

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



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Via Electronic Filing

Caroline Thomas Jacobs, Director
Office of Energy Infrastructure Safety
California Natural Resources Agency
Sacramento, CA 95184
caroline.thomasjacobs@energysafety.ca.gov
efiling@energysafety.ca.gov

**Subject: Comments of the Public Advocates Office on the
Safety Certification Request of SDG&E
Case No. 2021-SC**

Dear Director Thomas Jacobs,

The Public Advocates Office at the California Public Utilities Commission (Cal Advocates) respectfully submits the following comments on the Safety Certification Request of San Diego Gas & Electric Company (SDG&E) filed on September 7, 2021. Cal Advocates submits these comments on SDG&E's Safety Certification Request pursuant to Public Utilities Code § 8389(e)-(f), and in accordance with the further guidance in Energy Safety's September 14, 2021 letter.¹ We respectfully urge the Office of Energy Infrastructure Safety (OEIS or Energy Safety)² to adopt the recommendations discussed herein.

¹ *Public Comment Period for Safety Certification Requests of SDG&E and SCE*, Office of Energy Infrastructure Safety, September 14, 2021.

² On July 1, 2021, the Wildfire Safety Division of the California Public Utilities Commission moved to the California Natural Resources Agency and became the Office of Energy Infrastructure Safety pursuant to Assembly Bill 111, which was signed by the Governor on July 12, 2019 (Chapter 81, Statutes of 2019).

I. INTRODUCTION

Receiving a safety certification is one of the requirements an electric utility must fulfill to recover catastrophic wildfire costs from the Wildfire Insurance Fund. Public Utilities Code § 8389(e) authorizes Energy Safety to issue a safety certification to electric utilities if they have an approved wildfire mitigation plan, agree to implement the recommendations of a Safety Culture Assessment, and meet the other requirements discussed below.

While SDG&E's request can satisfy the requirements for receiving a safety certificate, Cal Advocates makes the following recommendations:

- Energy Safety should require SDG&E to provide more detail regarding how it intends to implement the Safety Culture Assessment (SCA) recommendations.
- Energy Safety should consider an electrical corporation's history of implementing SCA recommendations in the last year, as part of the Public Utilities Code § 8389(e)(2) good standing requirement.

II. RECOMMENDATIONS

A. **Energy Safety should require SDG&E to provide more detail in how it intends to implement the SCA recommendations.**

SDG&E's agreement to implement the findings of its SCA consists of a one-page letter, in which only two sentences discuss implementing the SCA findings:

By this letter, SDG&E agrees to implement all of the findings and recommendations for improvement of the Safety Culture Assessment Report for SDG&E. SDG&E further expresses its commitment to work with DEKRA and Energy Safety regarding their implementation.³

DEKRA, the consultant that conducted the SCA, recommended that SDG&E should:

1. Integrate safe behaviors associated with mitigating wildfire risk and personal risk from interactions with the public into the Behavior-Based Safety (BBS) observation program.

³ *Agreement of San Diego Gas & Electric Company (U 902 M) to Implement the Recommendations of the Final Safety Culture Assessment Report*, September 3, 2021.

2. Clarify, coach, and track the behaviors field leadership needs in order to adopt to advance the safety culture.
3. Recognize and take action to mitigate the risk exposure posed by interactions with certain discontented members of the public.⁴

While SDG&E's agreement to implement DEKRA's SCA findings can satisfy the "good standing" requirement in Public Utilities Code §8389(e)(2),⁵ SDG&E provides no details about how it plans to follow the recommendations of the SCA. As a result, there is no measure by which Energy Safety or intervenors can gauge the feasibility of SDG&E's expectations and determine SDG&E's progress in addressing the recommendations during the quarter in which they are supposed to satisfy those recommendations. While Public Utilities Code § 8389(e)(7) does require that the electrical corporations file quarterly Tier 1 advice letters that detail the implementation of the SCA recommendations, these backward-looking advice letter filings will be submitted too late for Energy Safety to give timely instruction to SDG&E to implement any SCA recommendations missed during the quarter. Cal Advocates requests that Energy Safety direct SDG&E to attach a detailed plan regarding how SDG&E plans to address the SCA recommendations to its November 1, 2021 Progress Report to Energy Safety.⁶

B. Energy Safety should consider an electrical corporation's history of implementing SCA recommendations in the last year, as part of the Public Utilities Code § 8389(e)(2) good standing requirement

It is not sufficient for the electrical corporations to issue a nominal agreement each year to implement the SCA with no plan on how they will address those recommendations. Public Utilities Code § 8389(e)(2) identifies the agreement to implement the findings of the most recent SCA as one factor that can satisfy the requirement that an electrical corporation be in "good standing," which is required in order for that utility to be issued an annual safety certification.⁷ However, it should not be the only factor.

⁴ *Safety Culture Assessment, San Diego Gas & Electric Company, September 2021, p 1.*

⁵ Public Utilities Code § 8389(e)(2) states: "The executive director of the commission shall issue a safety certification to an electrical corporation if the electrical corporation provides documentation of the following:...(2) The electrical corporation is in good standing, which can be satisfied by the electrical corporation having agreed to implement the findings of its most recent safety culture assessment, if applicable."

⁶ Energy Safety's *Action Statement on 2021 Wildfire Mitigation Plan Update – San Diego & Electric* requires SDG&E to "report on progress made over the year in a Progress Report due by 5:00 p.m. on November 1, 2021, and in its 2022 WMP Update."

⁷ Public Utilities Code § 8389(e)(2).

Thus, we recommend Energy Safety consider an electrical corporation's previous history of implementing SCA recommendations in the last year, as part of the Public Utilities Code § 8389(e)(2) good standing requirement.

III. CONCLUSION

Cal Advocates respectfully requests that Energy Safety adopt the recommendations discussed herein. Please contact Nathaniel Skinner (Nathaniel.Skinner@cpuc.ca.gov) or Matthew Karle (Matthew.Karle@cpuc.ca.gov) with any questions relating to these comments.

Sincerely,

/s/ CAROLYN CHEN

Carolyn Chen
Attorney

Public Advocates Office
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, California 94102
Telephone: (415) 703-1980
E-mail: Carolyn.Chen@cpuc.ca.gov

cc: Service lists of R.18-10-007, R.18-12-005