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**VIA ELECTRONIC FILING**

**Docket # 2024 NOV**

Sheryl Bilbrey  
Program Manager, Environmental Science Division  
Office of Energy Infrastructure Safety  
715 P Street, 20th Floor  
Sacramento, CA 95814

**RE: San Diego Gas & Electric Company's Response to Notice of Violation –  
SDGE\_GCA\_20240612\_0908**

Dear Program Manager Bilbrey:

San Diego Gas & Electric Company (SDG&E) provides this response to the finding identified in the Notice of Violation "SDGE\_GCA\_20240612\_0908" (Notice of Violation or NOV) issued by the Office of Energy Infrastructure Safety's (Energy Safety) on June 28, 2024 regarding Energy Safety's inspection of work completed by SDG&E in accordance with its 2024 Wildfire Mitigation Plan (WMP). Specifically, the NOV describes that on June 12, 2024, Energy Safety conducted an inspection of SDG&E's WMP initiatives in the vicinity of the city of Fallbrook, California and found the following violation:

Violation 1 – Energy Safety observed that in implementing WMP initiative 8.2.3.1 - Pole Clearing (WMP.512), SDG&E failed to adhere to its protocol of pole clearing around pole ID 30791 at coordinates 33.3710204204855, -117.159995846559. Energy Safety considers this violation for adherence to protocol to be in the "Minor" risk category.

SDG&E is not requesting a written hearing for the findings addressed in this response; however, SDG&E reserves the right to raise these points in subsequent procedural stages and/or proceedings as necessary. Further, although Energy Safety has the right to refer certain notices to the California Public Utilities Commission for enforcement action, the findings in this notice do not merit referral, as there is inadequate support for a finding that SDG&E has failed to substantially comply with its approved WMP.<sup>1</sup>

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<sup>1</sup> See Pub. Util. Code §8386.1.

## I. SDG&E RESPONSE

### A. Violation 1 – Pole Clearing, Failure to Achieve Required Clearance Around P30791.

SDG&E has elected to not clear the vegetation (ice plant, *Carpobrotus edulis*) growing within a 10-foot radius from the subject pole as identified in the NOV. SDG&E reviewed the vegetation when it mechanically brushed the identified pole and determined that the ice plant met the criteria for exemption under the California Code of Regulations (CCR) Title 14 § 1255 - Exemptions to Minimum Clearance Provisions – Public Resources Code (PRC) 4292. However, SDG&E acknowledges that its 2023-2025 WMP states that “Mechanical pole brushing is the clearing all vegetation around the base of a pole down to bare mineral soil for a radius of 10 feet from the outer circumference of the pole.”<sup>2</sup> Although SDG&E does reference PRC 4292 in its WMP in relation to pole clearing, discussions with Energy Safety’s Environmental Science Division have made clear that Energy Safety believes SDG&E’s WMP lacks sufficient detail regarding SDG&E’s application of the exemptions in PRC 4292.

Accordingly, SDG&E will develop a procedural training document to provide guidance on what field conditions merit the application of an exemption to PRC 4292. Under CCR Title 14 § 1255 - Exemptions to Minimum Clearance Provisions - PRC 4292:

*The minimum clearance provisions of PRC 4292 are not required around poles and towers, including line junction, corner and dead end poles and towers:*

*(d) Where vegetation is maintained less than 30.48 cm (12 inches) in height, is fire resistant, and is planted and maintained for the specific purpose of preventing soil erosion and fire ignition.*

The procedural training document will include this exemption, as well as a list of vegetation species that are considered fire-resistant and safe to remain within the cleared radius of poles subject to PRC 4292. Though a single, comprehensive list of fire-resistant vegetation could include thousands of different species and varieties, the list SDG&E will use as a reference will represent a significant selection of some of the most common species to be considered as exempt. Additionally, SDG&E will use as a guide and reference the Cal Fire website identifying proper fire-smart landscaping <https://readyforwildfire.org/prepare-for-wildfire/fire-smart-landscaping/>.

## II. CONCLUSION

SDG&E appreciates Energy Safety’s continued efforts to identify, communicate, and work together to promote wildfire safety throughout California.

Respectfully submitted,

/s/ Laura M. Fulton

Attorney for

San Diego Gas and Electric Company

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<sup>2</sup> SDG&E 2023-2025 WMP at p. 273: <https://www.sdge.com/2023-wildfire-mitigation-plan>