

January 22, 2026

Sheryl Bilbrey  
Program Manager | Environmental Division  
Office of Energy Infrastructure Safety  
715 P Street, 20<sup>th</sup> Floor  
Sacramento, CA 95814

RE: Energy Safety NON ID: ESD\_PGE\_RGA\_20250407\_1543

Notice of Nonperformance: Government Code §§ 15475.1(a) and 15475.2(a)(2), and the California Code of Regulations, Title 14, Division 17 § 29302(b)(2)

Dear Ms. Bilbrey:

This letter is in response to the above referenced Notice of Nonperformance (NON) dated December 23, 2025. The NON concerned the Office of Energy Infrastructure Safety (Energy Safety) inspection of work completed by Pacific Gas and Electric Company (PG&E) in accordance with its 2025 Wildfire Mitigation Plan (WMP). The NON found non-performance that requires correction.

Energy Safety based its compliance assessment on the following statute and code sections:

**California Government Code Section 15475.1, states:**

- a) The office may determine that a regulated entity is not in compliance with any matter under the authority of the office. If necessary, the office may undertake an investigation into whether the regulated entity is noncompliant with its duties and responsibilities or has otherwise committed violations of any laws, regulations, or guidelines within the authority of the office.*
- b) The office's primary objective is to ensure that regulated entities are reducing wildfire risk and complying with energy infrastructure safety measures as required by law.*

**California Government Code Section 15475.2, states:**

- a) The office may issue a notice of defect or violation to direct the regulated entity to correct any defect or noncompliance with the approved wildfire mitigation plan or failure to comply with any laws, regulations, or guidelines within the authority of the office.*

**California Code of Regulations, Title 14, Section 29302(b)(2), “Investigations, Notices of Defect and Violation, and Referral to the Commission” states in part:**

*“The Director may designate a compliance officer to consider the findings of any investigation. The compliance officer may issue any of the following:*

...

*(2) Notice of violation, identifying noncompliance with an approved Wildfire Mitigation Plan or any law, regulation, or guideline within the authority of the Office.”*

The NON was identified from inspections by Energy Safety on April 7, 2025, and December 12, 2025. These inspections occurred in the vicinity of the city of Santa Cruz, CA, a Tier 3 High Fire Threat District (HFTD). The inspections were for work performed under PG&E's 2025 WMP Initiative 8.2.2.2.2 Distribution Second Patrol (VM-17):

*Deficiency 1. Energy Safety conducted an inspection of PG&E's 2025 WMP initiative 8.2.2.2.2 in the vicinity of Santa Cruz, California in High Fire Threat District (HFTD) Tier 3. The initial finding of a declining tree was reported to PG&E via E-mail on April 29, 2025, as a Wildfire Safety Concern (WSC). In response, PG&E prescribed full removal on May 5, 2025, under RX-04749736. On December 12, 2025, Energy Safety conducted a second inspection and confirmed that PG&E had not removed the tree near coordinates 37.043816652372, -122.108385937438.*

## **Response**

PG&E respectfully disagrees with the finding of non-performance for the declining tree identified in this NON. The tree was identified by PG&E on April 8, 2025, as part of its VM Distribution Routine Patrol (VM-16) work. However, there is no requirement to complete work on dead/dying trees in HFTD areas that are identified through the distribution routine patrol within 180 days. This 180-day time limit is only applicable to trees identified under the VM Distribution Second Patrol (VM-17) initiative.

Please note that while PG&E previously reported that the subject tree was inspected on May 05, 2025, the tree was actually inspected on April 8, 2025, prior to Energy Safety notifying PG&E. The tree was, however, removed as part of winter storm preparation on December 25, 2025.

Please do not hesitate to contact [WSComplianceMailbox@pge.com](mailto:WSComplianceMailbox@pge.com) if you have any questions regarding this matter.

Sincerely,

Daniel Kushner, PhD  
Senior Director, Electric Risk & Compliance

cc:

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