



October 14, 2024

Via Electronic Filing

Caroline Thomas Jacobs, Director
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California Natural Resources Agency
Sacramento, CA 95814
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Subject: Public Advocates Office's Reply Comments on the Updated Revised Draft Guidelines for the 10-Year Electrical Undergrounding Plan (EUP)

Docket: 2023-UPs

Dear Director Thomas Jacobs,

The Public Advocates Office at the California Public Utilities Commission (Cal Advocates) respectfully submits the following reply comments on the Office of Energy Infrastructure Safety's Updated Revised Draft Guidelines for the 10-year Undergrounding Distribution Infrastructure Plan (Plan or EUP). Please contact Nat Skinner (Nathaniel.Skinner@cpuc.ca.gov) or Henry Burton (Henry.Burton@cpuc.ca.gov) with any questions relating to these comments.

We respectfully urge the Office of Energy Infrastructure Safety to adopt the recommendations discussed herein.

Sincerely,

/s/ Angela Wuerth

Angela Wuerth
Attorney
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I. INTRODUCTION

The Public Advocates Office at the California Public Utilities Commission (Cal Advocates) submits these reply comments in response to the Office of Energy Infrastructure Safety’s (Energy Safety) Updated Revised Draft Guidelines (Revised Draft), issued September 13, 2024.¹ The Revised Draft provides guidelines for electric utilities to submit electrical undergrounding plans (EUPs) pursuant to Senate Bill (SB) 884.² SB 884 authorizes large electric utilities³ (utilities) to submit ten-year plans to underground distribution lines⁴ and tasks Energy Safety and the California Public Utilities Commission (CPUC or Commission) to determine whether to approve, conditionally approve, or deny a utility’s ten year plan.⁵

Cal Advocates has been actively engaged with Energy Safety and the Commission regarding the implementation of SB 884 since December 2022. Energy Safety should review our past comments, as many of PG&E’s proposals have already been addressed,⁶ especially in our most recent comments.⁷ Our emphasis has been on ensuring cost-effective and feasible plans. We look forward to further opportunities, beyond these comments, to constructively engage with Energy Safety, share ideas, and develop effective policies to ensure wildfire mitigation is achieved consistent with the statutory mandate of SB 884.

¹ Energy Safety, *Updated Revised Draft 10-Year Electrical Undergrounding Plan Guidelines* (Revised Draft), September 13, 2024, docket 2023-UPs.

² McGuire, Stats. 2022, Chap. 819. SB 884 is codified at Public Utilities Code § 8388.5.

³ Many of the statutory provisions in the Public Utilities Code relating to wildfires apply to “electrical corporations.” See, e.g., Public Utilities Code § 8388.5. These comments also use the more common term “utilities” to refer to the entities that must comply with the wildfire safety provisions of the Public Utilities Code.

⁴ Cal. Pub. Util. Code § 8388.5(c).

⁵ Cal Pub. Util. Code §§ 8388.5(d), (e) and (f).

⁶ PG&E, *Comments on the Revised Draft 10-Year Electrical Undergrounding Plan Guidelines Issued by Energy Safety on September 13, 2024* (PG&E Comments on Revised Draft), October 3, 2024

⁷ See discussions in:

Corrected Comments of the Public Advocates Office on Pacific Gas and Electric’s Topics for Discussion on Revised Draft EUP Guidelines, August 9, 2024

Public Advocates Office’s Comments on the Updated Revised Draft Guidelines for the 10-Year Electrical Undergrounding Plan, October 3, 2024

II. ISSUES

A. **Energy Safety should allow for public review if a Change Order Process is implemented.**

Pacific Gas and Electric Company (PG&E) recommends adding a Change Order Process to the EUP guidelines.⁸ The Change Order Process includes two different proposals: 1) Utilities should be able to revise their submitted EUP; and 2) Energy Safety should be able to update EUP guidelines.

If Energy Safety adopts a Change Order Process, that process should include public review due to the potential size and scale of the SB 884 plans. Public review should include both workshops and public comments. Any Change Order Process should not excuse utilities from submitting all projects in their initial applications as required by Public Utilities Code § 8388.5(c)(2).⁹ Cal Advocates make the following recommendations for the public comment schedule, which are essential to any Change Order Process adopted by Energy Safety:

1. If the Change Order Process allows utilities to revise their submitted EUP, Energy Safety should include a reasonable schedule for public comments. Cal Advocates commented recently on reasonable schedule proposals.¹⁰
2. If the Change Order Process allows Energy Safety to revise EUP guidelines, there should be at least 30 calendar days for public comments.

B. **Energy Safety should not adopt proposals to include undergrounding outside of tier 2 or 3 high-fire threat districts (HFTD) and rebuild areas.**

PG&E proposes to include electrical line undergrounding outside of tier 2 and 3 HFTDs and rebuild areas in the EUP.¹¹ Specifically, if the circuit segment crosses back and forth between HFTD and non-HFTD areas, PG&E proposes that the entire segment span be considered HFTD and eligible for inclusion in the EUP. ¹² ¹³ Utilities previously recommended

⁸ PG&E Comments on Revised Draft at 22-23.

⁹ *Public Advocates Office's Comments on the Updated Revised Draft Guidelines for the 10-Year Electrical Undergrounding Plan*, October 3, 2024 at 11-12.

¹⁰ *Public Advocates Office's Comments on the Updated Revised Draft Guidelines for the 10-Year Electrical Undergrounding Plan*, October 3, 2024 at 6-7.

¹¹ PG&E Comments on Revised Draft at 14-15.

¹² PG&E Comments on Revised Draft at 14-15.

¹³ PG&E defines span as "A span is the overhead electric line between two poles and is generally several hundred feet in length."

that Energy Safety allow undergrounding in utility-defined high-fire risk areas outside tier 2 or 3 HFTDs, and Cal Advocates objected to these proposals because they violate the requirements of SB 884.¹⁴ Similarly, PG&E’s proposal to expand the definition of HFTDs is inconsistent with SB 884. SB 884 specifies that “only undergrounding projects located in tier 2 or 3 [HFTDs] or rebuild areas may be considered and constructed as part of the program.”¹⁵ Public Utilities Code § 8388.5(c)(2) prohibits the “consideration and construction” of projects outside of tier 2 and 3 HFTDs or rebuild areas. The EUP guidelines are not the correct venue to redefine HFTDs. Instead, that authority lies with the Commission. If a utility wishes to request recovery of costs for undergrounding in areas outside of tier 2 and 3 HFTDs, that utility should pursue funding in its general rate case. Alternatively, a utility could also pursue a Petition for Modification with the Commission if updates to HFTD mapping is needed. Cal Advocates has submitted a Petition for Modification before the Commission in Rulemaking 15-05-006 for consideration of HFTD map modifications.¹⁶

C. Energy Safety should not adopt PG&E’s proposed watering down of Alternative Mitigation Analyses

PG&E proposes various changes that would weaken the alternative mitigation analyses.¹⁷ Cal Advocates is concerned about weakening the analyses because of PG&E’s alternative analysis of undergrounding submitted as part of its Risk Assessment and Mitigation Phase ahead of its general rate case filing in 2025.¹⁸ In that proceeding before the Commission, PG&E failed to provide and consider reasonable alternatives to its undergrounding proposals. For example, PG&E’s “alternative” to undergrounding was simply to not underground secondary and service lines.¹⁹ However, PG&E has already stated that service lines are not included in its

¹⁴ *Public Advocates Office’s Reply Comments on the Development of Guidelines for the 10-Year Undergrounding Distribution Infrastructure Plan*, January 18, 2024 at 10.

¹⁵ Public Utilities Code section 8388.5(c)(2).

¹⁶ See R.15-05-006, *Public Advocates Office’s Petition for Modification of Decision (D.)20-12-030, D.17-12-024 and D.17-01-009 In Order to Update High Threat Fire District Mapping*, April 19, 2023.

¹⁷ PG&E Comments on Revised Draft at 5-7.

¹⁸ See A.24-05-008, *Application of PG&E to Submit its 2024 Risk Assessment and Mitigation Phase (RAMP) Report*, May 15, 2024, at PG&E-4 1-98 to 1-105.

¹⁹ PG&E’s RAMP Report at 1-98 and 4-45.

undergrounding program, with the service drops remaining overhead.²⁰ PG&E’s other alternatives were Grid Monitoring, reconfiguration of conductor attachments to ‘prevent line slap, and wildfire resilience partnerships (fuels treatment).²¹ PG&E’s assessment failed to consider other well-established wildfire mitigation options such as covered conductor with Enhanced Powerline Safety Settings (EPSS or fast trip) as an alternative mitigation. Reducing the consideration of alternative mitigations will deprive Energy Safety and stakeholders of crucial information and may result in the failure to analyze alternative mitigations that can quickly and less expensively reduce wildfire risk. Narrowing the scope of Energy Safety’s consideration of wildfire mitigation options could result in customers remaining at higher wildfire risk for longer. As such, Energy Safety should reject PG&E’s proposed watering down of alternative mitigation analyses.

III. CONCLUSION

Cal Advocates respectfully requests that Energy Safety adopt the recommendations described herein.

Respectfully submitted,

/s/ *Angela Wuerth*

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²⁰ PG&E “Undergrounding Fact Sheet”, available at <https://www.pge.com/assets/pge/docs/outages-and-safety/safety/undergrounding-fact-sheet.pdf>

²¹ See A.24-05-008, *Application of PG&E to Submit its 2024 Risk Assessment and Mitigation Phase (RAMP) Report*, May 15, 2024, at PG&E-4 1-100 to 1-105.