March 28, 2022

Koko Tomassian, Compliance Program Manager **BY OEIS E-FILING**

Compliance Assurance Division

Office of Energy Infrastructure Safety

California Natural Resources Agency

715 P Street 20th Floor

Sacramento, CA 95814

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| **SUBJECT:** | Southern California Edison Company’s Response to Notices of Defect - SCE ATJ 20211115-01, SCE ATJ 20211118-01, SCE ATJ 20211130-01, SCE ATJ 20211209-01 (No Written Hearing Requested) |

Dear Koko Tomassian:

Southern California Edison Company (SCE) appreciates the opportunity to provide this response to the findings identified in the Notices of Defect received on February 24, 2022 based on Energy Safety field inspections conducted in the SCE’s territory in November and December 2021. SCE also appreciates the Office of Energy Infrastructure Safety’s (OEIS) efforts to identify, communicate and work together to resolve potential wildfire risks.

The enclosed response describes corrective actions taken or planned by SCE to remedy the findings identified in the above notices and prevent recurrence.

If you have any questions, or require additional information, please contact Liz Leano [at](mailto:at) 626-302-3662 or [Elizabeth.Leano@sce.com](mailto:Elizabeth.Leano@sce.com). SCE is looking forward to address findings where appropriate and work to support clarification of the inspection process as OEIS expands the geographic scope of its inspection program in 2022.

Sincerely,

//s//

Erik Takayesu

VP Asset Strategy and Planning

Southern California Edison

**SOUTHERN CALIFORNIA EDISON COMPANY**

**INTRODUCTION**

For the findings discussed in this response, SCE agrees to address each issue within the timeframe provided by Energy Safety, as explained in more detail below. To simplify the response, SCE has consolidated similar findings from multiple Notices of Defect (NOD) into a single response by type of finding. This response includes findings from the following NODs: SCE ATJ 20211115-01, SCE ATJ 20211118-01, SCE ATJ 20211130-01, and SCE ATJ 20211209-01.

As shown in the detail below, several of the findings identified by Energy Safety were previously identified by SCE field inspections and already have repair notifications in SCE’s maintenance work management system. Regarding prevention of recurrence, SCE’s field inspections (both ground and aerial) are a detective control used to identify items that need to be remediated. Additionally, SCE performs quality reviews of completed distribution Overhead Detail Inspections in High Fire areas using a risk-based approach, which includes higher levels of sampling in higher risk areas. These quality reviews help drive continuous improvement by identifying non-conformances with SCE standards, determining causes of non-conformance, and/or driving corrective actions to improve performance. If performance falls below certain thresholds, SCE will require corrective actions.

While SCE is not requesting a written hearing for the findings addressed in this response, SCE reserves the right to raise these points in subsequent procedural stages and/or proceedings.[[1]](#footnote-2)

1. Although Energy Safety has the right to refer certain issues to the CPUC for an enforcement action, the findings in these Notices do not support referral.[[2]](#footnote-3)
2. SCE does not necessarily believe the findings addressed in the response support a Notice of Defect.[[3]](#footnote-4)

**SCE Response**

**Finding: Vegetation Contacting Anchor Guy Above Insulator**

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| **Notice** | **Finding #** | **Structures** |
| Notice of Defect SCE ATJ 20211209-01 | 1 | GT5560 |

**Summary of Findings:** “Pole had vegetation contacting guy wire above the insulator. Energy Safety considers this risk to be in the Minor risk category.”

**Response:** On March 21, 2022, SCE field personnel went to structure GT5560 to review the concern. SCE created a notification in its work management system and will remediate the vegetation within the timeframe provided by Energy Safety.

**Finding: Broken Conductor Strands**

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| **Notice** | **Finding #** | **Structures** |
| Notice of Defect SCE ATJ 20211209-01 | 2 | 4558869E, 1763105E |
| Notice of Defect SCE ATJ 20211115-01 | 2 | 1473789E |

**Summary of Findings:** “Poles had broken conductor strands. Energy Safety considers this defect to be in the Minor risk category.”

**Response:**

On March 21, 2022, SCE field personnel went to structure 4558869E to review the concern. SCE created a notification in its work management system and will remediate within the timeframe provided by Energy Safety.

On March 2, 2022, SCE field personnel went to structure 1473789E to review the concern. SCE created a notification in its work management system and will remediate within the timeframe provided by Energy Safety.

On March 15, 2022, SCE field personnel went to structure 1763105E to review the concern. SCE created a notification in its work management system and will remediate within the timeframe provided by Energy Safety.

**Finding: Loose Guy Wire**

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| **Notice** | **Finding #** | **Structures** |
| Notice of Defect SCE ATJ 20211118-01 | 1 | 4339409E, 4926384E |
| Notice of Defect SCE ATJ 20211130-01 | 1 | 1561562E |
| Notice of Defect SCE ATJ 20211115-01 | 1 | 1473787E, 1473789E |

**Summary of Findings:** “Poles had loose guy wires. Energy Safety considers this defect to be in the Minor risk category.”

**Response:**

SCE had previously recorded this condition for structure 4339409E in its work management system. SCE will remediate the condition within the timeframe provided by Energy Safety.

On March 21, 2022, SCE field personnel went to structure 4926384E to review the concern. SCE created a notification in its work management system and will remediate within the timeframe provided by Energy Safety.

On March 9, 2022, SCE field personnel went to structure 1561562E to review the concern. SCE created a notification in its work management system and will remediate within the timeframe provided by Energy Safety.

SCE had previously recorded this condition for structure 1473787E in its work management system. SCE will remediate within the timeframe provided by Energy Safety.

On March 17, 2022, SCE field personnel reviewed structure 1473789E. SCE confirmed that there is no condition of a loose primary guy wire on its facilities. However, SCE found a loose 3rd party telecom guy wire. While SCE is not responsible for 3rd party equipment, a 3rd party notification process is available for reporting safety hazards per GO 95 Rule 18A. SCE has initiated the 3rd party notification process.

**Finding: Excessive Splices**

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| **Notice** | **Finding #** | **Structures** |
| Notice of Defect SCE ATJ 20211115-01 | 3 | 1473789E |

**Summary of Findings:** “Pole had three or more splices in a single-phase conductor. Energy Safety considers this defect to be in the Minor risk category.”

**Response:** On March 2, 2022, SCE field personnel went to structure 1473789E to review the concern. SCE created a notification in its work management system and will within the timeframe provided by Energy Safety.

1. Government Code § 15475.4 anticipated a “hearing” process, which traditionally implies an in-person hearing affording parties the right to present evidence and examine witnesses. The statute establishes that Energy Safety is the successor to the Wildfire Safety Division at the Public Utilities Commission, which, notably, does not have a written hearing process. Rather, parties may request an in-person hearing to address contested issues of fact. In this instance, it seems logical to assume that the statutory intent of Government Code § 15475.4 was to establish an in-person hearing process, similar to Energy Safety’s predecessor agency. While Energy Safety characterizes the process as an “appeal” in California Code of Regulations, Title 14, Division 17 (Emergency Regulation) § 29104, the statute affords electrical corporations a hearing. The Regulations should be expanded to allow the electrical corporations to request oral hearings when warranted. [↑](#footnote-ref-2)
2. For each of the notices, Energy Safety includes language stating that “Pursuant to Public Utilities Code § 8389(g), following receipt of SCE’s response to this NOD and resolution of any disputes, this matter may be referred to the California Public Utilities Commission (CPUC) for its consideration of potential enforcement action, as the CPUC deems appropriate.” None of the notices referenced herein meets the requirement for OEIS referral for enforcement action to the CPUC based on the statutory requirements that OEIS referral be based on substantial compliance with WMPs. Energy Safety cites Public Utilities Code § 8389(g) in support of a potential enforcement action. However, Section 8389(g) provides for a possible enforcement action where “an electrical corporation is not in compliance with its approved wildfire mitigation plan.”  Public Utilities Code § 8386.1 further specifies that penalties shall be assessed for failure to *substantially* comply with a WMP.    [↑](#footnote-ref-3)
3. “Notices of defect” are defined as “identifying a deficiency, error, or condition increasing the risk of ignition posed by electrical lines and equipment requiring correction.” California Code of Regulations, Title 14, Division 17 (Emergency Regulation) § 29302(b). SCE does not necessarily agree that all the findings addressed in this response demonstrate an increased ignition risk. SCE’s response, and its agreement to remediate conditions identified by OEIS, shall not be construed as an admission that SCE believes a defect exists. [↑](#footnote-ref-4)