State of California Office of Energy Infrastructure Safety

PROPOSED REGULATORY TEXT

August 2022

Written Hearing Process

Adopt (make permanent the emergency regulation with amendments) section 29104 to Article 2, Chapter 1, Division 17 of Title 14 of the California Code of Regulations, to read as follows:

(Note: The proposed amendments to the emergency regulation are shown in <u>double underline</u> to indicate additions and double strikethrough to indicate deletions from the emergency regulation text.)

Title 14. Natural Resources

Division 17. Office of Energy Infrastructure Safety

Chapter 1. Rules of Practice and Procedure

Article 2. Proceedings

§ 29104. Written Appeal Hearing Process

- (a) "Office" means the Office of Energy Infrastructure Safety.
- (b) Any written submission or request pursuant to this section may be made via the following methods:
 - (1) U.S. mail to the Office's headquarters at: 715 P Street, 20th Floor

Sacramento, California 95814

(2) The Energy Safety E-Filing System pursuant to section 29100 of this chapter.

Instructions for use of the Energy Safety E-Filing system can be found in the Energy

Safety E-filing System User Guide (February April 2022) which is located on the Energy

Safety E-Filing System website and incorporated herein by reference.

- (c) Any entity issued a notice of defect or notice of violation pursuant to Government Code section 15475.4(a) may request a written hearing to take public comment or present additional information regarding the alleged deficiency, violation, or failure to act contained in the notice of violation or defect. The request must be received within 30 calendar days of issuance of the notice. Requests must be submitted in accordance with subdivision (b).
- (d) When a hearing is requested, the Office will post the hearing request, notice of defect or notice of violation, and all other information relating to the hearing on the Office's

 E-Filing System. For the next 30 calendar days, the Office will receive (1) comments from the public and (2) information from the entity requesting the hearing. The Office will only accept information presented in writing and transmitted in accordance with subdivision (b).
- (e) When a hearing is requested, the Office will identify a neutral hearing examiner. The hearing examiner will be selected by the Office of Administrative Hearings, or in the event there is no active contract with the Office of Administrative Hearings, the Office will select a neutral employee. The hearing examiner will consider information received by the Office pursuant to subdivision (d) related to the notice and will issue a proposed determination. The proposed determination will make a finding regarding whether the information submitted by the Office, the public and the entity supports the alleged deficiency, violation, or failure to act alleged by the Office.
- (f) The Office will post the proposed determination on the Office's E-Filing System and will receive written comments submitted in accordance with subdivision (b) on the proposed determination from the public and the entity requesting the hearing for 15 calendar days.
- (g) The director of the Office will consider the written comments on the proposed determination received pursuant to subdivision (f) and will adopt, revise, or reject the proposed determination. The director's determination will be posted on the Office's E-Filing System within 15 calendar days of the close of the comment period in subdivision (f).

Note: Authority cited: Sections 15473, 15475, and 15475.4, Government Code. Reference: Section 15475.4, Government Code.



ENERGY SAFETY E-FILING SYSTEM USER'S GUIDE

Office of Energy Infrastructure Safety

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1 About the E-filing System

The primary purpose of the Office of Energy Infrastructure Safety (Energy Safety) is to ensure electrical utilities are taking effective actions to reduce utility-related wildfire risk. The office operates under several guiding principles, one of which is delivering near-term results while promoting a long-term utility wildfire vision.

As part of operations of Energy Safety, the e-filing system will be used by various Utility agencies, Internal staff, and the public to electronically file documents by means of dockets. The dockets will be grouped under various cases that will be setup by Energy Safety.

The e-filing system seeks to achieve the following goals:

- 1. Improve the organization and management of Energy Safety documents
- 2. Accelerate processing of filings
- 3. Eliminate or reduce the requirement for hard copy document submission
- 4. Enable electronic filing and tracking
- 5. Reduce costs for everyone involved

1.1 About this Document

This document is intended for users who will be making e-filings.

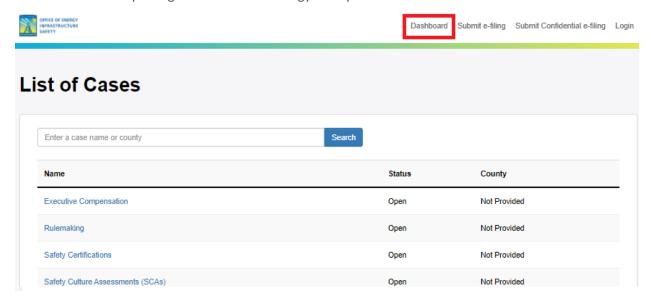
The manual is designed to be used as a training guide and reference tool and is organized to explain what functionality is available for each user to access and use throughout the process. Each section is designed to be self-contained so that if you need to look up how to complete a specific task, you can quickly consult the corresponding section and find the information needed.

The system requires users to interact with the system based on specific roles:

- **Intervenor:** Intervenors are public who wish to intervene in in specific cases. In order to perform e-filings, intervenors will have to register themselves in the system.
- **Utility:** Utilities will also be registered users of the e-filing system and will be able to submit documents for their utility.
- Office of Energy Infrastructure Safety: The Office of Energy Infrastructure safety staff will
 manage dockets and documents in the e-filing system, including reviewing, validating, and
 accepting or rejecting the e-filed documents.

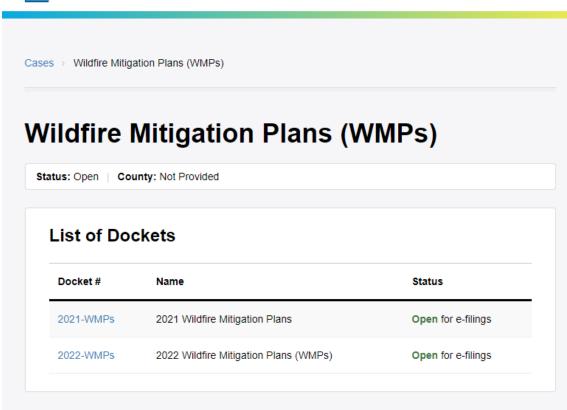
2 Case and Docket Navigation

Anonymous and authenticated users can navigate the various cases and their dockets from the Dashboard page. The dashboard page can be reached from the following link in the main navigation. It is also linked in the top navigation bar of the Energy Safety website.

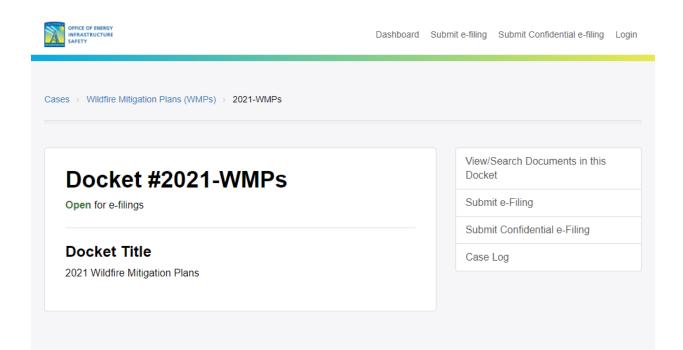


On the Dashboard page, the list of all Cases is displayed. The user can also use the Search box to search for a specific Case. When the user selects a particular Case, the list of all Dockets under that Case is displayed.





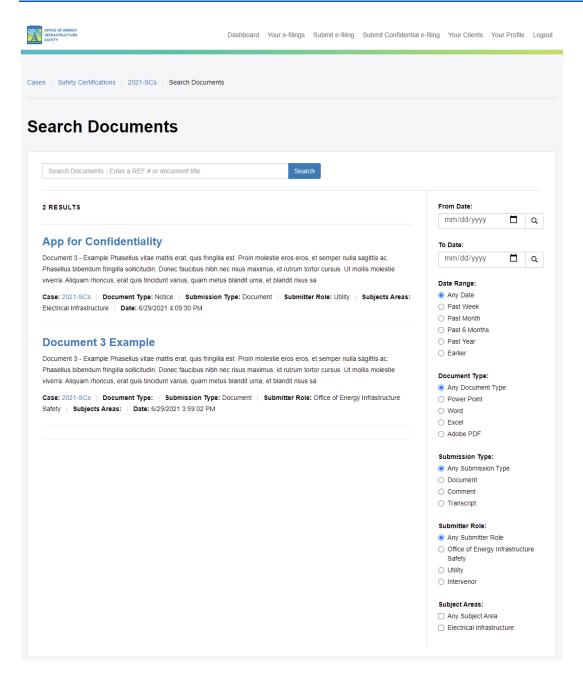
Selecting a docket from this page, will take the user to the Docket page where details about that Docket is displayed. A list of actions that can be performed on the Docket is displayed on the right navigation of this page.



The list of actions that can be performed on the docket are as listed below

2.1 View/Search Documents in the Docket

From the Docket Detail page, when you click on the "View/Search Documents" link on a specific docket's page, you will see the following page:

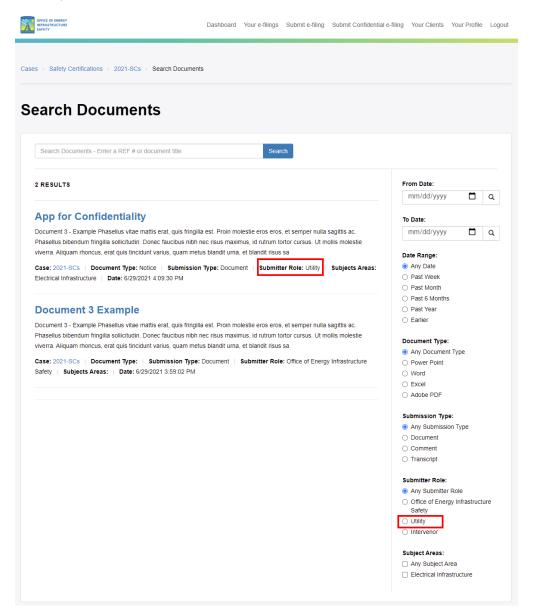


The default view will show a listing of all the documents that are published in that docket for all types of submitters.

The words in **Bold Font** on the right-hand side of the page are the filters. They can be used to narrow down the number of documents that are being listed in the search results.

For example, to list the documents that have been submitted by Utilities only, click on the "Utility" link under the "Submitter Role." The documents submitted by utilities will then be listed.

Similarly, other filters can be used as shown in the screenshot above to further narrow your search.



2.2 Submit E-filing

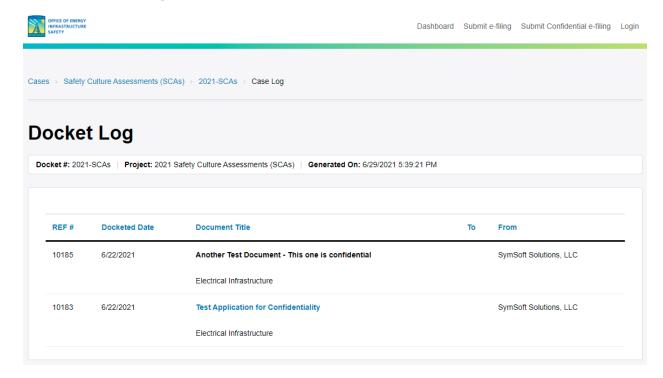
Information on submitting an e-filing can be found in Section 4.1.

2.3 Submit Confidential E-filing

Information on submitting a confidential e-filing can be found in Section 4.2.

2.4 Docket Log

To view the list of all published documents for a particular docket, navigate to the specific docket and click on the "Docket Log" link.

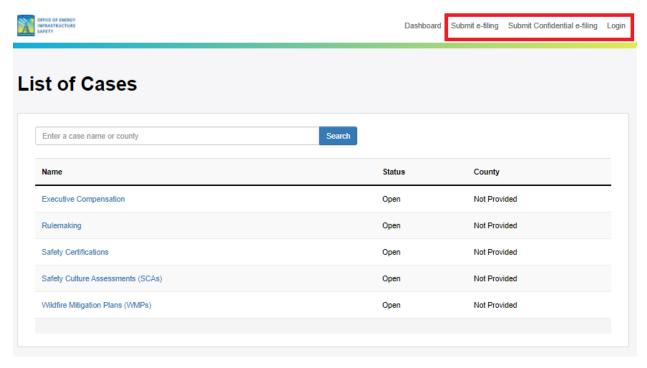


3 Account Creation and Profile Maintenance

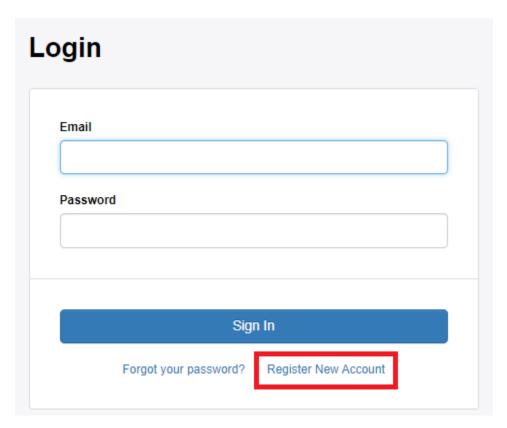
The e-filing system is a quick and easy way for the Utilities, Energy Safety staff, intervenors, and other parties to file necessary documentation for cases. The e-filing system requires document submitters to register before submitting documents. The system allows submitters to submit documents, submit confidential documents, look up active cases, view submission history, update the submitter profile, and recover forgotten passwords.

3.1 User Registration

As a submitter, the first time you log in, you will need to "Register as a New User". You can get to the Login screen when you click on the links "Submit e-filing"," Submit Confidential e-filing" or "Login" from the top navigation



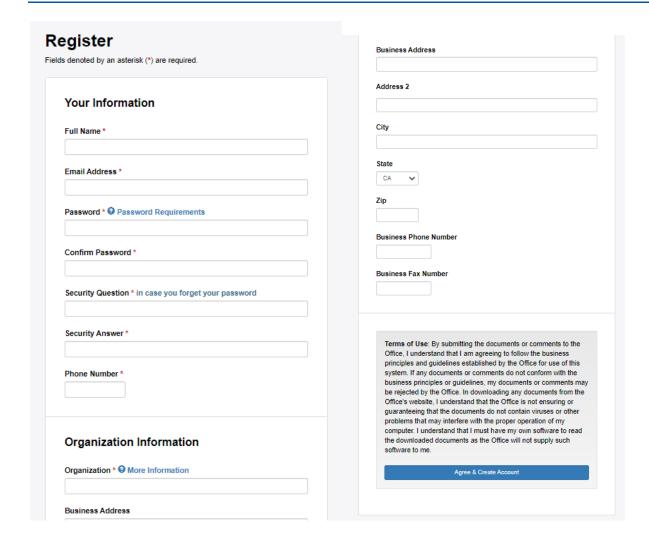
From the Login screen you can get to the Registration screen by clicking the link as shown below.



Note that users can also click on the "Forgot Password" link to recover their passwords in case they have forgotten them.

You are required to complete a simple, one-time registration to create your e-filing account. Mandatory fields include name, email address, and password. You are asked to provide a security question and answer in case you forget your password.

After you agree to the Terms of the Use and click the "Agree & Create Account" button, the system will register you and send an automated email informing you that you are able to log into the e-filing application and submit documents.



Once your account is registered, you will receive an email saying that the account was created successfully. You will then be able to log into the system using your specified credentials.

3.2 User Profile Management

Once authenticated, users can access their Profile page from the "Your Profile" link from the top navigation. From here, you can update your profile, change your email address, or change your password.

Your Information John Doe Phone: 945-123-4569 John.Doe@gmail.com Organization Information Office of Energy Infrastructure Safety 1416 9th St Sacramento, CA 95123 Change Your Profile Change Your Email Address Change Your Password

When a user clicks on the "Edit Your Profile" button, a new window will appear where you update your account with additional user profile information and firm information.

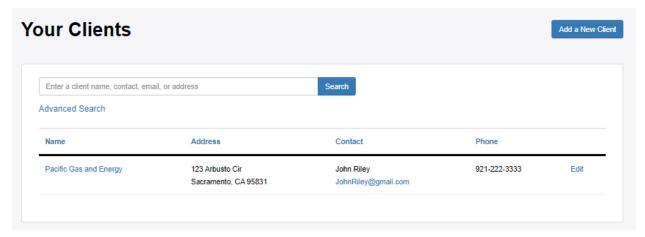
After updating your account, the e-filing system will send a confirmation to your email address.

If you want to change your email address, you click on the "Change Your Email Address" button. On this page, you enter the new email address, and click the "Change Email Address" button.

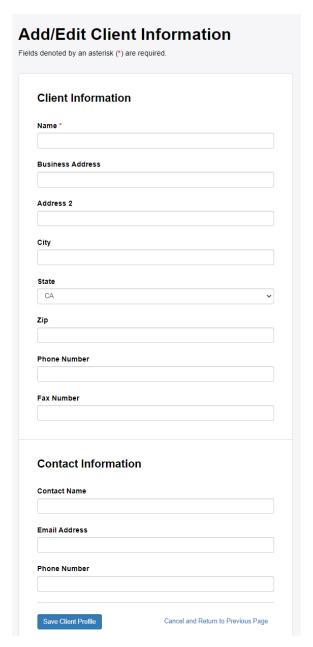
If you want to change your password, click on the "Change Password" button, enter the new password, and click the "Change Your Password" button.

3.3 Client Profile Management

This page is used by e-filers who want to submit filings on behalf of other clients. Users can click on the "Your Clients" link in the top navigation to reach this page.

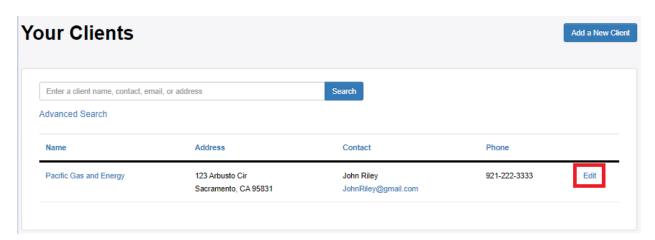


Clicking on the "Add Client" button will direct you to the "Add/Edit Client Information" page. Once you fill out the mandatory and optional information fields for the client click the "Save Client Profile" button.

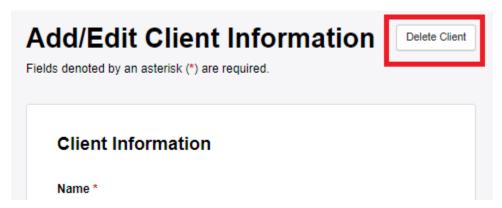


After you enter the mandatory fields and click the "Save Client Profile" button, the new client will appear in the "Your Clients" list.

To edit an existing client, users can click on the Edit button next to the client. You will be redirected to the "Add/Edit Client Information" page.



You add, delete, or change the existing information as needed and click on the "Update Client Profile" button. You can also Delete a client by clicking on the "Delete Client" button next to the page title.



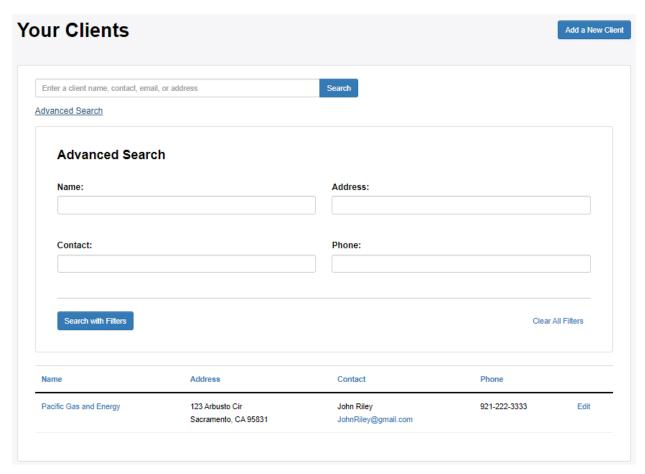
The changes will be reflected in the "Your Clients" listing after deletion.

3.3.1 Searching for Clients

If you have a large number of clients, you can search your clients by entering the name, contact, email address, or address of the client in the Filter Text box.

For example, to search clients based on the phone number, enter the name field using the Advanced Filters and click on the search button. See the screenshot below.

You may filter by Client Name, Address, Contact or Phone number.



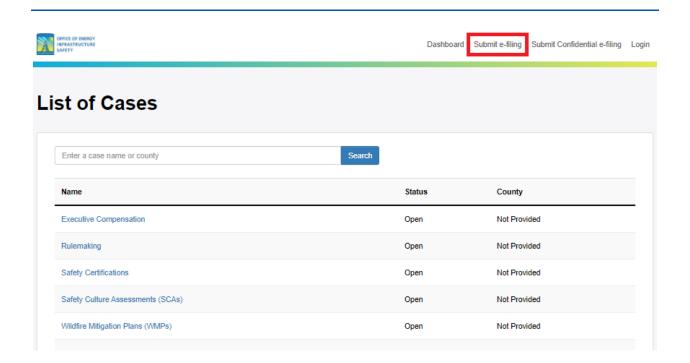
If you wish to remove the filters, click on the "Clear All Filters" button. The full list of clients will be displayed in the "Your Clients" list.

4 E-filing

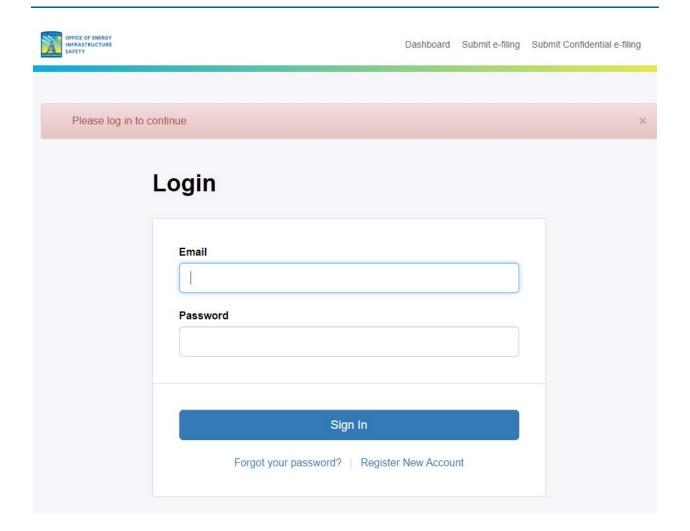
The process of e-filing involves three steps:

- 1) Selecting the docket and role in the docket;
- 2) Uploading one or more files and adding descriptive information (metadata) for each file; and
- 3) Reviewing the document and accepting the terms and conditions for submission.

The user can navigate to the e-filing page by using the following link in the navigation



You will be required to login with an account to proceed. The steps involved in account creation are covered in Section 3.1.



After you login, you will be able to select a docket and your role in this proceeding.

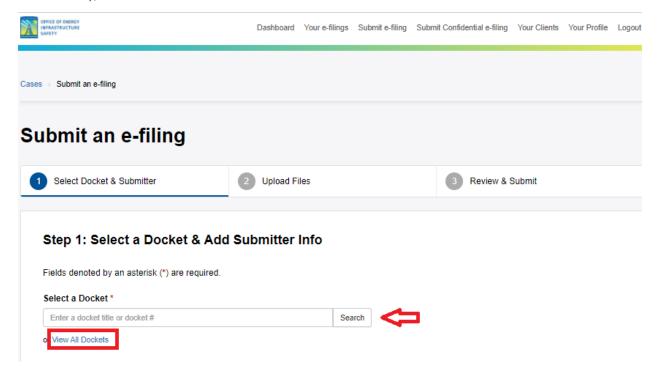
Users can also access the e-filing page from an existing Docket page. Navigating to a specific Docket page has been covered in Section 2.

4.1 Steps for Submitting an E-filing

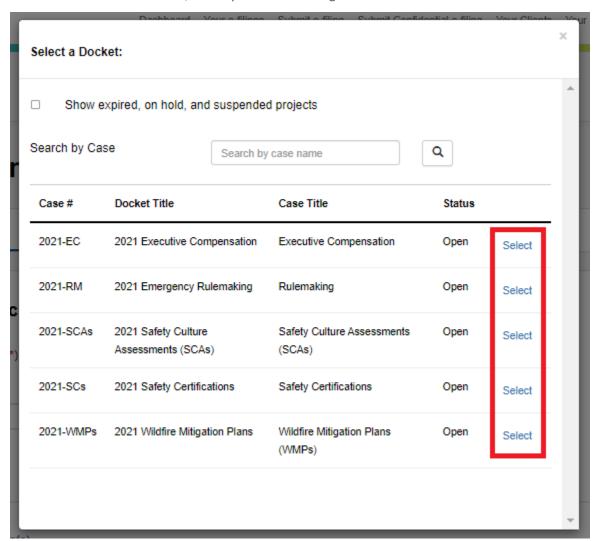
There are three steps for submitting a e-filing. The three steps are described in the following subsections

4.1.1 Select a Docket and Add Submitter Info

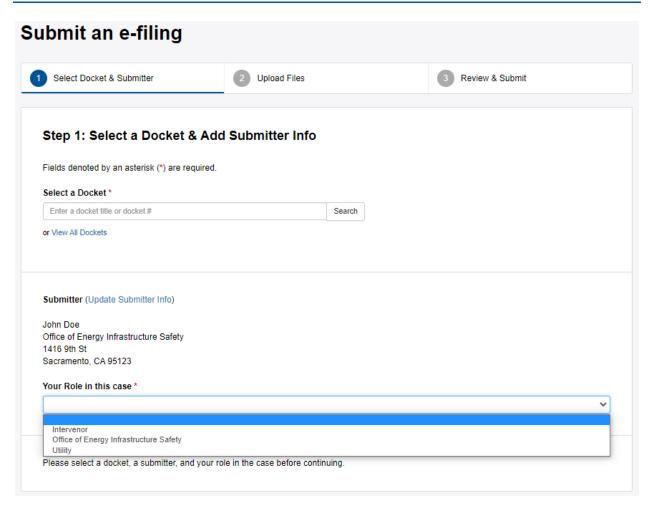
To select a docket, enter a few consecutive characters in the <u>proceeding docket</u> name and click on the **Search** button. The search request then lists <u>proceeding docket</u> that include the specified name. Alternatively, click on the **View All Dockets** link.



From the list of return results, select your docket using the **Select** button.

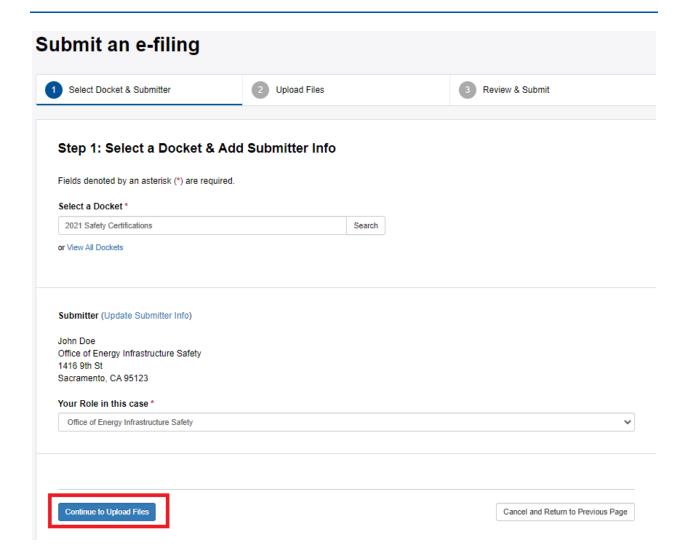


Use the drop down menu to select **Your Role** in this case:



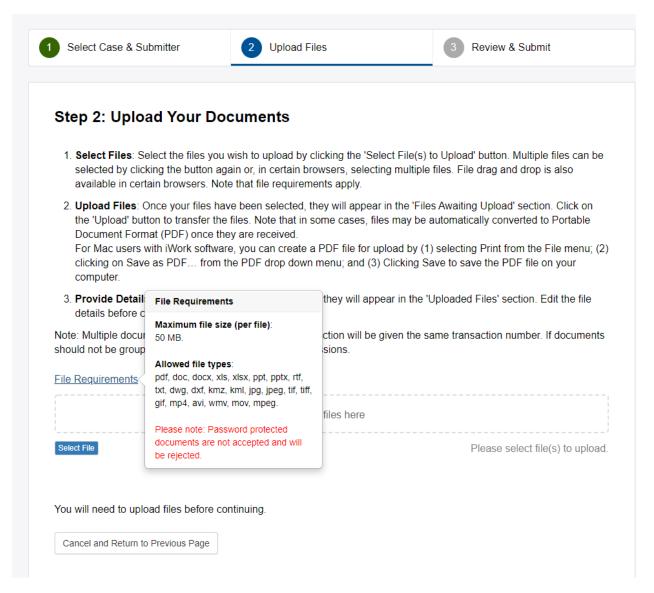
Roles are described in more detail in Section 1.1.

Once all the necessary information is populated, you will then proceed to the second step by clicking the "Continue to Upload Files" button.



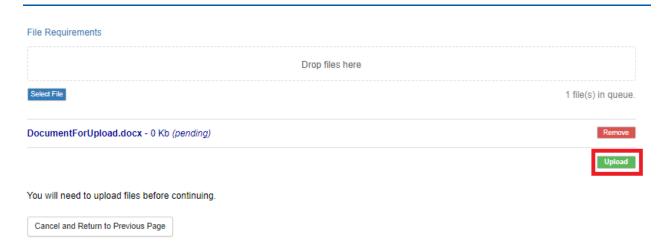
4.1.2 Upload Files

In this section, you can upload a file(s) (up to 50 MB) using the specific files types allowed. Please note that: Password protected documents are not accepted and will be rejected. The maximum file size (per file):is 50 MB and the allowed file types are pdf, doc, docx, xls, xlsx, ppt, pptx, rtf, txt, dwg, dxf, kmz, kml, jpg, jpeg, tif, tiff, gif, mp4, avi, wmv, mov, mpeg.



Select the files from your local computer or device by clicking on the "Select File(s) to Upload" button and then clicking on the "Upload File(s)" button. Once the files are uploaded, they will appear in the "Uploaded Files" area. Note that the system will provide warnings if a file is a duplicate (a file that has the same name and has been previously uploaded). Multiple files can be uploaded if needed.

After the files from the local computer or device have been selected, they will appear as shown below:



If you have selected a wrong file or want to remove a file before uploading, then you can click on the "Remove" button next to the file name and the file will be removed from the "Files Awaiting Upload" list.

After you click the "Upload File(s)" button, the file will appear in the "Upload Files" area as shown below:



You will have to enter some details about the file (such as a title) after you click the "Upload File(s)" button. To add these details, click the "Edit Details" link next to the file name.

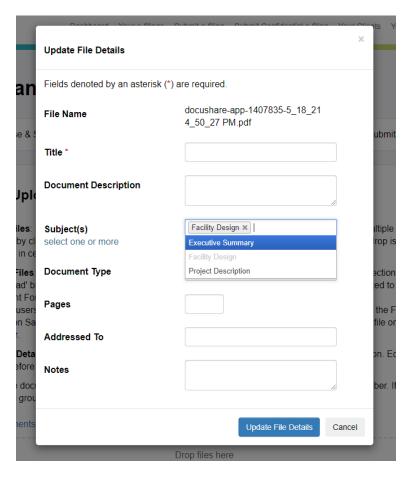


If the wrong file was uploaded you can use the "Remove file" link to delete it from this e-filing. If you decide that you want to go back then please use the "Cancel and Return to Previous Page" link.

The label "Details Required" indicates that the file details need to be added to the uploaded document before moving forward.

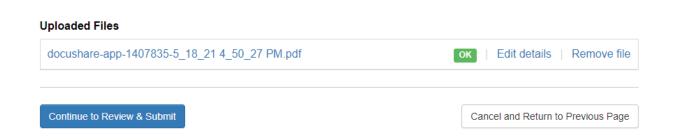


Enter the file's descriptive information (metadata) such as Title, Document Description, Subject(s), Type, Number of Pages, and Notes, by clicking on the "Edit details" link beside the file name. Required fields are marked with a red asterisk.



The File Name field is automatically populated. The Title is a required field. Subject(s) can be selected as seen above. Multiple subject selections are allowed.

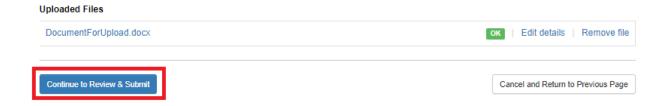
After entering the appropriate details, click the "Update File Details" button and you will be redirected back to the "Step 2: Upload Your Documents" page. The file label that previously read "Details Required" will now be changed to "OK" if all the required information is populated. This process needs to be repeated for each uploaded document.



You can click on the "Remove file" link if you wish to remove a file from the uploaded files or if the file was uploaded by mistake.

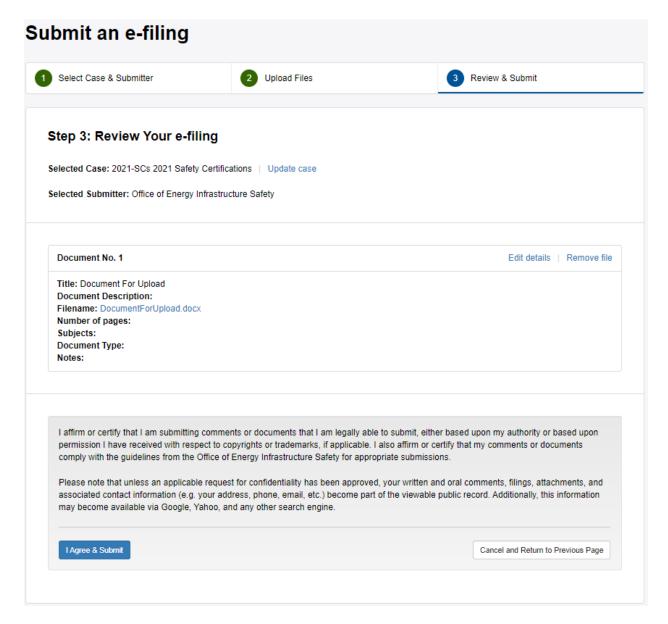


After the labels of all of the uploaded files read "OK", you can move to the next page by clicking the "Continue to Review and Submit" button.

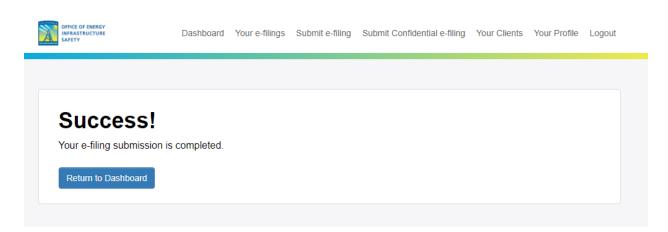


4.1.3 Review and Submit

On the "Step 3: Review your e-filing" page, you still have the ability to change the file metadata or remove the file before submitting to the e-filing system. You have one more chance to review your e-filing on this page. If everything is acceptable then click on the "I agree and Submit" button. If not then you can use the "Edit details" link, the "Remove file" link or the "Cancel and Return to Previous Page" link. You can also use the "Edit" button in the top section if the proceeding docket or submitter information is incorrect.

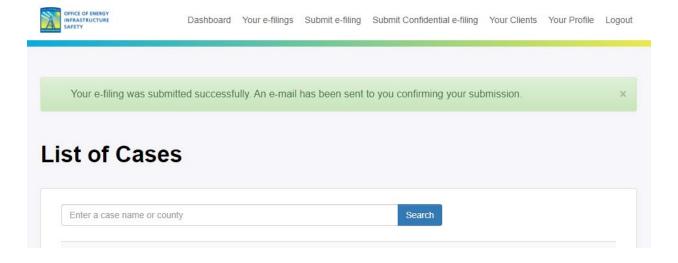


Upon successful submission of the files, the system will provide an on-screen message.



The system will send an email notification to your registered email address regarding your e-filing. You can also view the status of the e-filing on the "Your E-filings" page, the link for which is available in the navigation.

When you click on the "Continue" button, you will be redirected to the Dashboard tab and a message confirming the success of filing will be displayed on the Dashboard.

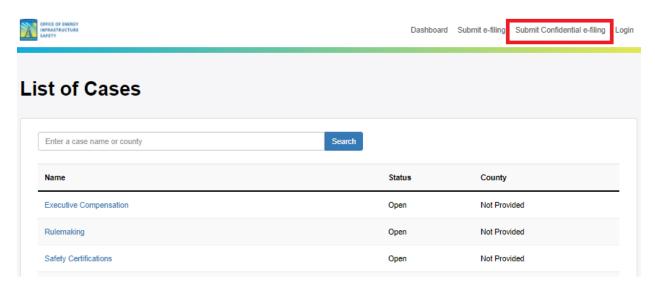


Once the Energy Safety staff approves the document, you will receive an email detailing it's approval. If the Energy Safety staff rejects any documents, you will be notified via email as well. The email will provide the reason for the rejection.

When Energy Safety staff approves a document, the Service List and/or Distribution List for that docket will also be notified that a new document has been added to the docket.

4.2 Confidential E-filing

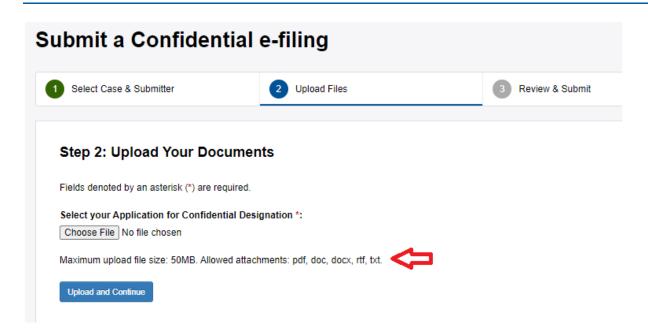
The link to submit a confidential e-filing is available in the main navigation.



This action can also be performed from the Docket Detail page. Navigating to a specific docket has been covered in Section 2.

Confidential e-filing involves three steps that are similar to a regular e-filing. Step 1 is identical (see the discussion in Section 3.1 on how to select a proceeding docket and a role in the proceeding docket).

However, in Step 2, you must first select and upload a file containing the Application for a Confidential Designation (the document that provides details as to why the remainder of submitted documents are confidential). Whether or not confidential status is approved, the Application for Confidential Designation will be a publicly visible document. File Requirements are noted below. Only .pdf, .doc, .docx, .rtf, and .txt files are allowed with a 50 MB size limit.

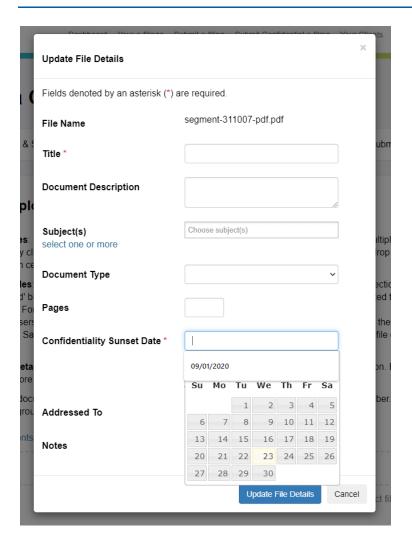


After uploading the Application for Confidential Designation, you will be redirected to the page listing the uploaded Application file and now have the opportunity to upload the additional confidential files. Similar to the regular e-filing upload process (see section 3.1.2), file details (metadata) must be provided for each file, via the Edit details link beside each file.

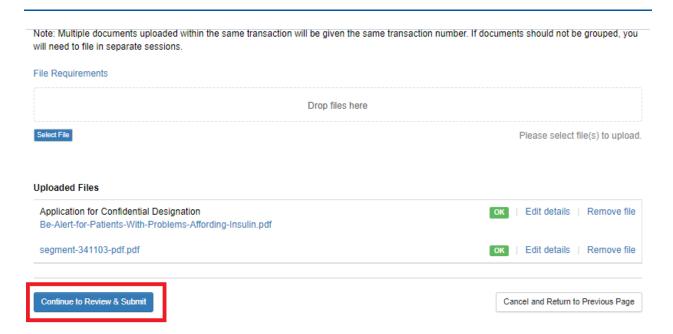


Dashboard Your e-filings Submit e-filing Submit Confidential e-filing Your Clients Your Profile Logout Submit a Confidential e-filing Select Case & Submitter Review & Submit Upload Files Step 2: Upload Your Documents 1. Select Files: Select the files you wish to upload by clicking the 'Select File(s) to Upload' button. Multiple files can be selected by clicking the button again or, in certain browsers, selecting multiple files. File drag and drop is also available in certain browsers. Note that file requirements 2. Upload Files: Once your files have been selected, they will appear in the 'Files Awaiting Upload' section. Click on the 'Upload' button to transfer the files. Note that in some cases, files may be automatically converted to Portable Document Format (PDF) once they are received. For Mac users with iWork software, you can create a PDF file for upload by (1) selecting Print from the File menu; (2) clicking on Save as PDF... from the PDF drop down menu; and (3) Clicking Save to save the PDF file on your computer. 3. Provide Details: After your files have been uploaded, they will appear in the 'Uploaded Files' section. Edit the file details before continuing. Note: Multiple documents uploaded within the same transaction will be given the same transaction number. If documents should not be grouped, you will need to file in separate sessions. File Requirements Drop files here Please select file(s) to upload. Uploaded Files Application for Confidential Designation | Edit details | Remove file Be-Alert-for-Patients-With-Problems-Affording-Insulin.pdf You will need to edit details of the uploaded files before continuing. Cancel and Return to Previous Page

When adding details for confidential files, there is additional metadata that is required that is not displayed for non-confidential files, specifically the "Confidentiality Sunset Date" field. This field is used to indicate the date when a document can be made non-confidential. If the document is intended to be confidential for an indefinite amount of time, please select the "Indefinite" option under the "Confidentiality Sunset Date" field. A screenshot is shown below.



Once the required details for all the files are entered, the "Continue to Review and Submit" button will be enabled and will allow you to go to the final step of the process.

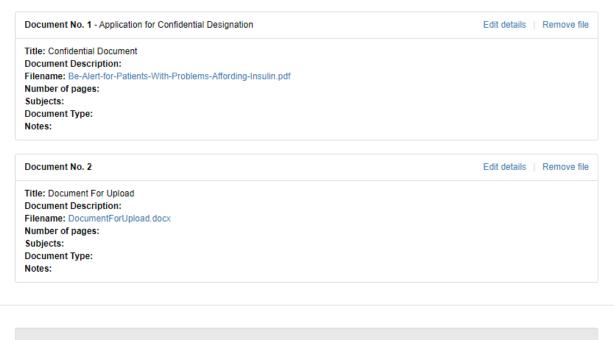


Similar to the regular e-filing process, you will then be directed to the final step to review your e-filing (see section 3.1.3 for more details). Click on the "Agree and Submit" button to submit the confidential e-filing.

Step 3: Review Your e-filing

Selected Case: 2021-SCAs 2021 Safety Culture Assessments (SCAs) | Update case

Selected Submitter: Office of Energy Infrastructure Safety



I affirm or certify that I am submitting comments or documents that I am legally able to submit, either based upon my authority or based upon permission I have received with respect to copyrights or trademarks, if applicable. I also affirm or certify that my comments or documents comply with the guidelines from the Office of Energy Infrastructure Safety for appropriate submissions.

Please note that unless an applicable request for confidentiality has been approved, your written and oral comments, filings, attachments, and associated contact information (e.g. your address, phone, email, etc.) become part of the viewable public record. Additionally, this information may become available via Google, Yahoo, and any other search engine.

I Agree & Submit

Cancel and Return to Previous Page

After successful submission of the documents, you will be notified via email of your submission.

After the Energy Safety office staff approves the document(s), the document(s) will be forwarded to the Confidential Reviewer for final review before they are entered into the respective docket. You will also be notified by email when that approval or rejection happens.

As with non-confidential e-filings, when Energy Safety staff approves a confidential document, the Service List and/or Distribution List for that docket will also be notified that a new document has been added to the docket. However, these documents will not be publicly accessible.

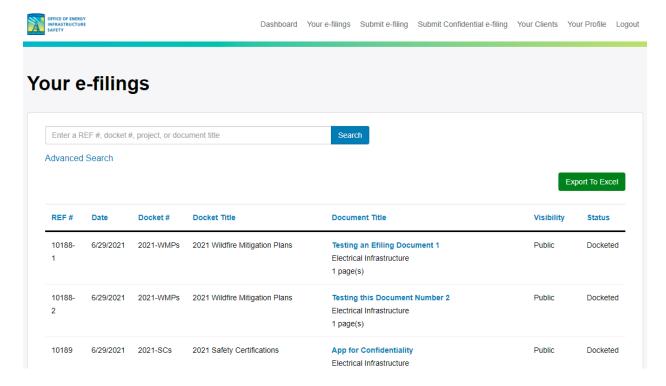
4.3 Lookup And Search Your E-filings

The system provides a Standard and Advanced user interface that allows you to look up a document. The lookup returns up to 25 records at a time. The search results are sortable.

In order to review your e-filings you must first login with your username and password. Then you will select "Filings" on the top menu you are able to see your uploaded documents to date.



You can click on the text box to the left of the search button to search the documents and enter the Transaction Number, Docket Number, Project Title, or Document Title. Filings that match the criteria will be listed below the search criteria. From here you can search on the e-filings you have made. See the screenshot below.



You also click the advanced filters to search in a particular docket, by date, by visibility, or by other options shown in the screenshots below.

