significant management failures at PG&E that risk the health and safety of Californians. Energy Safety should consider implementing consequences, such as those recommended by Cal Advocates earlier this year, in the event that PG&E's management fails to make satisfactory progress by its November 1, 2021 Progress Report.

C. Energy Safety should facilitate the evaluation of covered conductor required in issue PG&E-21-09.

The remedy for issue PG&E-21-09 requires all utilities to “coordinate to develop a consistent approach to evaluating the long-term risk reduction and cost-effectiveness of covered conductor deployment.”¹⁰ Energy Safety does not state whether it will facilitate or otherwise be involved in this process. In the remedies for issues PG&E-21-02 and PG&E-21-28, Energy Safety explicitly states that it will facilitate working groups to develop consistent approaches for wildfire risk modeling and RSE estimates, respectively.^{11, 12}

Cal Advocates supports Energy Safety's leadership in guiding the utilities to develop more consistent and transparent analytical tools, and encourages Energy Safety to take an active role in coordinating and monitoring joint utility projects such as the evaluation of covered

Office on Pacific Gas and Electric's (PG&E) June 3, 2021 Revision of its 2021 Wildfire Mitigation Plan Update, filed June 10, 2021.

⁸ *Comments of the Public Advocates Office on Pacific Gas and Electric's (PG&E) June 3, 2021 Revision of its 2021 Wildfire Mitigation Plan Update*, June 10, 2021, p. 24.

² *The Wildfire Safety Division Issuance of Revision Notice for Pacific Gas and Electric Company's 2021 Wildfire Mitigation Plan Update and Notice of Extension of WSD Determination Per Public Utilities Code 8389.3(a)*, May 4, 2021.

¹⁰ Draft Action Statement on PG&E's 2021 WMP, p. 13.

¹¹ Draft Action Statement on PG&E's 2021 WMP, p. 12.

¹² Draft Action Statement on PG&E's 2021 WMP, p. 18.

conductor. In doing so, Energy Safety would be able to ensure that the evaluation proceeds at a reasonable pace and covers all the concerns that Energy Safety mentions in its Draft Action Statement on PG&E's 2021 WMP.

Cal Advocates recommends that Energy Safety revise the remedy for issue PG&E-21-09 to clarify that it will facilitate the coordination among the utilities to develop evaluations of covered conductor deployment.

D. Energy Safety should develop a tracking system to ensure PG&E properly responds to all issues and remedies identified in the Draft Action Statement on PG&E's 2021 WMP.

The Draft Action Statement on PG&E's 2021 WMP identifies 29 key areas for PG&E's WMP improvement,¹³ more than SCE¹⁴ and SDG&E¹⁵ combined. In addition to the 29 key areas of improvement for PG&E's WMP, Energy Safety identifies 30 additional issues throughout the document, with 37 associated remedies. These additional issues are not numbered, nor are they summarized in a table. While these 30 additional issues do not need to be reported in PG&E's November 1, 2021 Progress Report, PG&E is expected to address these 30 additional issues and to report its progress in addressing them in its 2022 WMP Update.¹⁶

Without an organizing system that clearly identifies these additional issues, it will be difficult for both Energy Safety and stakeholders to review PG&E's responses in its 2022 WMP Update. It will similarly be difficult to ensure stakeholders refer consistently to these issues in their comments.

To facilitate an effective and consistent review of PG&E's progress on these issues, Cal Advocates recommends that Energy Safety develop and make publicly available a tracking system by December 1, 2021 to ensure that PG&E properly responds to all issues and remedies identified, including the 30 non-numbered issues and 37 associated remedies. For example, this

¹³ Draft Action Statement on PG&E's 2021 WMP, pp. 12-18.

¹⁴ In its Draft Action Statement on SCE's 2021 WMP, July 16, 2021, Energy Safety identified 14 key areas for improvement.

¹⁵ In its Draft Action Statement on SDG&E's 2021 WMP, June 10, 2021, Energy Safety identified 11 key areas for improvement.

¹⁶ Draft Action Statement on PG&E's 2021 WMP, p. 25.

could involve implementing a separate numbering system for these additional issues and remedies. Energy Safety should additionally consider listing all such issues and remedies in a table in the Final Action Statement for ease of reference.

E. Energy Safety should require Change Orders for any changes a utility makes to its WMP after submission.

The Draft Action Statement on PG&E's 2021 WMP outlines the process for Change Orders, through which PG&E can report a significant modification to WMP mitigation measures.¹⁷ Energy Safety states that: "the goal of this process is to ensure that utilities make significant changes to their WMPs only if the utilities demonstrate these changes to be improvements per WMP approval criteria."¹⁸

This process requires that Change Order Reports be submitted on November 1, 2021,¹⁹ which will be nearly two months after the WMP is to be approved on September 9, 2021²⁰ and nearly nine months after PG&E first submitted its WMP to Energy Safety on February 5, 2021. To date, PG&E has already made several significant changes to its original WMP, including:

- Changes to the prioritization methodology for Enhanced Vegetation Management, as described in PG&E's Enhanced Oversight and Enforcement Process Corrective Action Plan, submitted May 6, 2021.
- Changes to the models and protocols related to proactive de-energizations, in order to include consideration of Tree Overstrike Potential and Priority 1 and Priority 2 tags, as reported in PG&E's June 3, 2021 Revised 2021 WMP.
- Further changes to the models and protocols related to proactive de-energizations, as presented during the Public Briefing on Utility Readiness For 2021 Public Safety Power Shutoffs held on August 3, 2021.
- In its Q2 2021 Quarterly Report filing, PG&E indicated that it would have 70 single phase reclosers "designed and either ready for construction or pending permits" by the end of 2021, which

¹⁷ Draft Action Statement on PG&E's 2021 WMP, p. 119.

¹⁸ Draft Action Statement on PG&E's 2021 WMP, p. 119.

¹⁹ Draft Action Statement on PG&E's 2021 WMP, p. 119.

²⁰ Comment Letter of Draft Resolution WSD-021.

represents a change in focus from its original stated goal to **install** 70 single phase reclosers in 2021.²¹

- The announcement of a major project to underground 10,000 miles of HFTD distribution lines, announced to the media on July 21, 2021. PG&E subsequently explained that the undergrounding project plan would not be available until it files its 2022 WMP next year.²²

PG&E did not submit a Change Order for any of these changes, and while they were publicly noticed through other channels, it would be in the public interest for utilities to file Change Order Reports for all major changes to their WMPs, starting from the date the WMP has been submitted to Energy Safety for review, rather than from the point of approval.

Energy Safety should include a statement in the upcoming 2022 WMP Update Guidelines, which requires the utilities to submit Change Orders when they make substantial changes to any version of the WMP that is either approved or currently under review by Energy Safety.

F. Energy Safety should ensure that all WMP-related presentations are open and transparent.

In the Draft Action Statement on PG&E's 2021 WMP, Energy Safety states that PG&E's new decision-making framework "provides a more comprehensive and targeted approach than PG&E presented in its 2020 WMP and represents a significant improvement to PG&E's initiative selection process."²³ However, a footnote clarifies that, "While these processes were not developed at the time of PG&E's initial submission of its 2021 WMP Update, PG&E presented the changes made to its decision-making process in a presentation given to Wildfire Safety Division on May 21, 2021."²⁴

Cal Advocates is not aware of any public notice regarding the May 21, 2021 presentation, nor is it clear whether any entities other than PG&E and Energy Safety attended the presentation

²¹ See *Comments of the Public Advocates Office on Wildfire Mitigation Plan Quarterly Data Reports for Q2 2021*, August 16, 2021, p. 4.

²² Per a statement made by Senior Vice President and Chief Risk Officer Sumeet Singh during the Public Briefing on Utility Readiness For 2021 Public Safety Power Shutoffs held on August 3, 2021.

²³ Draft Action Statement on PG&E's 2021 WMP, pp. 7-8.

²⁴ Draft Action Statement on PG&E's 2021 WMP, p. 8.

during which PG&E explained changes to its decision making process. Stakeholders have commented extensively on the utilities' risk analysis and wildfire mitigation prioritization.²⁵ PG&E's presentation of an update on decision-making related to these topics directly to Energy Safety, without stakeholder review or input, bypasses the public process that has allowed stakeholders to identify the numerous deficiencies in PG&E's 2021 WMP.

To preserve the transparency that has allowed stakeholders to identify issues and propose solutions, Energy Safety's upcoming 2022 WMP Update Guidelines should require that all WMP-related presentations and workshops are open, transparent, and allow for stakeholder review and comment.

G. Cal Advocates supports the 5:00 PM deadline for submission of the November 1, 2021 Progress Reports.

Energy Safety requires that the November 1, 2021 Progress Report be submitted by 5:00 pm on November 1, 2021. Cal Advocates supports this requirement, as PG&E has previously submitted filings several hours after close of business, which can affect the amount of time stakeholders have to perform a thorough review, particularly when Energy Safety provides limited time for stakeholders to provide feedback. Cal Advocates further recommends that Energy Safety adopt similar 5:00 p.m. deadlines for all WMP-related filings in the future. Energy Safety should also begin exploring whether and what penalties should be imposed on utilities who fail to meet filing deadlines.

H. Cal Advocates supports Energy Safety's findings on additional issues.

A number of the issues identified by Energy Safety align with comments made by Cal Advocates on PG&E's 2021 WMP and Revised 2021 WMP.²⁶ Specifically, Cal Advocates supports the following remedies from Energy Safety:

²⁵ See, for example, *Comments of the Public Advocates Office on the 2021 Wildfire Mitigation Plan Update of Pacific Gas and Electric Company*, filed March 29, 2021.

²⁶ See generally *Comments of the Public Advocates Office on the 2021 Wildfire Mitigation Plan Update of Pacific Gas and Electric Company*, filed March 29, 2021, and *Comments of the Public Advocates Office on Pacific Gas and Electric's (PG&E) June 3, 2021 Revision of its 2021 Wildfire Mitigation Plan Update*, filed June 10, 2021.

- PG&E-21-02 – the utilities²⁷ must collaborate through a working group to develop a more consistent approach to wildfire risk modeling.²⁸
- PG&E-21-09 – the utilities must coordinate to develop a consistent approach to evaluating the long-term risk reduction and cost-effectiveness of covered conductor.²⁹
- PG&E-21-10 – PG&E must demonstrate that it is replacing expulsion fuses at a speed that adequately addresses risk.³⁰
- PG&E must either pilot use of drones or other aerial inspections as part of its inspections of its distribution assets, or explain why its current detailed inspections of its distribution assets are adequate.³¹
- PG&E must report on the progress of developing and implementing its new vegetation management refresher curriculum.³²
- PG&E must begin tracking passing metrics including the number of attempts taken to pass the vegetation management Structured Learning Path knowledge checks in order to track statistical anomalies that may indicate a problem.³³

IV. CONCLUSION

Cal Advocates Office respectfully requests that the Commission adopt the recommendations contained herein.

²⁷ Including San Diego Gas & Electric (SDG&E), Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE), PacifiCorp, Bear Valley Electric Service, Inc. (BVES), and Liberty Utilities.

²⁸ Draft Action Statement on PG&E's 2021 WMP, p. 12.

²⁹ Draft Action Statement on PG&E's 2021 WMP, p. 13.

³⁰ Draft Action Statement on PG&E's 2021 WMP, pp. 13-14.

³¹ Draft Action Statement on PG&E's 2021 WMP, p. 67.

³² Draft Action Statement on PG&E's 2021 WMP, pp. 84-85.

³³ Draft Action Statement on PG&E's 2021 WMP, p. 85.

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