



June 28, 2024

Allen Berreth
Vice President of Transmission & Distribution Operations
PacifiCorp
1700 NE Multomah, Suite 2000
Portland, Or 97232

NOTICE OF VIOLATION

Mr. 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 2024 Wildfire Mitigation Plan (WMP) and determined the existence of a violation. 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.¹

On June 4, 2024, Energy Safety conducted an inspection of PacifiCorp's WMP initiatives in the vicinity of the city of Mount Shasta, California. The inspection report is enclosed herewith. Energy Safety found the following violation:

Violation 1. Energy Safety observed that in implementing WMP initiative 8.2.3.1.2 - Pole Clearing, PacifiCorp failed to adhere to its protocol of pole clearing around pole ID 90505 at coordinates 41.3271629996257, -122.323769769563. Energy Safety considers this violation for adherence to protocol to be in the "Minor" risk category.

Response Options

In accordance with Energy Safety Guidelines,² within 30 days from the issuance of this NOV, PacifiCorp must provide a response advising Energy Safety of corrective actions taken or planned to remedy the above identified violation(s) and prevent recurrence. Alternatively, PacifiCorp must advise Energy Safety that it will

¹ Cal. Code Regs., tit. 14, section 29302(b)(2)

² Energy Safety Compliance Guidelines, pp 6-7

not correct the violation, including the reasoning or justification for inaction and all supporting documentation.³

This response shall be filed in the Energy Safety e-Filing system under the 2024 NOV Docket⁴ and the associated file name(s) must begin with the NOV identification number provided above.

Pursuant to Government Code section 15475.4, if PacifiCorp 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, PacifiCorp may also request an informal conference with Energy Safety’s Environmental Science Division for the purpose of disputing any issues raised in this NOV no later than five (5) business days before the response deadline.⁵ Requests for informal conference with Energy Safety must be e-mailed to environmentalscience@energysafety.ca.gov, with a copy sent to Elizabeth.McAlpine@energysafety.ca.gov.

Pursuant to Public Utilities Code section 8389(g), Energy Safety may refer this matter to the California Public Utilities Commission for its consideration of potential enforcement action, as it deems appropriate.

Sincerely,



Sheryl Bilbrey
Program Manager | Environmental Science Division
Office of Energy Infrastructure Safety
Sheryl.Bilbrey@energysafety.ca.gov

Cc:

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³ Energy Safety Compliance Guidelines, pp. 6-7

⁴ <https://efiling.energysafety.ca.gov/EFiling/DocketInformation.aspx?docketnumber=2024%20NOV>

⁵ Energy Safety Compliance Guidelines, p. 6

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 1.⁶

Table 1. Risk Category and Correction Timelines

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

⁶ 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
Report Number:	PC_GCA_20240604_1315
Inspector:	Gary Candelas
WMP Year Inspected:	2024
Data Request Referenced:	DR-229, April 1 to May 8, 2024 vegetation management data
Inspection Selection:	Energy Safety inspected the locations based on PacifiCorp’s response to DR-229
Relevant WMP Initiative(s):	8.2.3.1.2 - Pole Clearing
Date of inspection:	June 4, 2024
City and/or County of Inspection:	Mount Shasta, California
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)

Violation #	Structure ID	VMP ID	Lat/Long	HFTD	Initiative Number	Violation Type	Severity	Violation Description
Violation 1	90505	1383135	41.3271629996257, -122.323769769563	Tier 2	8.2.3.1.2 - Pole Clearing	Adherence to Protocol	Minor	Failure to achieve required clearance at pole ID 90505.

Inspection Details

Violation 1:

Relevant Requirement:

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

"Consistent with California Public Resource Code (PRC) § 4292, Pacific Power 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 (unless prohibited by law or the property owner)."⁷ PacifiCorp continues by stating, "Pole clearing is designed to reduce the risk of fire ignition if sparks are emitted from electrical equipment. Pacific Power vegetation management has expanded pole clearing to include Local Responsibility Area (LRA) subject equipment poles located in the HFTD in addition to its existing program in compliance with regulations of clearing State Responsibility Area (SRA) subject poles. In addition to state required pole clearing activities, Pacific Power addresses vegetation adjacent to 'subject' poles in local responsibility areas to further reduce wildfire ignition risks and increase wildfire resiliency."⁸

Finding:

The reported location provided by PacifiCorp indicated that work per WMP initiative number 8.2.3.1.2- Pole Clearing was completed.⁹ The pole (ID 90505) is located in Mount Shasta City Park, near the intersection of Nixon Road and North Mount Shasta Boulevard and at GPS coordinates 41.3271629996257, -122.323769769563. The inspector observed a white fir tree with dead branches within the 10-foot radius of the pole and approximately 10 feet from ground. The inspector's observation is documented in Violation 1 photographs, which are attachments to this report. Photo numbers Item1IA1Img1, Item1IA1Img2, Item1IA1Img3, Item1IA1Img4 depict dead branches approximately 10 feet from ground.

Energy Safety concludes that Violation 1 is "Minor" because the branches within the 10-foot radius are not near the conductors.

⁷ PacifiCorp, "2023 Revised Wildfire Mitigation Plan," October 11, 2023. p. 199 [Online]. Available: <https://efiling.energysafety.ca.gov/eFiling/Getfile.aspx?fileid=56336&shareable=true>

⁸ PacifiCorp, "2023 Revised Wildfire Mitigation Plan," October 11, 2023. p. 199 [Online]. Available: <https://efiling.energysafety.ca.gov/eFiling/Getfile.aspx?fileid=56336&shareable=true>



⁹ DR-229 response, Excel file: OEIS_DR_229_Work_Complete_Report_Distribution.xlsx.

Exhibits

Exhibit A: Photo Log

Structure ID: 90505

Violation 1

 A close-up photograph of a utility pole. A yellow tag is attached to the pole with the text "STRUCTURE ID: 90505". The pole is surrounded by trees and a stone wall.	 A photograph showing a utility pole with multiple cross-arms and wires. The pole is surrounded by trees and a clear blue sky.
<p>Item1Gimg1: Pole ID</p>	<p>Item1Gimg2: Assets on the pole</p>



Item1IA1Img1: Dead branches are within the 10-foot radius of the pole and approximately 10 feet from the ground.



Item1IA1Img2: Dead branches are within the 10-foot radius of the pole and approximately 10 feet from the ground.