



February 25, 2025

Allen Berreth
Vice President of Transmission & Distribution Operations
PacifiCorp
1700 NE Multnomah, 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 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 January 16, 2025, Energy Safety conducted inspections of PacifiCorp's WMP initiatives in the vicinity of the city of McCloud. The inspection report is enclosed herewith. Energy Safety found the following violation:

Violation 1. Energy Safety observed that in implementing 2024 WMP initiative 8.2.3.2 – Clearance (VM-03), PacifiCorp failed to achieve completeness of required clearance near pole ID 132403, at coordinates 41.22475828, -122.14927276 in a High Fire Threat District (HFTD) Tier 2 area. Energy Safety considers this violation 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 informing Energy Safety of corrective actions taken or planned to remedy the above identified violation and prevent recurrence. Alternatively, should PacifiCorp disagree with the NOV, PacifiCorp must submit to Energy Safety a response stating it disagrees with the violation, the reason or justification for the disagreement and all supporting documentation.³ This response shall be filed in the Energy Safety e-Filing

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

² Energy Safety Compliance Guidelines, pp 4-5

³ Energy Safety Compliance Guidelines, pp 4-5

system under the 2024 NOV Docket⁴ and the associated file name(s) must begin with the NOV identification number provided above.

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 30- day 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 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.

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

Sincerely,



Sheryl Bilbrey

Program Manager | Environmental Science Division

Office of Energy Infrastructure Safety

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

⁵ Energy Safety Compliance Guidelines, p. 4



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.

Energy Safety has designated this violation as minor risk. PacifiCorp must correct the violation pursuant to the timeline provided in Table 1.⁶

Table 1. Risk Category and Correction Timelines

Risk Category	Violation 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. 3



Inspection Summary

The inspection location and WMP initiative summary is included in Table 2. The WMP inspection violation is included in Table 3.

Table 2: Inspection Location and WMP Initiative Summary

Electrical Corporation:	PacifiCorp
Report Number:	NOV ESD_PC_CAC23_20250116_1055
Inspector:	CAC23
WMP Year Inspected:	2024
Quarterly Data Report (QDR) Referenced:	Quarter 3 (Q3), DR 291, and DR 292
Inspection Selection:	Energy Safety inspected the locations based on PacifiCorp's DR 291
Relevant WMP Initiative(s):	8.2.2.1 Patrol Inspection – Distribution (VM-03) and 8.2.3.2 Clearance - Distribution (VM-06)
Dates of inspection:	January 16, 2025
City and/or County of Inspection:	McCloud, Siskiyou County
Inspection Purpose:	Assess the accuracy of PacifiCorp's DR 291 data, completeness of its work, compliance with WMP requirements, and compliance with its protocols.

Table 3: WMP Inspection Violation

Violation #	Structure ID	Record ID	Lat/Long	HFTD	Initiative Number	Violation Type	Severity	Correction Timeline	Violation Description
Violation 1	Near pole 132403	ESD_PC_CAC23_20250116_1055	41.22475828, -122.14927276	Tier 2	8.2.3.2 - Clearance	Completeness	Minor	12 months	Failure to achieve 12 feet clearance as described in PacifiCorp's WMP.

Inspection Details

Violation 1:

Relevant Requirement:

PacifiCorp's WMP states the following regarding initiative number 8.2.3.2 Clearance: "Pacific Power has adopted expanded post-work minimum clearance distances, of at least 12 feet for all distribution lines and has increased post-work clearance distances to 30 feet for transmission lines greater than or equal to 115 kV but less than 230 kV."⁷

PacifiCorp's WMP states the following regarding initiative number 8.2.2.1 Detailed Inspections and Management Practices for Vegetation Clearances around Distribution Electrical Lines and Equipment: "Detailed inspections for vegetation clearances around distribution electric lines in California are generally performed on a planned three-year cycle as part of the routine maintenance program."⁸

Finding:

Energy Safety concludes that Violation 1 is "Minor" because the growth rate for the Douglas fir (*Pseudotsuga menziesii*) suggests it will not encroach upon the conductor before the 12-month mitigation timeframe but should be remediated prior to the next planned routine maintenance program inspection in 3 years.

PacifiCorp reported that it completed vegetation clearance work to achieve 12-foot radial clearance distance under its vegetation clearance program (WMP initiative number 8.2.3.2) near pole ID 132403. According to PacifiCorp's DR 291, PacifiCorp trimmed a 43-foot tall and 12-inch diameter at breast height Douglas fir along Papoose Lane near GPS coordinates 41.22475828, -122.14927276 in August 2024. Although the inspector observed clearance work at the subject tree, this Douglas fir was not trimmed enough to achieve the minimum clearance distance as outlined in the WMP. Using a Nikon Forestry Pro II laser rangefinder, the inspector measured the closest overhanging branch of the subject tree at 7.7 feet above the conductor. The slow-growing nature of the Douglas fir and the fact that other branches on the tree show signs of earlier trims indicate that PacifiCorp did not complete the trim work according to its WMP. The inspector's observations are documented in Violation 1 photographs, which are exhibits to this report. Photos 1 through 4 show that reported work at the location did not meet the 12-foot clearance requirement.

⁷ PacifiCorp "2023-2025 Final Wildfire Mitigation Plan," February 22, 2024. p. 202
(<https://efiling.energy.ca.gov/eFiling/Getfile.aspx?fileid=56336&shareable=true> accessed January 22, 2024)

⁸ PacifiCorp "2023-2025 Final Wildfire Mitigation Plan," February 22, 2024. p. 192
(<https://efiling.energy.ca.gov/eFiling/Getfile.aspx?fileid=56336&shareable=true> accessed December 30, 2024)

Exhibits

Exhibit A: Photo Log

Structure ID: 132403

Violation 1



Photo 1: Pole ID 132403.



Photo 2: Overall pole ID 132403 and surrounding vegetation.



Photo 3: Douglas fir branch 7.7 feet from distribution conductor. Photo taken facing northeast from the pole.



Photo 4: Douglas fir branch (seen in top third of the tree on the right side of the photo) is within 7.7 feet of distribution conductors.