



December 24, 2024

Dan Marsh
Senior Manager, Rates and Regulatory Affairs
Liberty Utilities
701 National Avenue
Tahoe Vista, CA 96148

NOTICE OF VIOLATION

Mr. Marsh:

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 Liberty Utilities (LU) in accordance with its 2023 Wildfire Mitigation Plan (WMP) and determined the existence of a violation. Energy Safety therefore issues LU 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 July 11, 2024, Energy Safety conducted an inspection of Liberty Utilities' WMP initiatives in the vicinity of the city of Homewood, California. The inspection report is enclosed herewith. Energy Safety found the following violation(s):

Violation 1. Energy Safety observed that in implementing 2023 WMP initiative 8.1.2.1 - Covered Conductor Installation, LU failed to provide accurate data in reporting that covered conductor was installed and continued to the next pole in the northern direction from Pole ID 296777, Grid Hardening ID TAH7300 Phase 8, at coordinates 39.07930181517026, -120.15769778123013.

¹ 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.² 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.³

This response shall be filed in the Energy Safety e-Filing system under the 2023 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 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.⁵ Requests for informal conference with Energy Safety must be e-mailed to 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

Cc:

Peter Stoltman, Liberty Utilities
Peter.Stoltman@libertyutilities.com

² Energy Safety Compliance Guidelines, pp. 5-6

³ Energy Safety Compliance Guidelines, pp. 6-7

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

⁵ Energy Safety Compliance Guidelines, p. 6

Jordan Parrillo, Liberty Utilities

Jordan.Parrillo@libertyutilities.com

Yana Loginova, Energy Safety

yana.loginova@energysafety.ca.gov

Compliance@energysafety.ca.gov



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:	Liberty Utilities
Report Number:	CADLU_CAC22_20240711_1406
Inspector:	CAC22
WMP Year Inspected:	2023
Quarterly Data Report (QDR) Referenced:	Quarter 4 (Q4)
Inspection Selection:	Energy Safety viewed the contents of the Q4 QDR and performed an analysis that resulted in the selection of the WMP initiatives and locations referenced in this report.
Relevant WMP Initiative(s):	8.1.2.1 Covered Conductor Installation
Date of inspection:	July 11, 2024
City and/or County of Inspection:	Homewood, Placer County
Inspection Purpose:	Assess the accuracy of Liberty Utilities' QDR data, completeness of its work, compliance with WMP requirements, and compliance with its protocols.

Table 3: WMP Inspection Violation(s)

Violation #	Structure ID	Grid Hardening ID	Lat/Long	HFTD	Initiative Number	Violation Type	Severity	Violation Description
Violation 1	296777	TAH7300 Phase 8	39.07930181517026, -120.15769778123013	Tier 2	8.1.2.1 Covered Conductor Installation	Data Accuracy	N/A	Inaccurate data provided on covered conductor installation.

Inspection Details

Violation 1:

Relevant Requirement:

Liberty Utilities' WMP states the following regarding initiative number 8.1.2.1 Covered Conductor Installation:

1. "Liberty has been using line replacements with covered conductor since 2020 as a method to address both wildfire mitigation and the need for system hardening."⁷

Version 3.1 of Energy Safety's Data Guidelines states the following with respect to data submitted by an electrical corporation when reporting on its 2023 WMP initiatives:

2. "Electrical corporations must ensure location accuracy in their [geographic information system] data submissions..."⁸

Finding:

On Pole ID 296777, Grid Hardening ID TAH7300 Phase 8, at 5485 W. Lake Blvd, Homewood, CA, 96141, USA, the inspector observed that covered conductor did not continue to the north. The covered conductor installation stopped at pole ID 296777. LU reported that covered conductor was installed at this pole and continued to the next pole in the northern direction. Covered conductor was not installed in the northern direction. The inspector's observation is documented in Violation 1 photographs, which are attachments to this report. Photo numbers Item1GImg1, Item1GImg2, and Item1IA1Img2 depict that the covered conductor installed at the location did not continue to the north as indicated by Liberty in its QDR submission.

Energy Safety concludes that:

1. Liberty Utilities' 2023 WMP Covered Conductor Installation (8.1.2.1) work was identified as completed at this location.
2. Covered conductor was not installed to the north of pole ID 296777 as reported.

⁷ Liberty Utilities, "Liberty Wildfire Mitigation Plan," October 6, 2023, p. 157. [Online.] Available:

<https://efiling.energy.ca.gov/eFiling/Getfile.aspx?fileid=55765&shareable=true>

⁸ Office of Energy Infrastructure Safety, "Data Guidelines, Version 3.1," February 17, 2023, p. 10. [Online]. Available:

<https://efiling.energy.ca.gov/eFiling/Getfile.aspx?fileid=53475&shareable=true>

Exhibits

Exhibit A: Photo Log

Structure ID: 296777

Violation 1



Item1Gimg1: Pole ID



Item1Gimg2: Overall Pole, showing that covered conductor was not installed in a northerly direction from the pole as reported in the QDR.



Item1IA1Img2: No Covered Conductor Present on Top Span