



April 12, 2024

Allen Berreth  
Vice President of Transmission & Distribution Operations  
1700 NE Multnomah, Suite 2000  
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## NOTICE OF VIOLATION

Mr. Allen Berreth:

Pursuant to Public Utilities Code section 326 and Government Code section 15475.1, the Office of Energy Infrastructure Safety (Energy Safety) has conducted an inspection of work completed by PacifiCorp in accordance with its 2023 Wildfire Mitigation Plan (WMP) and determined the existence of one or more violations. Energy Safety therefore issues PacifiCorp a Notice of Violation (NOV), identifying noncompliance with an approved WMP or any law, regulation, or guideline within the authority of the Office.<sup>1</sup>

On August 1, 2023, Energy Safety conducted an inspection of PacifiCorp's WMP initiatives in the vicinity of the city of Yreka, California. The inspection report is enclosed herewith. Energy Safety found the following violations:

Violation 1. Energy Safety observed that in implementing WMP initiative number 8.2.3.1.2 – Pole Clearing, PacifiCorp failed to adhere to a required protocol of pole clearing to achieve required clearance at pole ID 06245007260105 at coordinates 41.715462644451, -122.632570788839. Energy Safety considers this violation for failure to adhere to protocol to be in the Minor risk category.

Violation 2. Energy Safety observed that in implementing WMP initiative number 8.2.3.1.2 – Pole Clearing, PacifiCorp failed to adhere to a required protocol of pole clearing to achieve required clearance at pole ID 06245007263000 at coordinates 41.71374976, -122.62534223. Energy Safety considers this violation for failure to adhere to protocol to be in the Minor risk category.

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<sup>1</sup> Cal. Code Regs., tit. 14, section 29302(b)(2)

## Response Options

Energy Safety may prescribe a timeframe for resolution of a violation associated with the assigned risk category.<sup>2</sup> Within 30 days from the issuance date of this NOV, the electrical corporation must provide a response advising Energy Safety of corrective actions taken or planned to remedy the above identified violation(s) and prevent recurrence. Alternatively, the electrical corporation must advise Energy Safety that it will not correct the violation, including the reasoning or justification for inaction and all supporting documentation.<sup>3</sup>

This response shall be filed in the Energy Safety e-Filing system under the 2023 NOV Docket<sup>4</sup> and the associated file name(s) must begin with the NOV identification number provided above.

Pursuant to Government Code section 15475.4, if the electrical corporation intends to request a hearing “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 NOV 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 NOV no later than five (5) business days before the response deadline.<sup>5</sup> Requests for informal conference with Energy Safety must be e-mailed to [compliance@energysafety.ca.gov](mailto:compliance@energysafety.ca.gov), with a copy sent to all Energy Safety Compliance Assurance Division staff identified in the NOV.

Pursuant to Public Utilities Code section 8389(g), following receipt of the electrical corporation’s response to this NOV and resolution of any disputes, this matter may be referred to the California Public Utilities Commission for its consideration of potential enforcement action, as it deems appropriate.

Sincerely,



Patrick Doherty  
Program Manager | Compliance Assurance Division  
Office of Energy Infrastructure Safety  
[Patrick.Doherty@energysafety.ca.gov](mailto:Patrick.Doherty@energysafety.ca.gov)

Cc:

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<sup>2</sup> Energy Safety Compliance Guidelines, pp. 5-6

<sup>3</sup> Energy Safety Compliance Guidelines, pp. 6-7

<sup>4</sup> <https://efiling.energysafety.ca.gov/EFiling/DocketInformation.aspx?docketnumber=2023%20NOV>

<sup>5</sup> Energy Safety Compliance Guidelines, p. 6

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# INSPECTION REPORT

## Overview

### Inspection Categories

The Office of Energy Infrastructure Safety (Energy Safety) conducts inspections to verify the work performed by an electrical corporation as reported in an approved Wildfire Mitigation Plan (WMP) or subsequent filing, and to assess general conditions of electrical infrastructure that may adversely impact an electrical corporation’s wildfire risk.

A Notice of Violation (NOV) is issued for any instances of noncompliance discovered during an inspection related to an electrical corporation’s execution of its WMP initiatives.

### Correction Timelines

Violations must be corrected in a timely manner. Energy Safety may prescribe a timeframe for resolution of a violation. If Energy Safety assigns a risk category to a violation, an electrical corporation must correct the violation as required per the timelines provided in Table 1.<sup>6</sup>

**Table 1. Risk Category and Correction Timelines**

Risk Category	Violation and defect correction timeline
Severe	<ul style="list-style-type: none"><li>• Immediate resolution</li></ul>
Moderate	<ul style="list-style-type: none"><li>• 2 months (in High Fire Threat District (HFTD) Tier 3)</li><li>• 6 months (in HFTD Tier 2)</li><li>• 6 months (if relevant to worker safety; not in HFTD Tier 3)</li></ul>
Minor	<ul style="list-style-type: none"><li>• 12 months or resolution scheduled in WMP update</li></ul>

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<sup>6</sup> Energy Safety Compliance Guidelines, p. 5



# Inspection Summary

Table 2 provides a summary of the selection of the WMP inspection location and initiative. Table 3 provides a summary of the violation(s) found during the inspection. Details regarding the inspection that identified the violation(s) are provided in the Inspections Details Section below.

***Table 2: Inspection Location and Initiative Summary***

Electrical Corporation:	PacifiCorp (PC)
Report Number:	PC_CAC16_20230801_1022
Inspector:	CAC16
WMP Year Inspected:	2023
Quarterly Data Report (QDR) Referenced:	Quarter 1 (Q1)
Inspection Selection:	Energy Safety viewed the contents of the Q1 QDR and performed an analysis that resulted in the selection of the WMP initiatives and locations referenced in this report.
Relevant WMP Initiative(s):	Pole Clearing (2023 WMP initiative number 8.2.3.1.2)
Date of inspection:	August 1, 2023
City and/or County of Inspection:	Yreka, Siskiyou County
Inspection Purpose:	Assess the accuracy of PacifiCorp’s QDR data, completeness of its work, compliance with WMP requirements, and compliance with its protocols.

**Table 3: WMP Inspection Violation(s)**

<b>Violation #</b>	<b>Structure ID</b>	<b>Lat/Long</b>	<b>HFTD</b>	<b>Initiative Number</b>	<b>Violation Type</b>	<b>Severity</b>	<b>Violation Description</b>
Violation 1	06245007260105	41.715462644451, -122.632570788839	Tier 2	8.2.3.1.2 - Pole Clearing	Adherence to Protocol	Minor	Failure to achieve required clearance
Violation 2	06245007263000	41.71374976, -122.62534223	Tier 2	8.2.3.1.2 - Pole Clearing	Adherence to Protocol	Minor	Failure to achieve required clearance

# Inspection Details

## Violation 1:

### **Relevant Requirement:**

PacifiCorp's WMP states the following regarding initiative number 8.2.3.1.2 - Pole Clearing on subject poles:

1. "Consistent with California Public Resource Code [sic] (PRC) § 4292, [PacifiCorp] conducts pole clearing activities involving removal of all vegetation within a 10-foot radius cylinder (up to 8 feet vertically) of clear space around a subject pole, removal of dead vegetation from 8 feet to the highest point of the conductor and applying herbicides and/or soil sterilant to prevent any vegetation regrowth... [PacifiCorp] vegetation management has expanded pole clearing to include Local Responsibility Area (LRA) subject equipment poles located in the HFTD in additional [sic] to its existing program in compliance with regulations of clearing State Responsibility Area (SRA) subject poles."<sup>7</sup>

### **Finding:**

At pole ID 06245007260105 at 406 Oberlin Rd, Yreka, CA, 96097, USA, 41.715462644451, -122.632570788839, the inspector observed that vegetation was growing within a 10-foot radius around the pole. The inspector's observation is documented in Violation 1 photographs, which are attachments to this report. Photo number Item1GIImg1 depicts an overall view of the pole. Photo numbers Item1GIImg1, Item1GIImg2, Item1IA1Img1, and Item1IA1Img2 depict views of the vegetation growing within a 10-foot radius around the pole.

Energy Safety concludes that Violation 1 is Minor because of these facts:

1. PacifiCorp's WMP clearance work was identified as complete at this location.
2. Pole ID 062450070260105 is within the LRA and the HFTD.
3. PacifiCorp failed to remove vegetation within a 10-foot radius around the pole.
4. The vegetation density is minor.

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<sup>7</sup> PacifiCorp, "2023 Revised Wildfire Mitigation Plan," October 11, 2023. p. 199. [Online]. Available: <https://efiling.energysafety.ca.gov/eFiling/Getfile.aspx?fileid=55773&shareable=true>

## **Violation 2:**

### **Relevant Requirement:**

PacifiCorp's WMP states the following regarding initiative number 8.2.3.1.2 - Pole Clearing on subject poles:

1. "Consistent with California Public Resource Code [sic] (PRC) § 4292, [PacifiCorp] conducts pole clearing activities involving removal of all vegetation within a 10-foot radius cylinder (up to 8 feet vertically) of clear space around a subject pole, removal of dead vegetation from 8 feet to the highest point of the conductor and applying herbicides and/or soil sterilant to prevent any vegetation regrowth...[PacifiCorp] vegetation management has expanded pole clearing to include Local Responsibility Area (LRA) subject equipment poles located in the HFTD in addition [sic] to its existing program in compliance with regulations of clearing State Responsibility Area (SRA) subject poles."<sup>8</sup>

### **Finding:**

At pole ID 06245007263000 at 800 Campbell Ave, Yreka, CA, 96097, USA, 41.71374976, -122.62534223, the inspector observed that vegetation was growing within a 10-foot radius around the pole. The inspector's observation is documented in Violation 2 photographs, which are attached to this report. Photo number Item2GImg1 depicts an overall view of the pole. Photo number Item2GImg2 depicts the pole ID number. Photo numbers Item2GImg1, Item2GImg2, Item2IA1Img1, and Item2IA1Img2 depict views of vegetation growing within a 10-foot radius around the pole.

Energy Safety concludes that Violation 2 is Minor because of these facts:

1. PacifiCorp's WMP clearance work was identified as complete at this location.
2. Pole ID 062450070263000 is within the LRA and the HFTD.
3. PacifiCorp failed to remove vegetation within a 10-foot radius around the pole.
4. The vegetation density is minor.

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<sup>8</sup> PacifiCorp, "2023 Revised Wildfire Mitigation Plan," October 11, 2023. p. 199. [Online]. Available: <https://efiling.energysafety.ca.gov/eFiling/Getfile.aspx?fileid=55773&shareable=true>



# Exhibits

Exhibit A: Photo Log

Structure ID: 06245007260105

Violation 1

 A photograph showing a tall wooden utility pole with multiple cross-arms and power lines. The pole is situated in a rural or semi-rural area with trees and a fence in the background under a clear blue sky.	 A close-up photograph of the utility pole. It features several identification tags: a white tag with '40T' in yellow, a yellow tag with 'PACIFICORP', '06245007', and '260105', and a white tag with '176'. The pole is surrounded by green foliage and a white picket fence.
<p>Item1Gimg1: Overall pole.</p>	<p>Item1Gimg2: Pole ID.</p>



**Item1IA1mg1:** View of vegetation growing within a 10-foot radius of the pole.



**Item1IA1mg2:** View of vegetation growing within a 10-foot radius of the pole.



**Structure ID: 06245007263000**

**Violation 2**



**Item2GImg1: Overall pole.**



**Item2GImg2: Pole ID.**



**Item2IA1Img1:** View of vegetation growing within a 10-foot radius of the pole.



**Item2IA1Img2:** View of vegetation growing within a 10-foot radius of the pole.