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Via Electronic Filing

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Subject: Public Advocates Office's Comments on the 2022 Independent Evaluator Annual Report on Compliance: Bear Valley Electric Service's 2022 Wildfire Mitigation Plan

Docket: 2023-IE

Dear Director Thomas Jacobs,

The Public Advocates Office at the California Public Utilities Commission (Cal Advocates) respectfully submits the following comments on the 2022 Independent Evaluator Annual Report on Compliance: Bear Valley Electric Service (BVES) 2022 Wildfire Mitigation Plan. Please contact Nathaniel Skinner (Nathaniel.Skinner@cpuc.ca.gov) or Henry Burton (Henry.Burton@cpuc.ca.gov) with any questions relating to these comments.

We respectfully urge the Office of Energy Infrastructure Safety to adopt the recommendations discussed herein.

Sincerely yours,

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I. INTRODUCTION

Pursuant to the Office of Energy Infrastructure Safety's (Energy Safety) *Energy Safety Seeks Public Comment on 2022 Wildfire Mitigation Plan Independent Evaluator Annual Report on Compliance*,¹ the Public Advocates Office at the California Public Utilities Commission (Cal Advocates) submits these comments on the *Independent Evaluator Annual Report on Compliance BVES 2022 Wildfire Mitigation Plan Compliance Assessment* by the Independent Evaluator (IE) Sargent & Lundy (S&L) (IE ARC BVES 2022 WMP).² While this IE report provides valuable information, some clarifications are necessary to allow a more thorough and complete review of BVES's 2022 Wildfire Mitigation Plan (WMP) and to increase transparency and accountability of the utility:

- Energy Safety should require S&L to submit a revision by the end of October 2023 to its 2022 Independent Evaluator Annual Report on Compliance - BVES 2022 Wildfire Mitigation Plan Compliance Assessment to address inconsistencies in its conclusions regarding BVES' Quality Assurance and Quality Control programs.

II. ENERGY SAFETY SHOULD REQUEST S&L TO CLARIFY ITS CONCLUSIONS REGARDING BVES' QUALITY ASSURANCE (QA) AND/OR QUALITY CONTROL (QC) PROGRAMS

Quality Assurance (QA) and Quality Control (QC) are vital parts of utility WMP programs which ensure that work is being performed correctly by employees and contractors. Energy Safety contracted with S&L to independently review BVES's QA/QC programs for Energy Safety's ten categories of WMP activities (ten WMP categories).³ However, S&L gave inconsistent conclusions on the QA/QC programs for three areas: Vegetation Management (VM) and Inspection, Risk Management, and Emergency Planning and Preparedness.⁴ Energy Safety

¹ *Energy Safety Seeks Public Comment on 2022 Wildfire Mitigation Plan Independent Evaluator Annual Report on Compliance*, Energy Safety, July 26, 2023, in docket 2023-IE.

² *Independent Evaluator Annual Report on Compliance BVES 2022 Wildfire Mitigation Plan Compliance Assessment* (IE ARC BVES 2022 WMP), June 30, 2023.

³ IE ARC BVES 2022 WMP at 81-85. The ten WMP categories are as follows: 1) Risk Assessment and Mapping; 2) Situational Awareness and Forecasting; 3) Grid Design and System Hardening; 4) Asset Management and Inspections; 5) Vegetation Management and Inspections; 6) Grid Operations and Protocols; 7) Data Governance; 8) Resource Allocation Methodology; 9) Emergency Planning and Preparedness; 10) Stakeholder Cooperation and Community Engagement.

⁴ IE ARC BVES 2022 WMP at 87. On page 87, S&L stated that all of BVES's QA/QC programs for ten categories except for vegetation management, risk management and emergency preparedness lacked

should request S&L resolve the inconsistencies in its conclusions regarding BVES’s QA/QC programs that oversee the ten WMP categories.

A. S&L should resolve the inconsistencies in its conclusions on audits of BVES’ VM program.

S&L’s evaluation of BVES’s QA/QC programs for VM, determined that “BVES has a robust vegetation management QA/QC program that effectively controls all related initiative activities.”⁵ However, this conclusion is not reasonably supported by S&L’s findings.⁶ For example, in its evaluation of BVES’s compliance with its 2022 WMP initiative for quality control of vegetation inspections,⁷ S&L found that BVES’s VM audits “did not appear to contain information and validation regarding implementation of quality processes as expected in typical audit record,” that “there was no validation of effective implementation of controls, planning, processes, or methods to ensure quality and mitigate risk of error,” and that there was no inclusion of typical quality audit findings or reports.⁸

S&L also states that BVES does not have a formal quality program or process that provides specific requirements for what constitutes an audit. Nonetheless, S&L also states because BVES performed four vegetation management audits in 2022, the target goal for this initiative was met.⁹ S&L finds that while “the quarterly updates could be considered an ‘audit’ by definition, these documents do not appear to contain information typically expected in a quality audit.”¹⁰

written programs; however, on page 89, S&L stated that BVES’s VM program audits did not contain information typically expected in a quality audit; on page 81, S&L stated that BVES has no formal QA/QC programs for Risk Assessment and Mapping; on page 85, S&L stated that BVES has no formal QA/QC programs for Emergency Planning and Preparedness.

⁵ IE ARC BVES 2022 WMP at 83-84.

⁶ IE ARC BVES 2022 WMP at 89. See Finding #7.

⁷ WMP Initiative 7.3.5.6: “Vegetation Management & Inspections – Improvement of inspections / Quality Control of Inspections”

⁸ IE ARC BVES 2022 WMP at 37. BVES provided four VM “quarterly updates” or VM audits performed in 2022 to S&L.

⁹ IE ARC BVES 2022 WMP at 37-38.

¹⁰ IE ARC BVES 2022 WMP at 89. See Finding #7.

It is contradictory and unreasonable for S&L to find that BVES lacks both a formal audit program and documents supporting a proper quality audit with respect to the Vegetation Management & Inspections, while also finding that BVES meets requirements for vegetation management audits in 2022. S&L's findings indicate that BVES does not have a robust QA/QC program overseeing all of its VM and inspections initiatives. Moreover, a compliance evaluation of the QA/QC program should not only check whether BVES is following its own procedures, but it should also examine whether BVES' procedures are adequate to maintain quality of work performed as well as to implement changes to ensure the quality of future work.

B. S&L should resolve the inconsistency in its verification of QA/QC for Risk Management and Emergency Preparedness.

In S&L's evaluation of BVES's QA/QC programs overseeing the ten WMP categories for its 2020 WMP,¹¹ 2021 WMP,¹² and 2022 WMP,¹³ S&L concluded that with "the exceptions of vegetation management, risk management, and emergency preparedness programs, the lack of written QA/QC programs for WMP compliance is pervasive throughout all target categories." At a minimum, QA/QC programs should have written procedures overseeing said programs. Yet, as discussed above, S&L's findings regarding BVES's VM programs demonstrate that BVES lacked a formal audit program or written procedures. S&L makes similar statements regarding a lack of written QA/QC procedures in its evaluations of BVES's QA/QC programs for its risk management and emergency planning preparedness programs, as demonstrated in Table 1 below.

¹¹ *Final Independent Evaluator Annual Report on Compliance BVES 2020 Wildfire Mitigation Plan* (IE ARC BVES 2020 WMP), June 30, 2021 at 68.

¹² *Final Independent Evaluator Annual Report on Compliance BVES 2021 Wildfire Mitigation Plan Compliance Assessment* (IE ARC BVES 2021 WMP), June 30, 2022 at 74.

¹³ IE ARC BVES 2022 WMP at 81.

Table 1			
Comparison of BVES's QA/QC programs which S&L found to be in compliance			
	2020 IE ARC Summary	2021 IE ARC Summary	2022 IE ARC Summary
Category #1: Risk Assessment and Mapping	BVES provided risk management program manual but validation of this QA/QC program's implementation was not possible since no significant risk management activities were performed for the relevant initiatives in 2020. ¹⁴	BVES has no formal written QA/QC programs or processes for this category. It will be beneficial to implement a QA/QC program that covers risk mapping. ¹⁵	BVES has no formal written QA/QC programs or processes for this category. Work will be done by Technosylva. ¹⁶
Category #9: Emergency Planning and Preparedness	There are two relevant formal written QA/QC documents (BVES Emergency Response Plan Rev 1 and PSPS Procedures Rev 1). This documentation with management direction provides sufficient guidance to fulfill initiative requirements. ¹⁷	BVES has no formal written QA/QC programs or processes, BVES has two documents (BVES Emergency Response Plan Rev 2 and PSPS Procedure Rev 1). This documentation with management direction provides sufficient guidance to fulfill initiative requirements. ¹⁸	BVES has no formal written QA/QC programs or processes, BVES has two documents (BVES Emergency Response Plan Rev 2 and PSPS Procedure Rev 1). This documentation with management direction provides sufficient guidance to fulfill initiative requirements. ¹⁹

¹⁴ Final Independent Evaluator Annual Report on Compliance BVES 2020 Wildfire Mitigation Plan, June 30, 2021 at 68-69.

¹⁵ Final Independent Evaluator Annual Report on Compliance BVES 2021 Wildfire Mitigation Plan Compliance Assessment, June 30, 2022 at 75.

¹⁶ IE ARC BVES 2022 WMP at 81.

¹⁷ Final Independent Evaluator Annual Report on Compliance BVES 2020 Wildfire Mitigation Plan, June 30, 2021 at 72.

¹⁸ Final Independent Evaluator Annual Report on Compliance BVES 2021 Wildfire Mitigation Plan Compliance Assessment, June 30, 2022 at 78-79.

¹⁹ IE ARC BVES 2022 WMP at 85.

Thus, S&L’s overall suggestion that BVES’s QA/QC programs for risk management and emergency planning and preparedness have sufficient written QA/QC programs²⁰ directly contradicts its statements elsewhere in the report. S&L should resolve this inconsistency.

C. Remedy: Energy Safety should request S&L revise its IE ARC BVES 2022 WMP, to resolve the inconsistencies in its conclusions on BVES’ QA and QC programs.

With respect to BVES’s QA/QC programs for VM, risk management and emergency preparedness, although the IE report on BVES’s 2022 WMP evaluated the prior year’s WMP, the relevant QA/QC procedures that BVES was evaluated on²¹ were not changed in its 2023 WMP.²² Clarification by S&L regarding BVES’s QA/QC procedures could help Energy Safety in further investigating this issue, especially given that Energy Safety has not issued any Erratum letter²³ or Revision Notice²⁴ regarding BVES’s QA/QC procedures or processes for BVES’s 2023 WMP.

²⁰ IE ARC BVES 2022 WMP at 87-88.

²¹ IE ARC BVES 2022 WMP at 85, FN 253, refers to “BVES INC Emergency and Disaster Response Plan Rev2.pdf.”

IE ARC BVES 2022 WMP at 37, FN 85, refers to “BVES INC Vegetation Management and Vegetation Management QC Programs Policy and Procedures Rev 1.pdf.”

IE ARC BVES 2022 WMP at 50, refers to “BVES Asset and Inspection Quality Management Plan (Revision 0) was issued on December 28, 2021.”

IE ARC BVES 2022 WMP at 85, FN 236, refers to “BVES INC PSPS Procedure Rev1.pdf.”

²² *Bear Valley Electric Service 2023-2025 Wildfire Mitigation Plan Appendices*, May 8, 2023:

Appendix F (*Bear Valley Electric Service, Inc. Emergency & Disaster Response Plan*, Revision 2, March 31, 2022) at 73.

Appendix G (*Bear Valley Electric Service, Inc. Vegetation Management and Vegetation QA/QC Programs*, Revision 1, October 6, 2021) at 139.

Appendix H (*Bear Valley Electric Service, Inc. Asset & Inspection Quality Management Plan*, Revision 0, December 28, 2021) at 157.

Appendix I (*Bear Valley Electric Service, Inc. Public Safety Power Shutoff Plan*, January 31, 2023) at 173. Although this revision is newer than that used in 2022 due to the date, it still includes only the procedures for executing a PSPS not a specific PSPS QA/QC procedure.

²³ *Office of Energy Infrastructure Safety Issuance of Statement of Substantive Erratum for Bear Valley Electric Service Company’s 2023-2025 Wildfire Mitigation Plan*, August 8, 2023 at 1. Energy Safety only requires that BVES revise its Table 8-35 “Emergency Preparedness Initiative Targets by Year.”

²⁴ *Office of Energy Infrastructure Safety Issuance of Statement of Revision Notice for Bear Valley Electric Service Company’s 2023-2025 Wildfire Mitigation Plan*, August 8, 2023 at 2. Energy Safety only requires BVES to submit the following revisions: RN-BVES-23-01: BVES is missing the completion date for the final objective in Section 9.1.3 Table 9-3; RN-BVES-23-02: PSPS targets are unsupported by

This clarification would help Energy Safety to determine whether it is a problem that BVES lacks written QA and QC procedures which the report notes could potentially “introduce quality risks where there is employee turnover, new employees, larger work forces, and more complex initiatives.”²⁵ Energy Safety should require S&L to revise its IE ARC BVES 2022 WMP to clarify the contradictions in its conclusions regarding BVES’ QA and QC programs.

III. CONCLUSION

Cal Advocates respectfully requests that Energy Safety adopt the recommendations discussed herein.

Respectfully submitted,

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BVES’s WMP narrative, PSPS projections, and past PSPS usage.

²⁵ IE ARC BVES 2022 WMP at 90. See Finding #11 regarding BVES’s lack of QA/QC programs for controlling its WMP activities.