

**BEFORE THE OFFICE OF ENERGY INFRASTRUCTURE SAFETY  
OF THE STATE OF CALIFORNIA**

Office of Energy Infrastructure Safety  
Natural Resources Agency

**COMMENTS OF THE GREEN POWER INSTITUTE ON THE  
DRAFT DECISION ON PACIFICORP'S WILDFIRE MITIGATION PLAN**

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## **COMMENTS OF THE GREEN POWER INSTITUTE ON THE DRAFT DECISION ON PACIFICORP'S WILDFIRE MITIGATION PLAN**

The Green Power Institute (GPI), the renewable energy program of the Pacific Institute for Studies in Development, Environment, and Security, provides these *Comments of the Green Power Institute on the Draft Decision on PacifiCorp's Wildfire Mitigation Plan*.

### **Introduction**

GPI generally supports the Draft Decision on PacifiCorp's 2023-2025 Wildfire Mitigation Plan and provides the following specific recommendations for improving the Draft Decision:

- The Draft Decision should eliminate all references to Level 1 work tags as "imminent," and should correct the language to ensure the remediation of Level 1 tags complies with GO 95.
- Section 5.4.1 Environmental Compliance and Permitting is generic and does not summarize S.M.A.R.T. actions PacifiCorp currently takes and/or will take to ensure timely risk mitigation implementation.
- Maturity Survey results do not clearly reflect PacifiCorp's 2023-2025 WMP wildfire risk model documentation.
- The Draft Decision should clarify its discussion of Wildfire Mitigation Strategy – Risk Evaluation Section 7.1.1 PacifiCorp's WMP Strengths
- Expand ACI PC-23-08 to require barrier and solution statements regarding how PacifiCorp will adjust its methods to improve on achieving Covered Conductor targets.
- ACI PC-23-16 "Vegetation Management Priority Tagging" should require Plan milestones and benchmarks.
- The determination that PacifiCorp failed to satisfactorily address 11 of a total 21 ACIs issued in 2022 should be addressed by limiting the permissible number of ACI extensions or re-issuances and establishing clear penalties such as Denying a WMP when the limit is exceeded.

- The PacifiCorp Draft Decision and all other Draft Decisions should afford credit to GPI and other stakeholders for their contributions to WMP review and ACI development.

**The Draft Decision should eliminate all references to Level 1 work tags as “imminent” and should correct the language to ensure the remediation of Level 1 tags complies with GO 95.**

As addressed in our comments on PacifiCorp’s revision notice, according to General Order (GO) 95 Rule 18 a condition that classifies as a Level 1 tag is, by definition, an “immediate” threat or risk, and therefore action must be “immediate.” Any method or Utility policy that ranks Level 1 conditions in a way that identifies a subset of Level 1 conditions as anything less than an “immediate” threat or risk, or that delays immediate action towards remediating the condition is in breach of GO 95 Rule 18. In the case of PacifiCorp, GO 95 Rule 18 is breached in multiple ways. Semantics matter. Referring to the highest risk Level 1 conditions as “imminent” is a qualitative downgrade from the GO 95 Rule 18 definition of Level 1 conditions as an “immediate” threat. However, the issue is not simply semantics. PacifiCorp’s Level 1 condition ranking approach also effectively creates a “non-imminent” Level 1 condition category that further permits a waiting period prior to acting. These factors violate GO 95 Rule 18. Consider if PacifiCorp simply re-named their highest risk Level 1 conditions as “immediate” risk. This would implicitly create a “non-immediate” Level 1 condition type that is not subject to immediate action – both of which are clearly non-compliant with GO 95 Rule 18.

GPI postulates that to risk-rank Level 1 conditions and remain in compliance with GO 95 Rule 18, a utility would first need to correctly identify all Level 1 conditions as an immediate threat and initiate immediate remediation actions. Only after these conditions are met could the utility consider prioritizing the *completion* of some Level 1 condition remediations ahead of others based on relative Level 1 condition risk. A risk ranked Level 1 condition remediation approach should still require “ASAP” correction of all Level 1 conditions, and metrics should be monitored by the utility as well as by the oversight agency. GPI recommends revising ACI PC-23-13 “Priority-A/Level 1 Remediation and Imminent Threat Designation” such that PacifiCorp is first required to adjust their Level 1 condition risk ranking methodology to achieve compliance with GO 95 Rule 18 by the 2025 WMP Update. Third-party audits and record keeping

requirements for a GO 95 Rule 18 compliant Level 1 condition remediation approach should be required thereafter and in the 2025 Update.

Multiple references in the Draft Decision implicitly or directly refer to the relevance and importance that PacifiCorp appropriately identify Level 1 conditions as “imminent” threats. For example, the executive summary states: “PacifiCorp has not demonstrated that it is consistently and properly identifying Level 1 conditions as imminent threats or that its remediation timeframe effectively mitigates the associated risk.”<sup>1</sup>

This language in the Draft Decision errs by effectively breaching and superseding GO 95 Rule 18. This error is committed in multiple locations where the Draft Decision implicitly or directly refers to PacifiCorp’s redefined Level 1 “imminent” threat conditions as a correct or acceptable definition that requires “consistent and proper” application. The Draft Decision should not and cannot by itself alter the definition of a Level 1 condition as determined by GO 95 Rule 18. Nor should the Draft Decision require that PacifiCorp continue applying a non-complaint Level 1 condition definition. GPI recommends removing all Draft Decision references to “consistently and properly identifying Level 1 conditions as imminent threats,” as well as any other language that states, directly or indirectly, that PacifiCorp’s Level 1 condition classifications are appropriate and permissible. The Draft Decision should instead identify that PacifiCorp’s Level 1 condition risk ranking approach is not currently in compliance with GO 95 Rule 18. OEIS should instead require that PacifiCorp first bring its Level 1 condition risk ranking approach into compliance with GO 95 Rule 18, followed by developing a plan to have third party audits and develop a more functional record keeping method. ACI PC-23-13 also remains appropriate and applicable to a GO 95 Rule 18 compliant method for addressing Level 1 conditions.

PacifiCorp’s non-complaint application of Level 1 condition “imminent threat” designations suggests that RN-PC-23-04 and/or PacifiCorp’s response to RN-PC-23-04 is similarly non-complaint with GO 95 Rule 18. GPI recommends revisiting the determination that: “The ability to identify failure modes that can result in imminent threat satisfies the first requirement of this

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<sup>1</sup> OEIS Draft Decision on PacifiCorp’s 2023-2025 Wildfire Mitigation Plan, p. 1.

revision notice issue.”<sup>2</sup> Edits throughout both the Draft Decisions and PacifiCorp’s 2023-2025 WMP are needed to bring PacifiCorp into compliance with GO 95 Rule 18.

**Section 5.4.1 Environmental Compliance and Permitting is generic and does not summarize S.M.A.R.T. actions PacifiCorp currently takes and/or will take to ensure timely risk mitigation implementation.**

WMP Draft Decision Sections summarizing Environmental Compliance and Permitting contain generic boilerplate description on what permitting is and what its challenges are. Only one sentence in this section is specific to PacifiCorp – it simply confirms WMP element box checking. The boilerplate description of permitting correctly identifies the challenges and barriers that can affect timely completion of grid hardening projects. In the next Base WMP filing, GPI recommends to strengthen the WMP reporting expectations and subsequent plan assessment of utility-specific permitting and environmental compliance barriers, as well as their individual solutions and approaches to addressing these barriers.

**Maturity Survey results do not clearly reflect PacifiCorp’s 2023-2025 WMP wildfire risk model documentation.**

Risk Methodology and Assessment maturity survey results (Section 6.3) identifies that PacifiCorp’s maturity level is limited by its response to:

PacifiCorp reports that its model technical documentation is not available to the public. To increase its maturity level, PacifiCorp would need to make its model technical documentation available to the public.

This is a somewhat confusing result given that PacifiCorp was the only SMJU to have provided detailed wildfire risk modeling documentation on Technosylva’s WRRM modeling suite, which it is in the process of adoption and implementing.<sup>3</sup> While we agree that the documentation provided does not address all relevant aspects of model documentation transparency, the maturity survey response summary seems to have limited value in identifying which

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<sup>2</sup> OEIS Draft Decision on Pacificorp’s 2023-2025 Wildfire Mitigation Plan, p. 50.

<sup>3</sup> PacifiCorp Revised 2023-2025 WMP, APPENDIX B: SUPPORTING DOCUMENTATION, Supporting Documentation for Risk Methodology and Assessment, pp 339-384.

documentation is missing. GPI has not had the time availability to conduct a complete assessment of Maturity Survey strengths and weaknesses regarding its ability to appropriately quantify and rank the maturity of utility WMPs. However, this example raises concern that the Maturity Survey may be improved to better capture incremental progress towards critical plan elements such as Risk Methodology and Assessment documentation and transparency. GPI recommends assessing whether the WMP evaluation and/or Maturity Survey should include additional completeness checks for Risk Methodology and Assessment documentation that allow for a more comprehensive assessment of transparency expected for each modelling approach applied in the WMPs.

**The Draft Decision should clarify its discussion of Wildfire Mitigation Strategy – Risk Evaluation Section 7.1.1 PacifiCorp’s WMP Strengths.**

Wildfire Mitigation Strategy Development – Risk Evaluation Section 7.1.1 “PacifiCorp’s WMP Strengths” is not sufficiently explained to support public transparency and review. The strengths statement identifies:

PacifiCorp projects improvement in its wildfire mitigation strategy development over the WMP cycle in the following area: key stakeholders for decision making.

When performing its risk evaluation, PacifiCorp currently uses a qualitative approach, considering factors such as regulatory requirements, wildfire risks, timing, costs, stakeholder input, and cross-utility collaboration. PacifiCorp projects progress in this area by transitioning toward an approach that will include more quantitative analysis and structured decision-making for risk evaluation.<sup>4</sup>

It’s not clear how improving with respect to “key stakeholders for decision making” is defined in this context of Wildfire Mitigation Strategy Development – Risk Evaluation. The actionable “area” does not include a clear action, output, or outcome, let alone Specific, Measurable, Achievable, Relevant, or Timebound (SMART) plan elements. The second paragraph focuses on a transition from qualitative to quantitative risk evaluation, but does not appear to clarify how the methodological change is improving in “key stakeholders for decision making.” GPI respectfully recommends revising Draft Decision Section 7.1.1 to clarify PacifiCorp’s 2023-2025 WMP plan strengths.

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<sup>4</sup> OEIS Draft Decision on PacifiCorp’s 2023-2025 Wildfire Mitigation Plan, pp 30-31.

**Expand ACI PC-23-08 to require barrier and solution statements regarding how PacifiCorp will adjust its methods to improve on achieving Covered Conductor targets.**

The Required Progress elements of ACI PC-23-08, “Covered Conductor Installation Progress,” requires PacifiCorp to provide updates on Covered Conductor progress, changes to resource and labor availability, and specified project-specific data. GPI recommends adding an ACI Required Progress component that requires PacifiCorp to specifically identify past and current barriers and accompanying actions and plans that have or will address those barriers to timely achieving its Covered Conductor targets. Requiring PacifiCorp to identify barriers and solutions/remediation plans will support broader reassessment of, and updates to, past and present implementation barriers.

**ACI PC-23-16 “Vegetation Management Priority Tagging” should require Plan milestones and benchmarks.**

ACI PC-23-16 “Vegetation Management Priority Tagging” requires PacifiCorp to provide “A plan to operationalize the risk-based criteria that includes a timeline.” GPI recommends bolstering this requirement by mandating that the plan include SMART elements, including measurable milestones or benchmarks with implementation deadlines.

**The Draft Decision should correct the record regarding GPI contributions to ACI PC-22-19 and updated ACI PC-23-18 “Emergency Resource Availability.”**

The Draft Decision states:

In its 2022 WMP Update, PacifiCorp reported that its ignition prevention and suppression resources are located exclusively in Oregon and Washington. Given recent PacifiCorp- reported catastrophic wildfires (the Slater fire of 2020 and McKinney fire of 2022), in 2022 Energy Safety required via PC-22-19, Emergency Resources Availability, that PacifiCorp analyze its response times regarding its emergency resources and evaluate deployment and storage of resources within California.<sup>5</sup>

GPI was the first stakeholder to raise concerns about PacifiCorp’s lack of California-based suppression resources and response availability in our Opening Comments on the SMJU 2022 WMP Updates:

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<sup>5</sup> OEIS Draft Decision on PacifiCorp’s 2023-2025 Wildfire Mitigation Plan, pp 70-71.

**PacifiCorp should acquire wildfire suppression equipment in their California territory.**

In their mitigation section 7.3.6.3, titled “Crew-accompanying ignition prevention and suppression resources and services,” PacifiCorp lists the fire suppression equipment it owns (e.g. water tankers). None of the listed equipment is located inside of California. The closest equipment to their HFTD Tier 3 region (Mt Shasta, CA) is located in Klamath Falls, OR and Medford, OR, both deemed high fire risk locations in Oregon’s wildfire risk maps, 1.5 hours from Mt Shasta. PacifiCorp should describe their equipment deployment strategy and how they will address ignition or wildfire events in their California territory if their equipment is deployed in Oregon.<sup>6</sup>

GPI respectfully requests that the present Draft Decision be updated to provide GPI due credit for our initiation of and contribution to an ongoing issue that now amounts to multiple ACIs, ACI PC-22-19 and PC-23-18, regarding PacifiCorp’s California-based wildfire suppression capabilities. PacifiCorp has failed to address GPI’s concerns, dating back to June 2022. GPI supports the determination that PacifiCorp has not adequately addressed ACI PC-22-19 “Emergency Resource Availability,” and supports the issuance of PC-23-18.

GPI recommends strengthening ACI PC-23-18, “Emergency Resource Availability,” by requiring PacifiCorp to conduct an “evaluation of PacifiCorp’s deployment and storage of resources within California” regardless of the outcome of a response time analysis based on reported catastrophic wildfires. PacifiCorp’s two reported catastrophic wildfire events do not constitute a statistically robust dataset capable of determining whether PacifiCorp wildfire prevention and suppression equipment deployment and storage are “adequate” for the range of possible and/or probable wildfire risk scenarios across its large, rural multi-state service territory. PacifiCorp’s Oregon-based wildfire risk exposure, where its closest wildfire prevention and suppression equipment is housed, introduces an added element of risk assessment challenge, since the risk is not assessed based on California’s HFTD Tiers nor specifically considered in PacifiCorp’s WMP wildfire risk assessment or emergency planning. GPI recommends deleting the following strikethrough text and adding underlined text to ACI PC-23-18:

~~Depending on the results of this analysis, Conduct~~ an evaluation of PacifiCorp’s deployment and storage of resources within California: that addresses proximal wildfire risk and response in relation to PacifiCorp’s multi-state service territory.

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<sup>6</sup> GPI Comments on SMJU 2022 WMP Updates June 2022, p. 41.



**The determination that PacifiCorp failed to satisfactorily address 11 of a total 21 ACIs issued in 2022 should be addressed by limiting the permissible number of ACI extensions or re-issuances and establishing clear penalties such as Denying a WMP when the limit is exceeded.**

The 2023 Draft Decision determines that PacifiCorp failed to sufficiently address 11 of 21 total ACIs issued in 2022. GPI is concerned by this poor track record. The WMP process should take care to track repeated failures to adequately address ACI. The WMP process should also not allow unlimited, repeat ACI issuances when the original ACI is not adequately addressed. GPI recommends tracking repeated failures to address ACI, establishing a threshold number of repeat ACI deficits for a given topic or requirement, and creating a penalty for when the threshold is reached. GPI recommends the penalty include WMP Denial. This is especially appropriate since OEIS customizes the ACI in way that requires each utility to make incremental WMP improvements, and/or develop a plan that will result in future improvements, based on each utility's current maturity level and capabilities. That is, adequately addressing the ACI is often well within the reach of each utility's capabilities, including in the case of PacifiCorp. Failure to incrementally address WMP weaknesses according to the ACI requirements would therefore be deterred by establishing a clear penalty structure that includes the potential for Plan Denial.

**The PacifiCorp Draft Decision and all other Draft Decisions should afford credit to GPI and other stakeholders for their contributions to WMP review and ACI development.**

GPI and other stakeholders previously contested the use of the following language to summarize stakeholder comments on WMPs, Revision Notices, and Draft Decisions:

Energy Safety found the following stakeholder comments to concur with topics already included in Energy Safety's findings: • GPI o Target pass rates for vegetation management QA/QC program.<sup>7</sup>

And

Energy Safety found the following stakeholder comments to concur with topics already included in Energy Safety's findings: • GPI o Continued tracking of 2022 areas for continued improvement (e.g., PC-22-06 and PC-22-09); o Level 1 conditions/workorders.<sup>8</sup>

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<sup>7</sup> OEIS Draft Decision on PacifiCorp's 2023-2025 Wildfire Mitigation Plan, Appendix D. p. A-21.

<sup>8</sup> OEIS Draft Decision on PacifiCorp's 2023-2025 Wildfire Mitigation Plan, Appendix E. p. A-22.

Our Opening Comments on the OEIS Draft Decision on SCE and SDG&E’s 2023-2025 WMPs are directly relevant to this repeat issue in the OEIS Draft Decision on PacifiCorp’s 2023-2025 WMP.<sup>9</sup> Briefly, stakeholders are required to provide the first recorded recommendations and are frequently tapped to serve as panelists and lead workshop discussions. In multiple cases, GPI and other stakeholders could just as easily state and substantiate that Energy Safety comments concur with topics already included in our findings. However, we respect that ideation development is an organic process that is ultimately bolstered by the input from many parties over what now amounts to years of accrued WMP filing and comment cycles. GPI respectfully requests that stakeholder input be appropriately valued as materially contributing to both the initiation of and refinement of ACI, and that GPI be appropriately cited in all WMP Decisions including the PacifiCorp Draft Decision.

GPI provided prior written comment with respect to initiating and improving the following 2023-2025 WMP assessment topics and ACI prior to the issuance of the Draft Decision:

- ACI PC-22-19 and PC-23-18 “Emergency Resource Availability.” GPI addressed this issue first in our Opening Comments on SMJU 2022 WMP Updates filed in June 2022.<sup>10</sup>
- ACI PC-23-03, Section 6.5.3, and Section 7.1.2.1 on PSPS and Wildfire Risk Trade Off Transparency, including “...how [PacifiCorp] uses risk ranking and risk buy-down to determine risk mitigation selection.”<sup>11</sup> GPI addressed this topic in our Opening Comments on SMJU 2023-2025 WMPs under “Risk Assessment and Modeling: [PacifiCorp] The link between updated risk modeling approaches, tools, and outputs and mitigation selection and prioritization are not well defined” and under “Risk Assessment and Modeling: The SMJUs are engaging Technosylva to overhaul their wildfire risk planning modeling tools and approaches.”<sup>12</sup>
- ACI PC-23-06 and Section 7.1.2.2 Vendor Fire Risk Model Implementation Milestones and Dates. GPI previously raised concerns over PacifiCorp’s timeline for updated risk model development and implementation, and the need for interim updates that provide closer progress monitoring than the annual WMP reporting

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<sup>9</sup> TN13023\_20230919T153545\_GPI\_Comments\_on\_Decision\_on\_SCE\_and\_SDGE\_WMPs, pp 29-31.

<sup>10</sup> GPI Comments on SMJU 2022 WMP Updates June 2022, p. 41.

<sup>11</sup> OEIS Draft Decision on PacifiCorp’s 2023-2025 Wildfire Mitigation Plan, pp 27-28.

<sup>12</sup> GPI Opening Comments on SMJU 2023-2025 WMPs, pp 23-24, pp 4-7.

timeline can support.<sup>13</sup> ACI PC-23-06 addresses GPI's concerns by requiring PacifiCorp to provide additional milestones and dates regarding model maturity and improvements.

- ACI PC-23-11 Distribution Detailed Inspection Frequency. GPI addressed this topic in our Opening Comments on SMJU 2023-2025 WMPs under "Risk Assessment and Modeling: The SMJUs do not have risk assessment approaches that clearly take into account factors such as asset age or operating conditions." This comment section discusses that:

In general, the SMJUs are not currently using (or minimally, not clearly reporting on) risk assessment approaches, models, or standards beyond standard inspections processes and replacement requirements that could identify probability of asset failure and ignition risk based on factors such as asset age or operating conditions.<sup>14</sup>

ACI PC-23-11 partially addresses the concerns raised by GPI in Comments.

- The Draft Decision identified the following plan element as a WMP Strength:

Additionally, PacifiCorp offers its customers replacement tree vouchers to offset removal of trees along its rights-of-way. These replacement trees are small with an aim to minimize their impact on overhead electrical infrastructure when they reach their mature height. This practice may reduce customer refusals related to vegetation management and improve customer relations.<sup>15</sup>

GPI specifically and likely first sought information on Liberty's use of tree vouchers and its impact on customer relationships and VM during the Public Workshop on 2023-2025 WMP Submissions – SMJUs.<sup>16</sup> The Draft Decision should correct and improve the record on this topic as it relates to GPIs contributions.

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<sup>13</sup> GPI Opening Comments on SMJU 2023-2025 WMPs, pp 23-24.

<sup>14</sup> GPI Opening Comments on SMJU 2023-2025 WMPs, pp 25-27.

<sup>15</sup> OEIS Draft Decision on PacifiCorp's 2023-2025 Wildfire Mitigation Plan, p. 60.

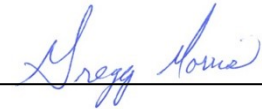
<sup>16</sup> Public Workshop on 2023-2025 WMP Submissions – SMJUs. Available at <https://www.youtube.com/watch?v=DkW9WGy0cTE> at 5:53:08.

## Conclusions

We respectfully submit these comments and look forward to reviewing future wildfire mitigation plans and related filings. For the reasons stated above, we urge the OEIS to adopt our recommendations herein.

Dated January 17, 2024.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Gregory Morris". The signature is written in a cursive style and is positioned above a horizontal line.

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