

May 23, 2022

Koko Tomassian, Compliance Program Manager
Compliance Assurance Division
Office of Energy Infrastructure Safety
California Natural Resources Agency
715 P Street 20th Floor
Sacramento, CA 95814

BY ENERGY SAFETY E-FILING

SUBJECT: Southern California Edison Company's Response to Notices of
Violation –SCE CAC7 20220224-01 (No Written Hearing Requested) -
Resubmission to Correct Docket

Dear Koko Tomassian:

Southern California Edison Company (SCE) is resubmitting this response to the correct docket for 2022 notices. The original response addressed both 2021 and 2022 notices and was submitted in the 2021 docket.

Southern California Edison Company (SCE) appreciates the opportunity to provide this response to the finding identified in the Notice of Violation - SCE CAC7 20220224-01 by the Office of Energy Infrastructure Safety (Energy Safety) on April 22, 2022 based on their compliance consultant (Green Grid) field inspections conducted in SCE's territory in February 2022. SCE also appreciates Energy Safety's efforts to identify, communicate and work together to resolve potential wildfire risks.

The enclosed response describes corrective actions taken or planned by SCE to address the finding identified in the above notice and prevent recurrence.

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

Sincerely,

//s//

Erik Takayesu
SVP Asset Strategy and Planning
Southern California Edison

SOUTHERN CALIFORNIA EDISON COMPANY INTRODUCTION

For the finding discussed in this response, SCE agrees to address each issue within the timeframe provided by Energy Safety, as explained in more detail below. This response includes finding from the following NOV SCE CAC7 20220224-01¹.

As shown in the detail below, SCE will address this finding. 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 is performing quality control reviews of completed construction 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 finding addressed in this response, SCE reserves the right to raise these points in subsequent procedural stages and/or proceedings.²

- 1) SCE's alleged deviation from its own standards and protocols is not in and of itself a basis for a Notice of Violation or defect; such a deviation does not necessarily mean the requirements for such notices have been met under Government Code Sections 15474.2 or 15475.4 or California Code of Regulations, Title 14, Division 17 (Emergency Regulation) § 29302. For example, not adhering to internal construction or design standards in some cases (e.g., bolted wedge connector) should be considered neither a "violation" nor a "defect".
- 2) Although Energy Safety has the right to refer certain issues to the CPUC for an enforcement action, the finding in this Notice does not support referral.³

1 This response addresses the following NOV finding SCE CAC7 20220224-01 #2. The additional findings are addressed in SCE's response to NOV's that are subject to a request for written hearing.

2 Government Code Section 15475.4 anticipates 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 Section 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.

3 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 NOV and resolution of any disputes, this matter may be referred to the

- 3) SCE does not believe the finding discussed in this response support a Notice of Violation.⁴

California Public Utilities Commission (CPUC) for its consideration of potential enforcement action, as the CPUC deems appropriate.” None of the notices discussed herein meets the requirement for Energy Safety referral for enforcement action to the CPUC based on the statutory requirements that Energy Safety referral be based on substantial compliance with WMPs. Energy Safety cites PUC Section 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.” PUC Section 8386.1 further specifies that penalties shall be assessed for failure to substantially comply with a WMP.

⁴ “Notices of violation” are defined as “identifying non-compliance with an approved Wildfire Mitigation Plan or any law, regulation, or guideline within the authority of the Office.” California Code of Regulations, Title 14, Division 17 (Emergency Regulation) § 29302(b). Energy Safety has not demonstrated how the finding addressed in this Response show “non-compliance with a WMP or any law, regulation or guideline with the authority of the office”. “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). Although SCE does not necessarily agree the finding addressed in this response demonstrate an increased ignition risk, the finding at most should be characterized as “defects” rather than “violations”. For example, SCE does not believe this finding is a WMP compliance or wildfire ignition risk issue. While SCE appreciates being notified of such an issue, it should not be classified as either a WMP violation or a defect. SCE’s response, and its agreement to remediate conditions identified by Energy Safety, shall not be construed as an admission that SCE believes a defect or violation exists.

SCE Response

Finding: Bolted Wedge Connector

Notice	Finding #	Structures
Notice of Violation SCE CAC7 20220224-01	2	1896712E

Summary of Finding: “Pole numbered 1896712E did not have bolted wedge connector cover installed at a dead-end construction. Energy Safety considers this a violation for failure of adhering to protocol and in the Minor risk category.”

Response: SCE has recorded the above condition in its work management system and anticipates this condition will be remediated in accordance with Energy Safety’s defect remediation timeline.