State of California – A Natural Resources Agency
Gavin Newsom, Governor

OFFICE OF ENERGY INFRASTRUCTURE SAFETY
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Caroline Thomas Jacobs, Director

TRANSMITTED VIA ELECTRONIC MAIL

January 23, 2024

Paul Marconi
President, Treasurer & Secretary
Bear Valley Electric Service (BVES)
42020 Garstin Dr, PO Box 1547
Big Bear Lake, CA 92315

NOD_BVES_CAC3_20220613_0842

NOTICE OF DEFECT

Mr. Marconi,

Pursuant to Government Code § 15475.1, the Office of Energy Infrastructure Safety (Energy Safety) has completed a compliance assessment of Liberty Utilities and determined the existence of one or more defects. Electrical corporations have an obligation to "construct, maintain, and operate its electrical lines and equipment in a manner that will minimize the risk of catastrophic wildfire posed by those electrical lines and equipment." (Public Utility Code § 8386.) In accordance with Government Code § 15475.2 and the California Code of Regulations, Title 14, Division 17 § 29302(b)(2), a deficiency, error, or condition increasing the risk of ignition posed by electrical lines and equipment is considered a defect.

On June 13, 2022, Energy Safety conducted an inspection in the vicinity of the city of Big Bear Lake, San Bernardino County, California. The inspection report is enclosed herewith. Energy safety found the following defect:

Defect 1: Energy Safety observed pine species vegetation growing within the minimum clearance requirements of four feet from primary conductors near pole number 7174BV (Lat/Long: 34.23099546448101, -116.844771347527). The vegetation was visually estimated to be approximately three feet from the conductor. Energy Safety considers this defect to be in the Moderate risk category.

Response Options

Energy Safety may prescribe a timeframe for resolution of a violation or defect associated with the assigned risk category.[1] Within 30 days from the issuance date of this notice of defect (NOD), the electrical corporation must provide a response advising Energy Safety of corrective actions taken or planned to remedy the above identified defect(s) and prevent recurrence. Alternatively, the electrical corporation must advise Energy Safety that it will not correct the defect, including the reasoning or justification for inaction and all supporting documentation.[2] This response shall be filed in the Energy Safety e-Filing system under the 2021 NOD docket[3] and the associated file name(s) must begin with the NOD identification number provided above.

Pursuant to Government Code § 15475.4, if the electrical corporation intends to request a hearing to "to take public comment or present additional information," it must also do so within the 30-day timeframe. If a petition for hearing is not received by the deadline, then the determination and conditions set forth in this NOD become final.

Prior to its response or request for hearing, the electrical corporation may also request an informal conference with Energy Safety's Compliance Assurance Division for the purpose of disputing any issues raised in this NOD no later than five (5) business days before the response deadline.[4] Requests for informal conferences with Energy Safety must be e-mailed to compliance@energysafety.ca.gov, with a copy sent to all Energy Safety's Compliance Assurance Division staff identified in the NOD. Electrical corporations are encouraged to schedule a conference at the earliest possible time to assure an expeditious resolution of any issues.

Pursuant to Public Utilities Code § 8389(g), following receipt the electrical corporation'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.

Sincerely,

Shannon O'Rourke
Deputy Director | Electrical Infrastructure Directorate
Office of Energy Infrastructure Safety

[1] Energy Safety Compliance Guidelines, pp. 5-6
[2] Energy Safety Compliance Guidelines, p. 7
[3] https://efiling.energysafety.ca.gov/EFiling/DocketInformation.aspx?docketnumber=2021-NOD
[4] Energy Safety Compliance Guidelines, p. 6

Cc:

Jon Pechhia, BVES
Tom Tzu-Tong Chou, BVES
Jarred Hennen, BVES
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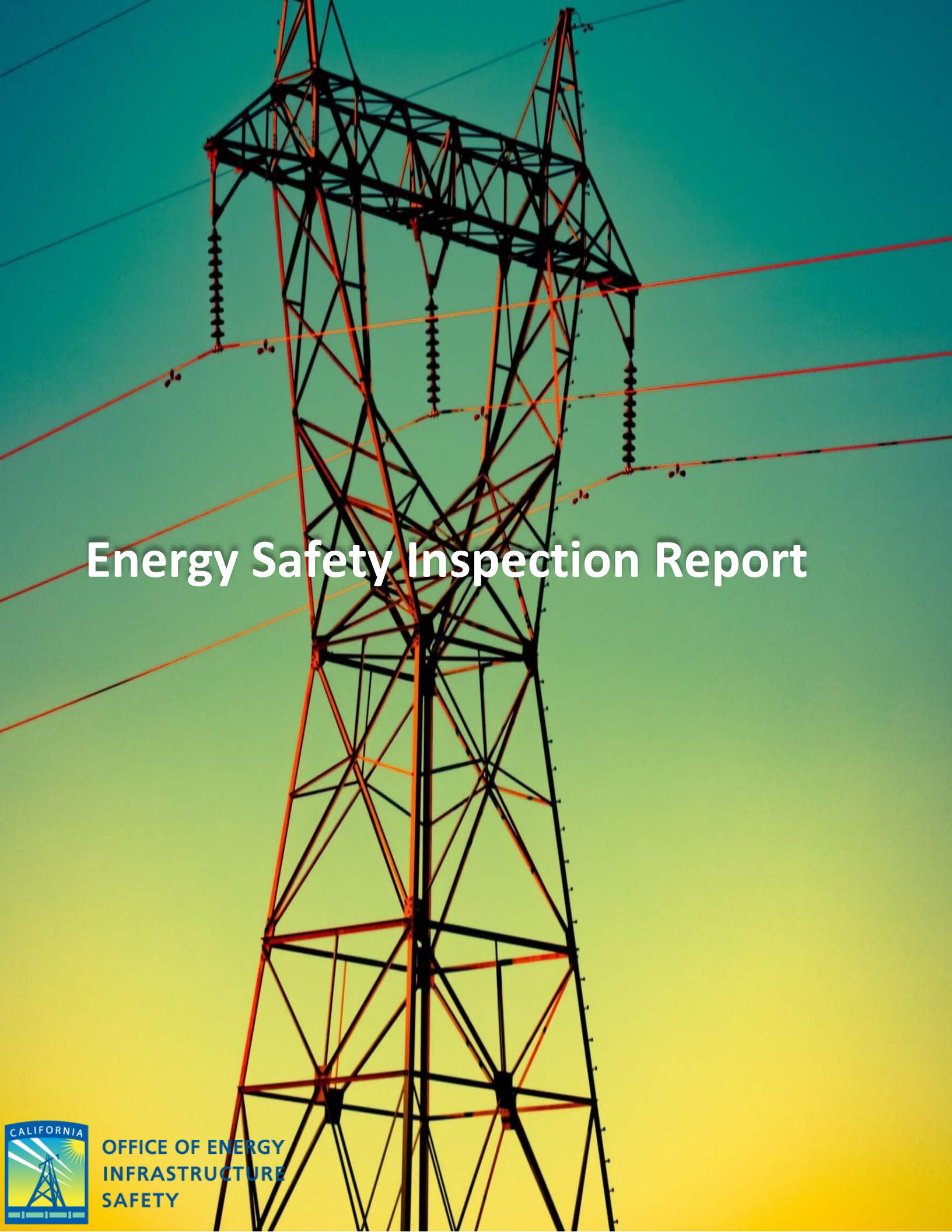


Energy Safety Inspection Report

CALIFORNIA
OFFICE OF ENERGY
INFRASTRUCTURE
SAFETY

Table of Contents

Report Number: CAC3_BVES_ 20220613_0842
Date: June 13, 2022
Inspector: CAC 3
Utility: Bear Valley Electric Service (BVES)
Attention: Paul Marconi, President, Treasurer, & Secretary

I. BACKGROUND

While wildfires are a natural part of California's ecosystem, the "fire season" in California and throughout the West is beginning and finishing earlier and later each year. Climate change and drought are believed to be major contributors to this unsettling pattern. Utility-ignited wildfires are also a significant contributor to the wildfire risk in the Golden State, as this ignition cause category represents a disproportionate amount of the largest and most destructive fires in state history. Consequently, the Office of Energy Infrastructure Safety (Energy Safety) was established per the California Energy Infrastructure Safety Act (Government Code sections 15470 – 15476) with the primary objective to ensure electrical corporations reduce wildfire risk and comply with energy infrastructure safety measures. One method Energy Safety deploys to meet its objective is conducting detailed visual inspections of electrical infrastructure.

Inspections are carried out by Energy Safety's Compliance Division on a regular basis to verify the work performed by electrical corporations, as reported in approved wildfire mitigation plans (WMPs) or subsequent filings and assess general conditions of electrical infrastructure that may adversely impact an electrical corporation's wildfire risk. Accordingly, Energy Safety inspections are distinguished into two lines of effort. Inspections related to an electrical corporation's execution of its WMP initiatives are referred to as "WMP Initiative Inspections," and findings are detailed in Table 2 below. Issues discovered during these inspections are categorized as violations and are accompanied by a notice of violation (NOV). In addition to assessing compliance with WMP initiatives, Energy Safety inspectors also visually assess the electrical infrastructure and surrounding vegetation to determine whether conditions are present that increase an electrical corporation's ignition and wildfire risk in accordance with the electrical corporation's obligation to "construct, maintain, and operate its electrical lines and equipment in a manner that will minimize the risk of catastrophic wildfire posed by those electrical lines and equipment." (Public Utility Code section 8386) These

inspections are referred to as" General Wildfire Safety (GWS) Inspections", and findings are detailed in Table 3 below. Issues discovered during these inspections are categorized as defects and are accompanied by a notice of defect (NOD).

This report details the findings of a recent Energy Safety inspection.

II. RESULTS

In accordance with Energy Safety's WMP Compliance Process, violations and defects discovered by Energy Safety must be corrected in a timely manner. The timeline for corrective action is dependent upon the risk category, location, and potential impact to worker safety of the violation or defect discovered. Risk categories range from minor to severe, and locational risks are determined with tier levels in the California Public Utilities Commission's High Fire Threat District (HFTD) map. Table 1 below outlines violation and defect risk categories and their associated correction timelines. The correction timelines identified below apply to the results of both WMP Initiative Inspections as well as GWS Inspections.

Table 1. Risk Category and Correction Timelines

Risk Category	**Violation and defect correction timeline**
Severe	• Immediate resolution
Moderate	• 2 months (in HFTD Tier 3) • 6 months (in HFTD Tier 2) • 6 months (if relevant to worker safety; not in HFTD Tier 3)
Minor	• 12 months or resolution scheduled in WMP update

Table 2. WMP Initiative Inspections Violation

Item	Structure ID	Lat/Long	HFTD	Initiative Number	Violation Type	Severity	Violation Description
-	-	-	-	-	-	-	-

Table 3. General Wildfire Safety Inspections Defect

Item	Structure ID	Lat/Long	HFTD	Defect Type	Severity	Defect Description
D1	7174BV	34.23099546448101, -116.844771347527	Tier 2	Vegetation near supply conductor breaking radial clearance requirements	Moderate	Pine vegetation breaking minimum clearance requirements

III. DISCUSSION

On May 13, 2022, BVES submitted its quarterly data report (QDR) for the last quarter (Q4) of 2021, covering the reporting period of October 1, 2021, through December 31, 2021. BVESs' Q4 QDR data was submitted pursuant to Energy Safety Data Standard published on September 1, 2021. The Q4 QDR data detailed the status of BVESs' WMP initiatives as of the end of Q4 2021.

Energy Safety utilized an internally established selection criteria to define the sample of Q4 2021 initiative activities and structures to inspect for WMP compliance. Based on this, Energy Safety conducted inspections of the selected structures to assess BVESs compliance with the following WMP initiative: Vegetation Management, and Inspections (2021 WMP initiative 7.3.5). The inspections serve to assess the accuracy of BVESs' QDR data, the completeness of its work, and whether it followed its protocols.

On June 13, 2022, Energy Safety conducted an inspection in the vicinity of the city of Big Bear Lake, San Bernardino County, California. Upon arriving at the inspection location, Energy Safety observed the following defect:

Defect 1: Energy Safety observed pine species vegetation growing within the minimum clearance requirements of four feet from primary conductors near pole number 7174BV (Lat/Long: 34.23099546448101, -116.844771347527), as shown in D1 photos on page A-2. To avoid an increased risk of ignition, vegetation must be maintained at a minimum clearance of four feet from conductors between 750 and 22,500 volts in High Fire Threat Districts.[1] BVESs' service area is entirely within a High Fire Threat District. The nominal voltage of the conductors at pole numbered 7174BV is reported by BVES to be operating at 4,100 volts. The pine tree was visually estimated to be approximately three feet from the conductor. Vegetation close to electrical assets can grow, fall, or blow into electrical equipment and conductors, potentially leading to outages or wildfire ignitions. Energy Safety considers this defect to be in the Moderate risk category.

[1] General Order 95 Section 3 Rule 35 Table 1 Case 14. See Appendix B

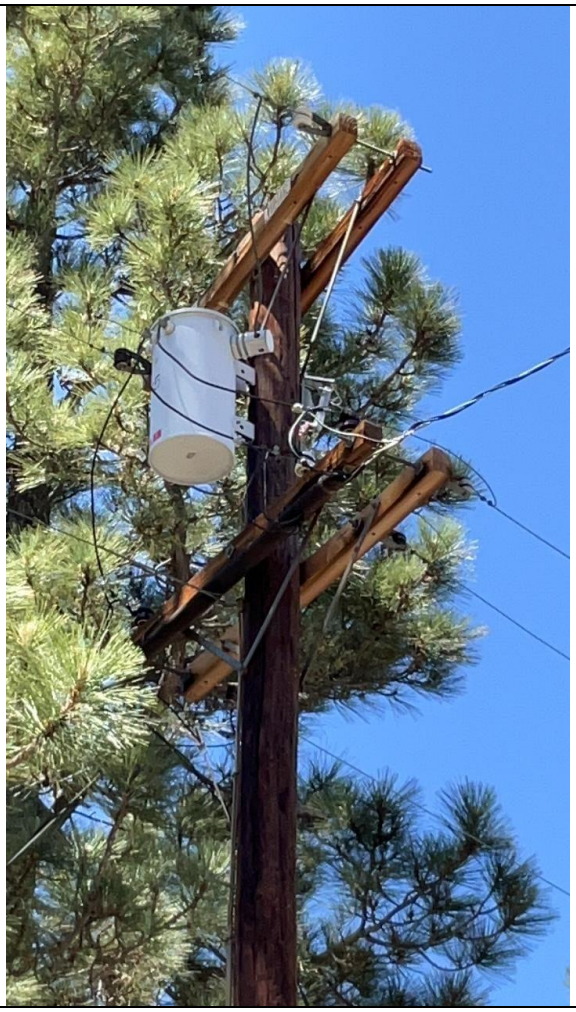
IV. CONCLUSION

Pursuant to its objectives and statutory obligations, Energy Safety has completed the above referenced inspection and discovered a defect associated with BVESs' equipment. BVES's required response to this non-compliance and options for hearing are detailed in the associated notice of defect.

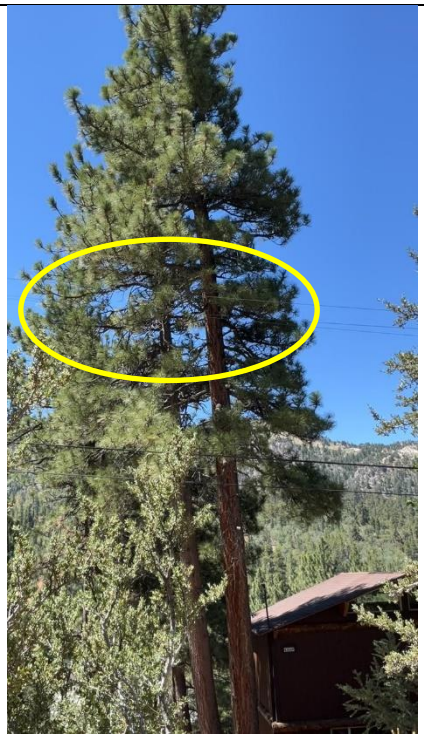
V. APPENDICES

APPENDIX A: Photos

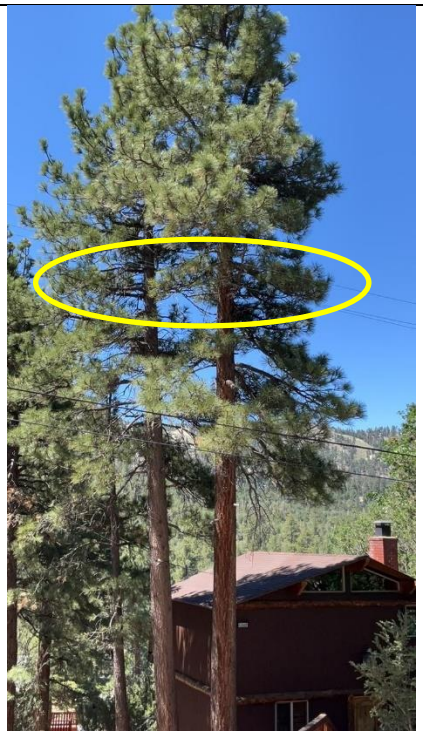
Structure ID: 7174BV
General Photos

	
Item4GImg3: Pole ID	**Item4GImg2**: Overall pole

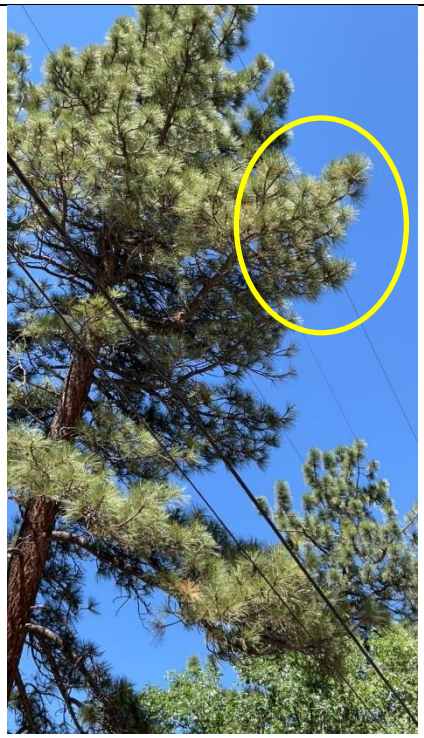
D1 Photos



Item4VG4Img1: Mid-span, vegetation within minimum distance requirements of 4 feet to primary conductors



Item4VG4Img2: Secondary mid-span view of pine tree approximately three feet from the conductors



Item4VG4Img3: Third mid-span view of vegetation within minimum distance requirements of 4 feet to primary conductors

General Order 95

Section III

Requirements for All Lines

Table 1: Basic Minimum Allowable Vertical Clearance of Wires above Railroads, Thoroughfares, Ground or Water Surfaces; Also Clearances from Poles, Buildings, Structures or Other Objects (nn) (Letter References Denote Modifications of Minimum Clearances as Referred to in Notes Following This Table)

Case No.	Nature of Clearance	Wire or Conductor Concerned						
		A Span Wires (Other than TrolleySpan Wires) Overhead Guys and Messengers	B Communication Conductors (IncludingOpen Wire, Cables and Service Drops), Supply Service Drops of 0 - 750 Volts	C Trolley Contact, Feeder and Span Wires, 0 - 5,000 Volts	D Supply Conductors of 0 - 750 Volts and Supply Cables Treated as in Rule 57.8	E Supply Conductors and Supply Cables, 750 - 22,500 Volts	F Supply Conductors and Supply Cables, 22.5 - 300 kV	G Supply Conductors and Supply Cables, 300 - 550 kV(mm)
1	Crossing above tracks of railroads which transport or propose to transport freight cars (maximum height 15 feet, 6 inches) where not operated by overhead contact wires. (a) (b) (c) (d)	25 Feet	25 Feet	22.5 Feet	25 Feet	28 Feet	34 Feet	34 Feet (kk)
2	Crossing or paralleling above tracks of railroads operated by overhead trolleys. (b) (c) (d)	26 Feet (e)	26 Feet (e) (f) (g)	22.5 Feet (h) (i) (eee)	20 Feet (ii)	25 Feet (o) (ii)	30 Feet (o) (ii)	30Feet (o) (ii) (kk)
3	Crossing or along thoroughfares in urban districts or crossing thoroughfares in rural districts. (c) (d)	18 Feet (j) (k) (ii)	18 Feet (j) (l) (m) (ii) (kkk)	19 Feet (hh) (eee)	20 Feet (ii)	25 Feet (o) (ii)	30 Feet (o) (ii)	30 Feet (o) (ii) (kk)
4	Above ground along thoroughfares in rural districts or across other areas capable of being traversed by vehicles or agricultural equipment.	15 Feet (k)	15 Feet (m) (n) (p)	19 Feet (eee)	19 Feet	25 Feet (o)	30 Feet (o) (p)	30 Feet (o) (kk)
5	Above ground in areas accessible to pedestrians only	8 Feet	10 Feet (m) (q)	19 Feet (eee)	12 Feet	17 Feet	25 Feet (o)	25 Feet (o) (kk)
6	Vertical clearance above walkable surfaces on buildings, (except generating plants or substations) bridges or other structures which do not ordinarily support conductors, whether attached or unattached.	8 Feet (r)	8 Feet (r)	8 Feet	8 Feet	12 Feet	12 Feet	20 Feet (ll)

6a	Vertical clearance above non–walkable surfaces on buildings, (except generating plants or substations) bridges or other structures, which do not ordinarily support conductors, whether attached or unattached	2 Feet	8 Feet (yy)	8 Feet	8 Feet (zz)	8 Feet	8 Feet	20 Feet
7	Horizontal clearance of conductor at rest from buildings (except generating plants and substations), bridges or other structures (upon which men may work) where such conductor is not attached thereto (s) (t)	-	3 Feet (u)	3 Feet	3 Feet (u) (v)	6 Feet (v)	6 Feet (v)	15 Feet (v)
8	Distance of conductor from center line of pole, whether attached or unattached (w) (x) (y)	-	15 inches (s) (aa)	15 inches (aa) (bb) (cc)	15 inches (o) (aa) (dd)	15 or 18 inches (o) (dd) (ee) (jj)	18 inches (dd) (ee)	Not Applicable
9	Distance of conductor from surface of pole, crossarm or other overhead line structure upon which it is supported, providing it complies with case 8 above (x) (ee)	-	3 inches (aa) (ff)	3 inches (aa) (cc) (gg)	3 inches (aa) (dd) (gg)	3 inches (dd) (gg) (jj)	1/4 Pin Spacing Shown in Table 2 Case 15 (dd)	1/2 Pin Spacing Shown in Table 2 Case 15 (dd)
10	Radial centerline clearance of conductor or cable (unattached) from non–climbable street lighting or traffic signal poles or standards, including mastarms, brackets and lighting fixtures, and from antennas that are not part of the overhead line system.	-	1 Foot (u) (rr) (ss)	15 inches (bb) (cc)	3 Feet (oo)	6 Feet (pp)	10 Feet (qq)	10 Feet (ll)
11	Water areas not suitable for sailboating (tt) (uu) (ww) (xx)	15 Feet	15 Feet	-	15 Feet	17 Feet	25 Feet	25 Feet (kk)
12	Water areas suitable for sailboating, surface area of: (tt) (vv) (ww) (xx) (A) Less than 20 acres (B) 20 to 200 acres (C) Over 200 to 2,000 acres (D) Over 2,000 acres	 18 Feet 26 Feet 32 Feet 38 Feet	 18 Feet 26 Feet 32 Feet 38 Feet	 - - - -	 18 Feet 26 Feet 32 Feet 38 Feet	 20 Feet 28 Feet 34 Feet 40 Feet	 27 Feet 35 Feet 41 Feet 47 Feet	 27 Feet (kk) 35 Feet (kk) 41 Feet (kk) 47 Feet (kk)
13	Radial clearance of bare line conductors from tree branches or foliage (aaa) (ddd)	-	-	18 inches (bbb)	-	18 inches (bbb)	1/4 pin spacing shown in Table 2, Case 15 (bbb) (ccc)	1/2 pin spacing shown in Table 2, Case 15
14	Radial clearance of bare line conductors from vegetation in Extreme and Very High Fire Threat Zones in Southern California (aaa) (ddd) (hhh) (iii)	-	-	18 inches (bbb)	-	48 inches (bbb) (iii)	48 inches (fff)	120 inches (ggg)