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VIA ELECTRONIC FILING

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Subject: Public Advocates Office – Draft 2022 Safety Culture Assessment Guidelines Reply Comments.
Docket #: 2022-SCAs

INTRODUCTION

Pursuant to the Office of Energy Infrastructure Safety’s (Energy Safety) January 19, 2022, letter on the Public Comment Period for Draft 2022 Safety Culture Assessment Guidelines for Electrical Corporations, the Public Advocates Office at the California Public Utilities Commission (Cal Advocates) submits these reply comments on Energy Safety’s Draft 2022 Safety Culture Assessment (SCA) Guidelines for Electrical Corporations (Draft SCA Guidelines).

Cal Advocates recommends that Energy Safety reject Sothern California Edison’s (SCE) recommendation to exclude contractors from the annual safety culture assessments. Contractors perform critical safety work for SCE, including vegetation management,¹ aerial inspections and patrol inspections of electrical assets,² Public Safety Power Shutoff (PSPS) patrols,³ and service restoration after emergencies.⁴ These initiatives are central

¹ “Safely Enjoying Trees”, Frequently Asked Question 5. <https://www.sce.com/safety/power-lines>; SCE’s 2021 WMP Update, February 4, 2021, pp. 129-133, 257, 260, and 263-264.

² SCE’s 2021 WMP Update, February 4, 2021, pp. 134-135, 184, and 248.

³ SCE’s 2021 WMP Update, February 4, 2021, p. 144.

⁴ SCE’s 2021 WMP Update, February 4, 2021, p. 308.

to SCE's wildfire mitigation efforts and to its safety performance generally. Given their critical role, it is important that contractors develop and maintain a strong safety culture.

BACKGROUND

Public Utilities Code section 8389(d) requires the California Public Utilities Commission (CPUC), in consultation with Energy Safety,⁵ to adopt and approve several requirements related to catastrophic wildfire risk by December 1, 2020, and annually thereafter.⁶ For example, the CPUC must adopt performance metrics, requirements for wildfire mitigation plans (WMPs), and a process for conducting annual safety culture assessments.⁷

On January 19, 2022, pursuant to Public Utilities Code section 8389(d), Energy Safety released Draft 2022 Safety Culture Assessment Guidelines for Electrical Corporations (Draft SCA Guidelines) containing the guidelines for the second annual SCA process. Energy Safety requested that parties file comments no later than February 8, 2022 and reply comments no later than February 18, 2022.

SCE, Pacific Gas and Electric Company (PG&E), and Cal Advocates submitted opening comments on February 8, 2022.

⁵ The Wildfire Safety Division (WSD) transitioned from the California Public Utilities Commission (CPUC) to the Office of Energy Infrastructure Safety (Energy Safety) at the California Natural Resources Agency (CNRA) on July 1, 2021.

⁶ On November 30, 2020, the Wildfire Safety Division (WSD) issued Resolution WSD-011, which implements the requirements of Public Utilities Code Section 8389(d). The Draft Resolution included guidelines for the annual safety culture assessment process. The first SCA Requirements of Electric Corporations was released on January 22, 2021, by WSD which is considered the baseline guidelines for SCAs.

An update to Resolution WSD-011 was adopted by the Commission in Resolution M-4860 on December 2, 2021, which adopted Energy Safety's recommendations on (1) performance metrics for electrical corporations, (2) additional requirements for wildfire mitigation plans, (3) wildfire mitigation plan compliance process, and (4) a process for Energy Safety to conduct annual safety culture assessments for each electrical corporation.

⁷ Public Utilities Code sections 8389(d)(1), (2), (4).

RECOMMENDATIONS

A. Energy Safety should reject SCE’s recommendation to exclude contractors from the annual safety culture assessments.

The Draft SCA Guidelines propose a review of the electric corporations’ contractor performance as part of the annual safety culture assessments.⁸ SCE urges Energy Safety to eliminate this provision.⁹ SCE justifies its position on claims that, while SCE maintains strict safety-related requirements for its contractors, it cannot directly control the safety culture of the contractor organizations that it has a working relationship with.¹⁰ Energy Safety should retain the requirement to include contractors within the annual safety culture assessment for the following reasons.

1. Including contractors within the annual safety culture assessment has provided helpful insights into past safety culture assessments.¹¹

The requirement to include contractors within the safety culture assessment is not a new requirement. Wildfire Safety Division’s 2021 Safety Culture Assessment Requirements of Electrical Corporations¹² included workforce surveys that focus on electrical corporation employees, supervisors, managers, and contractors who are engaged in wildfire mitigation activities.¹³ This is the same approach taken in the Draft SCA Guidelines for 2022.¹⁴

SCE classifies its contractors according to the level of risk the work contractors perform; higher risk work is classified as Tier 1 and non-hazardous work is classified as Tier 2.¹⁵ Energy Safety’s safety culture assessments were designed to, among other things, develop a longitudinal view of safety culture across electrical corporations. These

⁸ Draft SCA Guidelines, p. 4.

⁹ Southern California Edison Company’s Comments on Draft 2022 Safety Culture Assessment Guidelines for Electrical Corporations, February 8, 2022 (SCE opening comments), p. 1.

¹⁰ SCE opening comments, p. 1.

¹¹ In these Comments, the words “electrical corporations” and “utilities” will be used interchangeably.

¹² The Wildfire Safety Division (WSD) transitioned from the California Public Utilities Commission (CPUC) to the Office of Energy Infrastructure Safety (Energy Safety) at the California Natural Resources Agency (CNRA) on July 1, 2021.

¹³ Wildfire Safety Division’s 2021 Safety Culture Assessment Requirements of Electrical Corporations, p. 4, available at <https://energysafety.ca.gov/wp-content/uploads/docs/safety-culture-assessments/wsd-safety-culture-assessment-requirements-final-20210122.pdf>

¹⁴ Draft SCA Guidelines, p. 4.

¹⁵ SCE opening comments, p. 1.

assessments identify best practices and relative gaps, along with an understanding of each electrical corporation's relative strengths, weaknesses, and approaches.¹⁶

In 2021, contractors provided helpful insight into the safety culture of Bear Valley Electric Services' Inc. (BVES) and identified some critical safety issues. Here, BVES contractors provided negative feedback in response to a survey regarding communication with supervisors about wildfire hazards. These contractors also identified a workgroup that did not follow procedures to control workplace and wildfire hazards.¹⁷ This presented an important opportunity for BVES to improve safety by designing and implementing corrective actions to avoid hazards and major accidents in the future. This identification of potential gaps in a utility's safety performance, among other things, demonstrates the appropriateness of including contractors in the safety culture assessments.

2. The inclusion of contractors can only enhance the safety culture assessment of a utility.

One of SCE's concerns is that the findings from Energy Safety's safety culture assessment for SCE's contractors may not accurately represent the safety culture at SCE.¹⁸ However, the inclusion of contractors within the safety culture provides additional data on contractors' experience while working for that utility.¹⁹ This offers meaningful insight into the safety culture of a utility that would not be available otherwise. At San Diego Gas & Electric Company (SDG&E), perceptions of SDG&E employees were generally in alignment with the perceptions of contractor employees on nearly all 30 workforce survey statements.²⁰ On the other hand, SCE contractors rated the work environment and culture consistently higher than SCE full-time employees.²¹ This could possibly indicate that contractors experienced a better safety culture at SCE than other organizations contractors have performed contracted work for leading to the higher rating in SCE's safety culture surveys.

¹⁶ Draft SCA Guidelines, p. 40.

¹⁷ BVES 2021 Safety Culture Assessment, p. 1., available at <https://energysafety.ca.gov/wp-content/uploads/2021-sca-report-bves.pdf>.

¹⁸ SCE opening comments, p. 2.

¹⁹ Draft SCA Guidelines, p. 3. "Energy Safety seeks to develop a longitudinal view of safety culture across electrical corporations to identify best practices and relative gaps, along with an understanding of each electrical corporation's differing approaches and relative strengths and weaknesses."

²⁰ SDG&E 2021 Safety Culture Assessment, p. 11, available at <https://energysafety.ca.gov/wp-content/uploads/2021-sca-report-sdge.pdf>.

²¹ SCE 2021 Safety Culture Assessment, p. 12, available at <https://energysafety.ca.gov/wp-content/uploads/2021-sca-report-sce.pdf>.

3. There is no reason to exclude contractors, who follow the same safety-related requirements as utility employees.

SCE argues that the fact that contractors are subject to strict safety-related requirements justifies not including contractors in the safety culture assessments.²² While SCE is correct that utility contractors must adhere to the same safety requirements as the utility, who is ultimately responsible for the work performed by its contractors, this is all the more reason to include contractors in the safety culture assessments. Surveying the contractors as part of the safety culture assessment would help to determine the effect of safety-related requirements imposed on contractors and whether such safety-related requirements are in fact effective.

CONCLUSION

Cal Advocates respectfully requests that Energy Safety adopt the recommendations discussed herein. Please contact Lucy Morgans (lucy.morgans@cpuc.ca.gov) or Talal Harahsheh (talal.harahsheh@cpuc.ca.gov) with any questions relating to these comments.

Sincerely,

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²² SCE opening comments, p. 1.