



December 22, 2025

Dan Marsh  
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## NOTICE OF NON-PERFORMANCE

Mr. Marsh:

Pursuant to Government Code section 15472, et seq, the Office of Energy Infrastructure Safety (Energy Safety) has conducted an inspection of work completed by Liberty Utilities (LU) in accordance with its 2025 Wildfire Mitigation Plan (WMP) and determined the existence of non-performance requiring correction. Energy Safety therefore issues LU a Notice of Non-Performance (NON), identifying non-performance with its approved WMP.

On September 24, 2025, Energy Safety conducted an inspection of LU's WMP initiatives in the vicinity of the city of South Lake Tahoe, California. The inspection report is enclosed herewith. Energy Safety found the following deficiencies:

Deficiency 1. Energy Safety observed that in implementing the 2025 WMP initiative 8.1.2.12 - Tree Attachment Removals, LU failed to complete removal of two tree attachments on Pole ID 297905, Grid Hardening IDs c05bae02-301c-44fc-ba3e-093e5480bed7, 9c288076-e205-4406-b60d-de7aee69d097, 6a9d8845-7b27-4f67-a3ea-91e8173fe10e, and 8257935d-f917-44d9-b477-c09203ae88 at coordinates 38.91285874805942, -119.999759. Energy Safety considers this non-performance to be in the Minor risk category. LU must complete a corrective action for this deficiency by 12 months from the date of this notice.<sup>1</sup>

Within 30 days from the issuance date of this NON, the electrical corporation must provide a response advising Energy Safety of corrective actions taken or planned to remedy the identified deficiency or deficiencies.

This response shall be filed in the Energy Safety e-Filing system under the 2025 NON Docket<sup>2</sup> and the associated file name(s) must begin with the NON identification number.

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<sup>1</sup> Gov. Code section 15475.2(a)(2)

<sup>2</sup> <https://efiling.energysafety.ca.gov/EFiling/DocketInformation.aspx?docketnumber=2025%20NON>

Prior to its response, the electrical corporation may request an informal conference with Energy Safety for the purpose of disputing any issues raised in this NON no later than five (5) business days before the response deadline.<sup>3</sup> Requests for informal conference with Energy Safety must be e-mailed to [compliance@energysafety.ca.gov](mailto:compliance@energysafety.ca.gov), with a copy sent to all Energy Safety staff identified in the NON.

Sincerely,



Patrick Doherty  
Program Manager | Compliance Assurance Division  
Office of Energy Infrastructure Safety  
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Cc:

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<sup>3</sup> Energy Safety Compliance Guidelines, p. 4



# INSPECTION REPORT

## Overview

### Inspection Categories

The Office of Energy Infrastructure Safety (Energy Safety) conducts inspections to verify the work performed by an electrical corporation as reported in an approved Wildfire Mitigation Plan (WMP) or subsequent filing, and to assess general conditions of electrical infrastructure that may adversely impact an electrical corporation's wildfire risk.

A Notice of Non-Performance (NON) is issued for any deficiencies discovered during an inspection related to an electrical corporation's performance of its WMP.

### Correction Timelines

Deficiencies must be corrected in a timely manner. Energy Safety may prescribe a timeframe for resolution of a deficiency.<sup>4</sup> If Energy Safety assigns a risk category to a deficiency, an electrical corporation must correct the deficiency as required per the timelines provided in Table 1.<sup>5</sup>

**Table 1. Risk Category and Correction Timelines**

Risk Category	Deficiency correction timeline
Severe	<ul style="list-style-type: none"><li>• Immediate resolution</li></ul>
Moderate	<ul style="list-style-type: none"><li>• 2 months (in High Fire Threat District (HFTD) Tier 3)</li><li>• 6 months (in HFTD Tier 2)</li><li>• 6 months (if relevant to worker safety; not in HFTD Tiers 2 or 3)</li></ul>
Minor	<ul style="list-style-type: none"><li>• 12 months or resolution scheduled in WMP update</li></ul>

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<sup>4</sup> Gov. Code section 15475.2(a)(2)

<sup>5</sup> Energy Safety Compliance Guidelines, p. 3



# Inspection Summary

Table 2 provides a summary of the selection of the WMP inspection location and initiative. Table 3 provides a summary of the deficiency or deficiencies found during the inspection. Details regarding the inspection that identified the deficiency or deficiencies are provided in the Inspections Details Section below.

***Table 2: Inspection Location and Initiative Summary***

Electrical Corporation:	Liberty Utilities
Report Number:	CAD_LU_RMA_20250924_1435
Inspector:	Romeo Marroquin Ajcac
WMP Year Inspected:	2025
Quarterly Data Report (QDR) Referenced:	Quarter 2 (Q2)
Inspection Selection:	Energy Safety viewed the contents of the Q2 QDR and performed an analysis that resulted in the selection of the WMP initiatives and locations referenced in this report.
Relevant WMP Initiative(s):	8.1.2.12 Tree attachment removals
Date of inspection:	September 24, 2025
City and/or County of Inspection:	South Lake Tahoe, El Dorado County
Inspection Purpose:	Assess the accuracy of Liberty utilities' QDR data, completeness of its work, and performance of WMP requirements.

***Table 3: WMP Inspection Deficiencies***

Deficiency #	Structure ID	Grid Hardening IDs	Lat/Long	HFTD	Initiative Number	Severity	Deficiency Description
Deficiency 1	297905	c05bae02-301c-44fc-ba3e-093e5480bed7, 9c288076-e205-4406-b60d-de7aee69d097, 6a9d8845-7b27-4f67-a3ea-91e8173fe10e, 8257935d-f917-44d9-b477-c09203aeee88	38.91285874805942, -119.999759	Tier 2	8.1.2.12 - Tree attachment removals	Minor	Failure to complete work on tree attachment removals.

# Inspection Details

## Deficiency 1

### **Relevant Requirement:**

Liberty Utilities' WMP states the following regarding initiative number 8.1.2.12:

1. "Liberty is removing conductors from trees and resetting to a new pole with modern materials and specifications. This initiative reduces ignition risk by removing conductors from trees and providing proper insulation."<sup>6</sup>

### **Findings:**

On Pole ID 297905, Grid Hardening IDs c05bae02-301c-44fc-ba3e-093e5480bed7, 9c288076-e205-4406-b60d-de7aee69d097, 6a9d8845-7b27-4f67-a3ea-91e8173fe10e, and 8257935d-f917-44d9-b477-c09203aeee88 at Lake Tahoe Preschool, 2111 South Avenue, South Lake Tahoe, CA, 96150, USA, 38.91285874805942, -119.999759, the inspector observed that only two out of four tree attachments were transferred to the pole referenced in the QDR data. The remaining two tree attachments were observed on trees within 15 feet of the new pole and were not removed. The Grid Hardening IDs related to completed work could not be confirmed against the submitted QDR data. The inspector's observation is documented in Deficiency 1 photographs, which are attached to this report. Photo numbers IA1Img1, IA1Img2, IA1Img3, and IA1Img4 depict incomplete work of tree attachment removal. In the 2025 Q2 Quarterly Data Report submission, LU reported that work on WMP initiative 8.1.2.12 – Tree Attachment Removals were complete at this location for four tree attachments.

Energy Safety concludes that there is a deficiency because of these facts:

1. Four tree attachment removals were submitted as complete at this location.
2. The inspector observed that two out of four tree attachments were transferred to the new pole.
3. Two tree attachments were not removed from two trees within 15 feet of the new pole.

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<sup>6</sup> Liberty Utilities, "Liberty 2025 Wildfire Mitigation Plan Update," September 3, 2024, p. 171. [Online]. Available: <https://efiling.energysafety.ca.gov/eFiling/Getfile.aspx?fileid=57295&shareable=true>

# Exhibits

Exhibit A: Photo Log

Structure ID: 297905

Deficiency 1



**G1mg1:** Overall Structure



**G1mg2:** Structure ID





**IA1Img1:** One tree attachment was left on tree.



**IA1Img2:** A second tree attachment was left on a second tree.



**IA1Img3:** One tree attachment was left on tree (wide view).



**IA1Img4:** A second tree attachment was left on a second tree (wide view).