

From: Greenacre, Wade <WAG9@pge.com>

Sent: Friday, January 7, 2022 5:06 PM

To: Semcer, Melissa@EnergySafety <Melissa.Semcer@energysafety.ca.gov>

Cc: Abigail Rolon <abigail.rolon@arup.com>; Poon, Nathan @EnergySafety <Nathan.Poon@energysafety.ca.gov>; Tomassian, Koko@EnergySafety <Koko.Tomassian@energysafety.ca.gov>

Subject: RE: Meeting Request: Energy Safety - Rules of Practice and Procedure Economic Analysis

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello Melissa,

Copied below is PG&E's response to the questions regarding ADA compliance costs and hearing costs. These are estimates based off of discussions with our customer team and quotes from our ADA vendor, and our legal department, respectively. Please reach out with any questions.

- 1. The annual estimated cost to the utility of ensuring that all documents submitted to Energy Safety are ADA compliant. If the utility already ensures that documents and/or submissions are ADA compliant, then the annual cost would be \$0.**

In 2021, PG&E submitted over 5,000 pages of documents to Energy Safety (or its predecessor, the Wildfire Safety Division). None of the documents that PG&E submitted to Energy Safety were ADA compliant at the time of submission. To respond to this request, we requested price quotes by vendors for the cost to convert documents into ADA accessible form. The best price quote we received averaged between \$8 and \$12 per page. Thus, a conservative estimate of the cost to ensure the documents submitted to Energy Safety are ADA compliant (based on the previous year's volume of submission) would be between \$40,000 and \$60,000 per year. However, the actual cost to comply with this proposed requirement could be higher since the cost of ensuring documents are ADA compliant is heavily dependent on the contents and complexity of the document and can range as high as \$100 per page. Increased cost per page due to manual correction is particularly true for documents containing graphs, charts, images, tables, hyperlinks, footnotes, redlined text, and nested lists, among other items. Similarly, Excel spreadsheets are usually extremely difficult to make ADA compliant and are often incapable of being made so.

In creating this estimate, PG&E also considered the cost of hiring an additional full-time employee to perform this work rather than using the services of an outside vendor. However, given the costs of hiring a full-time employee and providing a package of benefits, as well as the intermittent schedule of the submissions, it would not be cost efficient for PG&E to perform this ADA compliance work in-house.

PG&E also raises the procedural issue of the additional time that would be needed to make every document ADA compliant prior to submission to Energy Safety. Large documents can take considerable time to remediate and may require weeks of additional time. Based on our conversations with vendors, requesting a vendor to perform work on a rush basis requires

three to five business days for large documents and increases the cost of the job by 50% of the normal quoted price.

- 2. The estimated cost to the utility for undertaking ONE hearing pursuant to Government Code 15475.4. Utilities are requested to provide an estimate for both a written hearing process and an in-person hearing process. Utilities can base this estimate on participation in a complaint case or other similar level proceeding at the CPUC. (Note, Energy Safety will extrapolate out the total annual cost for each utility based on previous and current notices of violation/defect.)**

Written Hearing – One Day

The cost of undertaking a written hearing varies greatly based on the number and complexity of the issues to be adjudicated at the hearing. The complexity of the hearing will determine the number of witnesses needed, the necessary amount of exhibit preparation, the extent of the testimony provided, and the complexity of the legal briefs submitted.

A one day written hearing requires the approximate following preparation:

- 10 hours of work from representatives from PG&E's Law Department;
- 5 hours of work from representatives from PG&E's Regulatory Relations Department;
- 2 hours of work administrative support personnel; and
- 5 hours of work from an in-house expert witness.

Thus, we estimate the total cost for a one day written hearing to be approximately \$3,000. This is a conservative estimate, and this number could scale significantly depending on the complexity of the issues involved and the number of experts witnesses needed.

In-Person Hearing – One Day

As with a written hearing, the cost of undertaking an in-person hearing depends upon the number and complexity of issues to be adjudicated at the hearing. In addition to all the preparatory work required of a written hearing, each day of in-person hearing will also require attendance of the following individuals:

- One representative from PG&E's Law Department;
- One representative from PG&E's Regulatory Relations Department;
- One administrative support personnel; and
- One expert witness.

An in-person hearing would also require additional preparatory work not required of a written hearing, such as witness preparation. We estimate that two hours of witness preparation for a one day hearing with one representative each from the Law and Regulatory Relations Departments. Additionally, an in-person hearing could involve travel costs depending on where the involved parties are located.

Therefore, we estimate the total cost for a one day in-person hearing to be approximately \$8,000. This is a conservative estimate, and this number could scale significantly depending on the complexity of the issues involved and the number of experts witnesses needed.

From: Semcer, Melissa@EnergySafety <Melissa.Semcer@energysafety.ca.gov>

Sent: Wednesday, December 15, 2021 10:35 AM

To: Greenacre, Wade <WAG9@pge.com>

Cc: Abigail.Rolon <Abigail.Rolon@arup.com>; Poon, Nathan @EnergySafety <Nathan.Poon@energysafety.ca.gov>; Tomassian, Koko@EnergySafety <Koko.Tomassian@energysafety.ca.gov>

Subject: RE: Meeting Request: Energy Safety - Rules of Practice and Procedure Economic Analysis

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Dear Wade,

Thank you for your willingness to meet on this topic. Upon further review on our end, we think we can forego a meeting in favor of a written request for information. Please provide your response to me, copying Koko Tomassian, Nathan Poon, and Abigail Rolon (copied on this email) by close of business January 7, 2022.

Background

In order to fulfill its statutory requirements, upon transfer from the CPUC to the Office of Energy Infrastructure Safety (Energy Safety), Energy Safety has been operating under emergency regulations approved by the Office of Administrative Law (CCR Title 14, Division 17, Sections 29000-29302). Energy Safety is in the process of developing its final regulation package to supplant the emergency regulations. As part of the final regulation development process, Energy Safety must provide an economic and fiscal impact analysis (Form 399) for any new requirements not already contained in the emergency regulations (this does not include clarifications to existing emergency regulations).

New Proposed Requirements in the Regulations

Energy Safety is proposing the addition of two new requirements beyond those contained in the emergency regulations as follows:

1. Requirement that all submissions to Energy Safety be compliant with the Americans with Disabilities Act (ADA)
2. A hearing process for notices of violation/defect pursuant to Government Code 15475.4

Request

Energy Safety requests the following information by close of business January 7, 2022 :

1. The annual estimated cost to the utility of ensuring that all documents submitted to Energy Safety are ADA compliant. If the utility already ensures that documents and/or submissions are ADA compliant, then the annual cost would be \$0.
2. The estimated cost to the utility for undertaking ONE hearing pursuant to Government Code 15475.4. Utilities are requested to provide an estimate for both a written hearing process and an in-person hearing process. Utilities can base this estimate on participation in a complaint

case or other similar level proceeding at the CPUC. (Note, Energy Safety will extrapolate out the total annual cost for each utility based on previous and current notices of violation/defect.)

Please let me know if you have any questions.

Best regards,

Melissa Semcer

Deputy Director | Electrical Infrastructure Directorate
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From: Greenacre, Wade <WAG9@pge.com>
Sent: Tuesday, December 14, 2021 4:33 PM
To: Semcer, Melissa@EnergySafety <Melissa.Semcer@energysafety.ca.gov>
Cc: Abigail.Rolon <Abigail.Rolon@arup.com>; Kate Sanderson <kate.sanderson@arup.com>; Poon, Nathan @EnergySafety <Nathan.Poon@energysafety.ca.gov>
Subject: RE: Meeting Request: Energy Safety - Rules of Practice and Procedure Economic Analysis

Hi Melissa,

Thank you for reaching out.

I have met with the team to discuss the request below, and we are happy to have the discussion. Our best availability would be Monday between 8:30-11am. Is there a time that works on your end during that window?

Thanks,
Wade

From: Semcer, Melissa@EnergySafety <Melissa.Semcer@energysafety.ca.gov>
Sent: Friday, December 10, 2021 1:28 PM
To: Greenacre, Wade <WAG9@pge.com>; Olinek, Spencer <WSO3@pge.com>
Cc: Abigail.Rolon <Abigail.Rolon@arup.com>; Kate Sanderson <kate.sanderson@arup.com>; Poon, Nathan @EnergySafety <Nathan.Poon@energysafety.ca.gov>
Subject: Meeting Request: Energy Safety - Rules of Practice and Procedure Economic Analysis

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Dear Spencer and Wade,

Energy Safety is currently developing our Rules of Practice and Procedure (Rules), and in so doing, we must go through the Office of Administrative Law assessment process. As part of this process, Energy Safety must understand the time and resources utilities allocate to comply with existing requirements and their potential changes.

Energy Safety is contracting with ARUP to develop the Rules, and they are leading the effort to understand the time/resource impact on utilities.

We would like to schedule a 45-minute conversation with appropriate PG&E representatives on this topic next week, if possible. Members of the ARUP team are copied on this email.

Please let me know with whom we should be in contact and if there are available meeting times next week.

Best,

Melissa Semcer

Deputy Director | Office of Energy Infrastructure Safety

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